

Summary of Enactments 84th Legislature

Regular Session
2015



Texas Legislative Council

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2015

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Foreword

The *Summary of Enactments, 84th Legislature*, provides summaries of all bills enacted and all joint resolutions proposing amendments to the Texas Constitution passed by the Texas Legislature during the 2015 Regular Session.

This publication organizes the summaries into chapters based on their primary subject matter, and the Legislative Reference Library made an important contribution by handling this process.

When a measure has been vetoed by the governor, the reason for the veto, as stated in the governor's veto proclamation, is included with the summary. In addition to being included in the main body of the publication, summaries of vetoed bills are grouped together under the "Vetoed by the Governor" section.

The *Summary of Enactments* is intended to be a convenient reference to the main features of enacted measures. A summary of a measure should not be considered a comprehensive or legal analysis, nor should it be used as a source of authority for legal interpretation. For specific, detailed information, the act itself should be examined.

Introduction

The 84th Legislature convened in regular session on January 13, 2015, and adjourned *sine die* on June 1, 2015. Of the 1,323 enacted bills, 41 bills, as well as several items of appropriation in the General Appropriations Act (House Bill 1) and in House Bill 2, were subsequently objected to by Governor Greg Abbott. Lawmakers also passed seven joint resolutions proposing amendments to the Texas Constitution. The proposed amendments will be offered for approval on the November 3, 2015, election ballot.

	Filed	Passed	Vetoed*
Bills	6,276	1,323	41
Joint Resolutions	200	7	-

*The governor also objected to several items of appropriation in House Bill 1, the General Appropriations Act, and in House Bill 2, a supplemental appropriations bill. In addition, the governor also vetoed House Concurrent Resolution 84.

Enrolled bills and resolutions and related histories, analyses, fiscal notes, and summaries are provided online at <http://www.legis.state.tx.us>. While this publication organizes enrolled bills and joint resolutions by the primary subject matter, online search capabilities can be used to find such potential topics of interest as all enrolled bills authored by a particular member of the legislature, those referred to a particular senate or house committee, or those containing provisions on a particular subject.

Other sources of information on legislation include:

- Sunset bills (list on page 3)—https://www.sunset.texas.gov/public/uploads/u64/Final%20Results%20of%20Sunset%20Reviews%202014_2015.pdf
- Vetoed bills—<http://www.lrl.state.tx.us/legis/Vetoed/lrlhome.cfm>
- Proposed constitutional amendments
 - <http://www.lrl.state.tx.us/legis/ConstAmends/index.cfm>
 - www.tlc.state.tx.us/const_amends.htm

Paper copies of enrolled bills and resolutions from the 84th Legislature, Regular Session, may be obtained until October 2016. House measures are available by e-mail request to house.documentdistribution@tlc.state.tx.us. Senate measures are available from the Senate Bill Distribution Office, located in Room 190 in the Sam Houston State Office Building, 201 E. 14th Street (P.O. Box 12068, Austin, Texas 78711; (512) 463-0252). The public may also obtain copies of enrolled bills and resolutions from the Legislative Reference Library, located in Room 2N.3 of the Capitol (P.O. Box 12488, Austin, Texas 78711; (512) 463-1252).

Enactments of the 84th Legislature

Agriculture

This chapter covers legislation on ranching, farming, and maintaining a healthy agricultural sector and includes legislation relating to the functions and duties of the Department of Agriculture. Related legislation that is summarized in other chapters is listed at the end of this chapter.

House Bill 1934

Effective: 9-1-15

House Author: Kacal

Senate Sponsor: Perry

House Bill 1934 amends the Agriculture Code to authorize the Beef Promotion and Research Council of Texas or a committee established by the council to hold an open or closed meeting by telephone conference call if the convening at one location of a quorum of the council or committee is inconvenient for any member of the council or committee. The bill makes a violation of state law relating to Texas beef marketing, education, research, and promotion grounds for suspension or revocation of any license or permit issued by the commissioner of agriculture.

House Bill 2350

Effective: 9-1-15

House Author: Anderson, Charles "Doc" et al.

Senate Sponsor: Kolkhorst

House Bill 2350 amends the Texas Agricultural Finance Act in the Agriculture Code to increase the cap on the amount that may be used to guarantee loans under the Texas Agricultural Finance Authority's agricultural loan guarantee program.

House Bill 3738

Effective: 9-1-15

House Author: Cyrier

Senate Sponsor: Kolkhorst

House Bill 3738 amends the Agriculture Code to require the Texas Animal Health Commission to adopt rules that require a person or laboratory to be approved by the commission if the person or laboratory performs an official equine infectious anemia test.

Senate Bill 797

Effective: 9-1-15

Senate Author: Lucio et al.

House Sponsor: Guerra

Senate Bill 797 amends the Agriculture Code to establish the trade agricultural inspection grant program under the Department of Agriculture to promote the agricultural processing industry in Texas by reducing wait times for agricultural inspections of vehicles at ports of entry along the Texas-Mexico border.

Senate Bill 880

Effective: 9-1-15

Senate Author: Nelson

House Sponsor: Geren

Senate Bill 880 amends the Agriculture Code and Alcoholic Beverage Code to abolish the wine industry development and marketing advisory committee and to provide for, subject to the same statutory provisions as the abolished committee, a wine industry development advisory committee. The bill revises the composition of the committee and sets out certain duties of the committee and the commissioner of agriculture with regard to the Texas wine industry. The bill postpones from September 1, 2015, to September 1, 2025, the expiration date of statutory provisions providing for the allocation of certain wine-related revenue.

Agriculture

Senate Bill 928
Effective: 9-1-15

Senate Author: Lucio
House Sponsor: Anderson, Charles "Doc"

Senate Bill 928 abolishes the Department of Agriculture's equine incentive program.

Senate Bill 970
Effective: 9-1-15

Senate Author: Perry
House Sponsor: Kacal

Senate Bill 970 amends the Agriculture Code to make it a Class C misdemeanor to knowingly fail to handle, after applicable notification and in accordance with Texas Animal Health Commission rules, livestock, exotic livestock, domestic fowl, or exotic fowl exposed to certain diseases or subject to a testing requirement due to a risk of exposure to a specific disease.

Senate Bill 971
Effective: 9-1-15

Senate Author: Perry
House Sponsor: Kacal

Senate Bill 971 amends the Transportation Code to include in the definition of "implement of husbandry" a towed vehicle that transports to the field and spreads fertilizer or agricultural chemicals and a motor vehicle designed and adapted to deliver feed to livestock.

Senate Bill 1099
Effective: 5-19-15

Senate Author: Estes et al.
House Sponsor: Phillips

Senate Bill 1099 amends the Agriculture Code to establish the grain producer indemnity fund as a trust fund outside the state treasury to be held and administered by the Texas Grain Producer Indemnity Board for the payment of claims against a grain buyer who has experienced a financial failure and to specify additional powers and duties for the board, among other requirements. The bill repeals a provision under which a grain producer who opts out of the board's indemnification protection may obtain an assessment refund on request and instead establishes that a grain producer who has paid an assessment may be eligible for a refund from excess money in the indemnity fund. The bill makes a violation of the board's governing provisions grounds for suspension or revocation of any license or permit issued by the commissioner of agriculture.

Senate Bill 1204
Effective: 5-29-15

Senate Author: Rodríguez
House Sponsor: Márquez

Senate Bill 1204 amends the Agriculture Code and Parks and Wildlife Code to require the Department of Agriculture and the Parks and Wildlife Commission to waive the initial and renewal fees for an aquaculture license or an exotic species permit, respectively, if the license or permit or the renewal of either is requested by a public school to establish and maintain an applicable aquaculture and hydroponics educational program.

Senate Bill 1339
Effective: 9-1-15

Senate Author: Perry et al.
House Sponsor: Kacal

Senate Bill 1339 amends the Property Code to set out provisions relating to agricultural liens on agricultural crops. Among other things, the bill establishes that an agricultural lien is perfected at the time the lien attaches and continues to be perfected if a financing statement covering the agricultural crop is filed by a certain deadline. The bill generally grants a perfected agricultural lien priority over a conflicting security interest in or lien on the agricultural crop or the proceeds from the sale of the crop created by the contract purchaser in favor of a third party regardless of the date the security interest or lien created by the contract purchaser attached.

Senate Bill 1408
Effective: Vetoed

Senate Author: Lucio et al.
House Sponsor: King, Tracy O.

Senate Bill 1408 amends the Agriculture Code to require the Department of Agriculture, subject to the availability of federal and state funds, to create a community development matching grant program to foster community and economic development in certain municipalities and counties.

Governor's Reason for Veto: "Senate Bill 1408 creates new authorities to issue state funds to local units of governments similar to, and in some cases identical to, grants already made under the federal Community Development Block Grant program. The stated intent of the new programs is to offset reductions in federal funding with new state funding. Our federal government's addiction to spending Texas taxpayer dollars must be brought under control, and when it is, the State of Texas should not find ways to tax our citizens to continue funding services our federal elected officials have deemed worthy of curtailing."

Senate Bill 1749
Effective: 9-1-15

Senate Author: Hinojosa et al.
House Sponsor: Martinez

Senate Bill 1749 amends the Agriculture Code to expand the state's Asian citrus psyllid and citrus greening control and suppression program to the control and suppression of citrus pests and diseases generally. The bill revises the membership of the board of directors of the Texas Citrus Pest and Disease Management Corporation, Inc.

Senate Bill 1766
Effective: 9-1-15

Senate Author: Creighton et al.
House Sponsor: Metcalf

Senate Bill 1766 amends the Health and Safety Code to establish that a small honey production operation is not a regulated food service establishment, to prohibit a local government authority from regulating the production of honey or honeycomb at a small honey production operation, and to require honey or honeycomb sold or distributed by a small honey production operation to include specific information on the label.

The summaries for the following bills are in the listed chapters:

House Bill 275—Taxes and Tax Administration
 House Bill 1464—Taxes and Tax Administration
 Senate Bill 140—Taxes and Tax Administration
 Senate Bill 610—Civil Remedies and Procedures

Alcoholic Beverages

This chapter covers legislation on the functions and operations of the Texas Alcoholic Beverage Commission and the regulation of individuals and establishments that sell, serve, manufacture, distribute, or transport alcoholic beverages. Related legislation that is summarized in other chapters is listed at the end of this chapter.

House Bill 601
Effective: 9-1-15

House Author: Clardy
Senate Sponsor: Nichols

House Bill 601 amends the Alcoholic Beverage Code to authorize all buildings comprising a county-owned civic center that is partially located in the city of Nacogdoches and that consists of adjacent buildings, not all of which are located in that city, to be designated as and considered the licensed premises for purposes of a mixed beverage permit covering the civic center.

House Bill 824
Effective: 6-19-15

House Author: Kuempel
Senate Sponsor: Eltife

House Bill 824 amends the Alcoholic Beverage Code to authorize a package store permittee to allow a customer who has entered a package store during hours in which the package store is authorized to sell alcohol and is still in the store at the time the hours of legal sale end to remain in the store for a reasonable amount of time to finish shopping. The permittee may sell an alcoholic beverage to that customer even though the sale occurs after the designated end of the hours of legal sale.

House Bill 909
Effective: 9-1-15

House Author: Phillips
Senate Sponsor: Watson

House Bill 909 amends the Alcoholic Beverage Code to provide for the authorized tasting of an alcoholic beverage by a minor enrolled as a student in a course that is part of a higher education program in culinary arts, viticulture, enology or wine technology, brewing or beer technology, or distilled spirits production or technology.

House Bill 1039
Effective: 6-19-15

House Author: Geren
Senate Sponsor: Seliger

House Bill 1039 amends the Alcoholic Beverage Code to remove the requirement that containers of liquor with a capacity of less than six fluid ounces offered for sale in a package store be sold in units of sealed packages featuring multiple bottles of liquor.

House Bill 1348
Effective: 9-1-15

House Author: Geren
Senate Sponsor: Eltife

Current law requires the Texas Alcoholic Beverage Commission (TABC) to accept the certificate of label approval issued by the U.S. Alcohol and Tobacco Tax and Trade Bureau as constituting full compliance with any applicable adopted standards regarding the quality, purity, and identity of distilled spirits or wine. House Bill 1348 amends the Alcoholic Beverage Code to specify that TABC is required to accept the certificate of label approval as constituting full compliance only with respect to those applicable adopted standards.

House Bill 2022
Effective: 5-28-15

House Author: Smith
Senate Sponsor: Eltife

House Bill 2022 amends the Alcoholic Beverage Code to increase the maximum capacity of a container in which a person may sell wine to a retail dealer.

Alcoholic Beverages

House Bill 2035
Effective: 9-1-15

House Author: Raymond
Senate Sponsor: Zaffirini

House Bill 2035 amends the Alcoholic Beverage Code to provide clarification regarding the authority of a governmental entity to regulate the location of an establishment that derives 50 percent or more of the establishment's gross revenue from the on-premise sale of alcoholic beverages and that is located in a municipality or county any portion of which is located not more than 50 miles from an international border.

House Bill 2339
Effective: 6-10-15

House Author: Smith et al.
Senate Sponsor: Eltife

House Bill 2339 amends the Alcoholic Beverage Code to extend to additional facilities the authority of a concessionaire for a public entertainment facility to allow a patron who possesses an alcoholic beverage to enter or leave a licensed or permitted premises within the facility.

House Bill 2533
Effective: 9-1-15

House Author: Goldman et al.
Senate Sponsor: Seliger

House Bill 2533 repeals an Alcoholic Beverage Code provision that prohibits an alcoholic beverage licensee or permittee from maintaining or permitting a device or person that produces, amplifies, or projects music or other sound that is offensive to persons on or near the licensed premises.

House Bill 3982
Effective: 9-1-15

House Author: Romero, Jr. et al.
Senate Sponsor: Lucio

House Bill 3982 amends the Alcoholic Beverage Code to include a solicitation to buy drinks for consumption by a beer retailer or any of the retailer's employees among the prohibited conduct by an alcoholic beverage licensee or permittee for which the option to pay a civil penalty as an alternative to license or permit suspension is subject to the discretion of the Texas Alcoholic Beverage Commission (TABC) or the TABC administrator. The bill establishes that such a prohibited solicitation is presumed if an alcoholic beverage is sold or offered for sale for an amount in excess of the retailer's listed, advertised, or customary price.

Senate Bill 367
Effective: 9-1-15

Senate Author: Garcia
House Sponsor: Geren

Senate Bill 367 amends the Alcoholic Beverage Code to create the Class B misdemeanor offense of unlawful display or use of a permit or license for a person who knowingly allows another person to display or use a permit or license issued by the Texas Alcoholic Beverage Commission (TABC) in any manner not allowed by law or who displays or uses a permit or license issued by TABC to another person in any manner not allowed by law. The bill provides for the cancellation of an alcoholic beverage permit or license held by an individual convicted of such an offense and bars the individual from obtaining an alcoholic beverage permit or license for a period of five years from the date of the conviction.

Senate Bill 540
Effective: 6-1-15

Senate Author: Eltife
House Sponsor: Thompson, Senfronia

Senate Bill 540 amends the Alcoholic Beverage Code to clarify the conditions under which the holder of a retail dealer's on-premise late hours license is authorized to make late hour sales of beer for consumption on the premises.

Senate Bill 700
Effective: 9-1-15

Senate Author: Eltife
House Sponsor: Smith

Senate Bill 700 amends the Alcoholic Beverage Code to provide for the electronic processing of applications for and the electronic issuance of certificates issued by the Texas Alcoholic Beverage Commission (TABC). The bill establishes that any electronic information, record, or other document submitted to TABC that has an electronic signature with the required specific identifiers of the signatory has the same force and effect as a manual signature before a notary public and is considered a sworn statement for purposes of an Alcoholic Beverage Code offense concerning false statements.

Senate Bill 808
Effective: 9-1-15

Senate Author: Eltife
House Sponsor: Smith

Senate Bill 808 amends the Alcoholic Beverage Code to clarify the areas in which a distiller's and rectifier's permit holder may sell distilled spirits to ultimate consumers or collect a fee for distilled spirits samplings.

Senate Bill 858
Effective: 6-16-15

Senate Author: Eltife
House Sponsor: Smith

Senate Bill 858 amends the Alcoholic Beverage Code to include a brewpub licensee among the alcoholic beverage license and permit holders authorized to apply for and receive label approval on beer, ale, or malt liquor.

Senate Bill 1228
Effective: 9-1-15

Senate Author: Seliger
House Sponsor: Hughes

Senate Bill 1228 amends the Alcoholic Beverage Code to authorize a child of a Texas Alcoholic Beverage Commission employee to be employed by the holder of an alcoholic beverage license or permit.

Senate Bill 1651
Effective: 5-19-15

Senate Author: Eltife
House Sponsor: Murr

Senate Bill 1651 amends the Alcoholic Beverage Code to authorize the holder of a permit or license providing for the on-premises consumption of alcoholic beverages that derives less than 50 percent of its gross receipts for the premises from the sale or service of alcoholic beverages to employ a person under 18 years of age to work as a cashier for transactions involving the sale of alcoholic beverages if the alcoholic beverages are served by a person 18 years of age or older.

The summaries for the following bills are in the listed chapters:

House Bill 2296—Local Government
 House Bill 2735—Local Government
 Senate Bill 680—Local Government
 Senate Bill 880—Agriculture
 Senate Bill 881—Appropriations and State Finance

Appropriations and State Finance

This chapter covers the General Appropriations Act for the state fiscal biennium beginning September 1, 2015, and legislation on supplemental appropriations, revenue dedication, and payment of claims against the state. Related legislation that is summarized in another chapter is listed at the end of this chapter.

House Bill 1
Effective: 9-1-15

House Author: Otto
Senate Sponsor: Nelson

House Bill 1, the General Appropriations Act, appropriates approximately \$209.4 billion for the FY2016-FY2017 state fiscal biennium beginning September 1, 2015. That amount includes all funding sources except interagency contracts. Of the legislatively approved amount, more than \$114.1 billion, or 54.5 percent, is derived from general revenue, both dedicated and nondedicated. Another \$68 billion, or 32.5 percent, represents federal funding, and \$27.3 billion, or 13.1 percent, comes from other funds. (Figures and percentages do not add up due to rounding.) The \$209.4 billion budgetary total for FY2016-FY2017 represents an increase of approximately 6.3 percent over the FY2014-FY2015 budget.

Legislative appropriations for major governmental functions and services for FY2016- FY2017 compared with appropriations for the preceding fiscal biennium are as follows: General government receives \$6.4 billion, an increase of 34.1 percent. Total funding for health and human services is \$77.2 billion, an increase of 4.4 percent. The legislature appropriates \$78.4 billion for both public and higher education, a 5.7 percent increase. The judiciary receives \$796.8 million, a 9.5 percent increase. Public safety and criminal justice receives \$12.4 billion, an increase of 6.9 percent. Natural resources is funded at \$4.4 billion, an 8.2 percent decrease. Business and economic development is funded at \$27.7 billion, an increase of 11 percent. Regulatory functions are funded at \$920.4 million, an increase of 17.3 percent. The legislature is appropriated \$385.5 million, an increase of 7.6 percent.

Pursuant to the governor's "line-item" veto authority, the governor objected to a number of items in the General Appropriations Act, House Bill 1, related to a total of approximately \$295 million in all funding sources. The items to which the governor objected are provisions making contingent appropriations for bills that did not pass or that were vetoed by the governor and certain other provisions related to appropriations for cultural tourism grants, the construction of certain state buildings and facilities, the jail-based competency restoration pilot program, membership fees to the Southern Regional Education Board, certain colleges and universities, and water conservation education grants. In August 2015, the comptroller of public accounts requested an opinion from the attorney general regarding several issues that had arisen regarding the effect of a number of the governor's objections. As of the date of this publication, the attorney general has not issued a response to the comptroller's questions.

House Bill 2
Effective: 6-20-15

House Author: Otto et al.
Senate Sponsor: Nelson

House Bill 2 makes supplemental appropriations and reductions in appropriations to various state agencies, programs, and funds; provides transfer authority and other appropriation adjustment authority; and imposes contingencies on the appropriation of funds and restrictions on the use of certain supplemental and transferred appropriations. Unencumbered appropriations for the 2014-2015 state fiscal biennium from the general revenue fund and from dedicated accounts in the general revenue fund are reduced by approximately \$846.4 million. The bill makes supplemental appropriations for the 2014-2015 state fiscal biennium totaling almost \$1.1 billion from the general revenue fund, \$46.7 million from the Temporary

Appropriations and State Finance

Assistance for Needy Families federal funds, and \$218.1 million from other federal funds. The bill additionally makes supplemental appropriations for the 2016-2017 state fiscal biennium totaling \$37.3 million from the general revenue fund.

Pursuant to the governor's "line-item" veto authority, the governor objected to the appropriation of \$500,000 for planning costs related to the construction of a facility for the Texas Department of Motor Vehicles. The governor also objected to items related to funding the construction of that facility in the General Appropriations Act, House Bill 1.

House Bill 6

Effective: See below

House Author: Otto et al.

Senate Sponsor: Hinojosa

House Bill 6 abolishes all funds and accounts created or re-created and all dedications or rededications of revenue collected by a state agency for a particular purpose by an act of the 84th Legislature, Regular Session, except those specifically exempted from abolition under the bill's provisions, and creates and re-creates certain accounts and funds. The bill requires revenue that otherwise would be deposited to the credit of a special account or fund to instead be deposited to the credit of the undedicated portion of the general revenue fund unless the fund, account, or dedication is exempted under the bill's provisions.

House Bill 6 amends the Government Code and the Transportation Code, effective September 1, 2015, to allow the comptroller of public accounts to make reductions in dedicated accounts in the amounts by which estimated revenues and unobligated balances exceeded appropriations following certification of all appropriations enacted by the 84th Legislature, to make certain dedicated revenues unavailable for general governmental and certification purposes, and to provide for the dedication of a portion of an additional fee imposed on certain persons and collected at the time of application or renewal for registration of a motor vehicle to the TexasSure Fund.

The bill takes effect on June 19, 2015, except as otherwise provided and except for certain other provisions, which take effect on the later of August 31, 2015, or the effective date of the specific act creating, re-creating, dedicating, or rededicating certain of the accounts, revenues, or funds abolished by the bill.

House Bill 7

Effective: 9-1-15

House Author: Darby et al.

Senate Sponsor: Nelson

House Bill 7 amends and repeals provisions of the Business & Commerce Code, Education Code, Government Code, Health and Safety Code, Insurance Code, Local Government Code, Natural Resources Code, Occupations Code, Tax Code, Transportation Code, Utilities Code, and Water Code to, among other provisions, modify provisions governing certain general revenue-dedicated funds and accounts. In addition, the bill requires the comptroller of public accounts to issue a report itemizing each general revenue-dedicated account and the estimated balance and revenue in each account that is considered available for the purposes of certification and requires the report to be published on the comptroller's website.

House Bill 158

Effective: 9-1-15

House Author: Larson et al.

Senate Sponsor: Estes

House Bill 158 amends the Tax Code to remove the prohibition against the comptroller of public accounts crediting to the Parks and Wildlife Department (TPWD) or the Texas Historical Commission any proceeds from the collection of taxes imposed on the sale, storage, or use of sporting goods that are in excess of the amounts appropriated to TPWD or the commission for the biennium. The bill restricts the purposes for which sporting goods sales tax revenue credited to TPWD accounts may be appropriated to acquiring, operating, maintaining, and making capital

improvements to parks; providing state assistance for local parks; and funding state contributions for TPWD employee benefits.

House Bill 483
Effective: 6-19-15

House Author: Capriglione et al.
Senate Sponsor: Kolkhorst et al.

House Bill 483 amends the Government Code and Finance Code to establish the Texas Bullion Depository as a state agency in the office of the comptroller of public accounts to serve as the custodian, guardian, and administrator of certain bullion and specie that may be transferred to or otherwise acquired by the state or an agency, political subdivision, or other instrumentality of the state. The bill provides for the administration of the depository under the direction and supervision of a bullion depository administrator. Among other provisions relating to the depository's administration, the bill excludes deposits and related assets from availability for legislative appropriation, establishes that depository accounts are not interest-bearing, and authorizes use of the depository by individuals, corporations, financial institutions, and governmental entities.

House Bill 483 requires the bullion depository to use private, independently managed firms and institutions licensed as depository agents as intermediaries to conduct retail transactions in bullion and specie on behalf of the depository with current and prospective account holders. The bill creates a depository agent license as a type of money services license, establishes requirements of licensure, and provides for the application of certain Money Services Act provisions to a depository agent.

House Bill 903
Effective: 5-23-15

House Author: Capriglione et al.
Senate Sponsor: Taylor, Van et al.

House Bill 903 amends the Government Code to require the comptroller of public accounts to invest a percentage of the economic stabilization fund balance in a state fiscal biennium that exceeds the amount of the sufficient balance of the fund adopted for that biennium in accordance with a specified investment standard and to periodically adjust the investment portfolio of fund money to ensure that the balance of the fund is sufficient to meet the fund's cash flow requirements. The bill additionally requires the comptroller to include the fair market value of the fund's investment portfolio in calculating the cap on the fund and in determining allocations from general revenue to the economic stabilization fund and the state highway fund.

House Bill 1551
Effective: 6-17-15

House Author: Howard et al.
Senate Sponsor: Hancock

Under current law, the School Land Board is authorized to release funds from the real estate special fund account to the credit of the available school fund or the State Board of Education (SBOE) for investment in the permanent school fund. House Bill 1551 amends the Natural Resources Code to require the School Land Board to establish the procedures by which the board determines the date such a transfer will be made and the amount of money that will be transferred. The bill requires the board to submit to the legislature, comptroller, SBOE, and Legislative Budget Board a report that states the date such a transfer will be made and the amount of money the board will transfer during the subsequent state fiscal biennium.

Senate Bill 574
Effective: 5-22-15

Senate Author: Watson
House Sponsor: Naishtat

Senate Bill 574 amends the Government Code to create the State Cemetery preservation trust fund as a trust fund outside the state treasury to be held in trust with the comptroller of public accounts and administered by the State Cemetery Committee. The bill restricts the use

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of the money in the fund to the maintenance, renovation, major repair or capital improvement, or preservation of the State Cemetery or to the acquisition of land in close proximity to the State Cemetery for expansion of the cemetery. As soon as practicable after the sale of certain property that is contingently no longer dedicated for cemetery purposes as part of the State Cemetery, the bill requires the comptroller to transfer from the state highway fund to the State Cemetery preservation trust fund an amount of money equal to the portion of the proceeds attributable to the sale of that property that is required to be deposited by the Texas Department of Transportation in a subaccount in the state highway fund for use by the State Cemetery Committee.

Senate Bill 881
Effective: 9-1-15

Senate Author: Nelson
House Sponsor: Springer et al.

Senate Bill 881 amends the Alcoholic Beverage Code to postpone the expiration date of statutory provisions relating to the dedication of certain wine-related revenue for research and development purposes, to revise and update those dedications, and to update the formula used to determine the amount of revenue to be appropriated.

Senate Bill 1191
Effective: 8-31-15

Senate Author: Seliger et al.
House Sponsor: Crownover

Senate Bill 1191 amends the Education Code to increase the amount of the annual constitutional appropriation to certain public institutions of higher education, specifies that the increase begins with the 2016 state fiscal year, and sets out the specific amounts to be allocated to eligible institutions by the equitable allocation formula. The bill includes in the allocation of funds from the annual constitutional appropriation an amount attributable to the University of North Texas at Dallas College of Law in the allocation to the University of North Texas at Dallas and omits The University of Texas–Pan American and The University of Texas at Brownsville from the allocation of such funds to reflect their consolidation into a general academic teaching institution excluded from participation in the funding.

Senate Bill 1280
Effective: 9-1-15

Senate Author: Huffman
House Sponsor: Otto

Senate Bill 1280 provides for the appropriation of funds to pay for various claims and judgments against the state and authorizes and directs the comptroller, subject to the bill's provisions and provisions stated in a judgment, as applicable, to issue warrants on the state treasury as soon as possible after the bill's effective date to pay those claims and judgments. The bill requires each claim or judgment to be verified and substantiated by the administrator of the fund or account against which the claim or judgment is to be charged and to be approved by the attorney general and the comptroller of public accounts before the claim or judgment may be paid and requires such verification, substantiation, and approval to be made by August 31, 2017, in order for the claim or judgment to be paid from the applicable appropriation of funds.

Senate Bill 1366
Effective: 9-1-15

Senate Author: Kolkhorst
House Sponsor: Gonzales

Senate Bill 1366 amends the Parks and Wildlife Code and the Tax Code relating to the allocation of proceeds from taxes imposed on the sale, storage, or use of sporting goods. The bill removes the specified amounts of such tax revenue the Parks and Wildlife Department (TPWD) is required to deposit into the state parks account, the Texas parks and wildlife conservation and capital account, the Texas recreation and parks account, and the large county and municipality recreation and parks account. The bill instead limits the revenue deposited in those accounts

to the amount appropriated from the accounts for use during the then-current state fiscal biennium plus the amount necessary to fund the cost of state contributions for benefits of TPWD employees whose salaries or wages are paid from the accounts. The bill additionally repeals a provision limiting the amount of proceeds from such taxes the comptroller of public accounts credits to TPWD and the Texas Historical Commission and providing for an exception to that limitation.

Senate Bill 1657
Effective: 6-10-15

Senate Author: Watson et al.
House Sponsor: Miller, Rick

Senate Bill 1657 amends the Government Code to authorize the comptroller of public accounts to issue, sell, and deliver commercial paper notes on behalf of the state in anticipation of a temporary cash shortfall in the general revenue fund during any fiscal year. The bill establishes that the Cash Management Committee's approval of the issuance of commercial paper notes expires on the last day of the fiscal year for which the tax and revenue anticipation notes are approved, providing for the issuance and rollover of commercial paper notes during that fiscal year. The bill requires all commercial paper notes to mature and be paid in full in accordance with the requirement in current law that all tax and revenue anticipation notes mature and be paid in full during the fiscal biennium in which they were issued and be signed by the governor. The bill additionally extends the expiration date for each subsequent approval by the committee of the issuance of tax and revenue anticipation notes.

Senate Bill 2004
Effective: 5-28-15

Senate Author: Eltife et al.
House Sponsor: Geren

Senate Bill 2004 amends the Government Code to create the deferred maintenance fund as an account in the general revenue fund consisting of money appropriated, credited, or transferred to the fund by or at the discretion of the legislature. In addition, the bill creates the Joint Oversight Committee on Government Facilities to review deferred maintenance plans, receive implementation updates, and periodically provide a written status report to the legislature.

The summary for the following bill is in the listed chapter:
Senate Bill 632—Higher Education

Business and Commerce

This chapter covers legislation on issues relating to business and commerce generally, including business organization and regulation, business transactions, trade, financial services, and consumer protection. Legislation relating specifically to insurance companies is in the **Insurance** chapter, legislation on job creation is in the **Economic Development** chapter, and legislation pertaining to employees and employers is in the **Labor and Employment** chapter. Related legislation that is summarized in other chapters is listed at the end of this chapter.

General

House Bill 1265
Effective: 9-1-15

House Author: Wu et al.
Senate Sponsor: Eltife

House Bill 1265 amends the Business & Commerce Code to establish unlawful deceptive trade practices involving certain solicitations in connection with a good or service that resemble or are represented as official documents; the production, sale, distribution, or promotion of certain synthetic substances; and the solicitation of employment for an attorney by a public insurance adjuster.

House Bill 2052
Effective: 9-1-15

House Author: Bohac
Senate Sponsor: Seliger

House Bill 2052 amends the Business & Commerce Code to authorize a customer who rents heavy equipment under a rental agreement to contract with a merchant for a heavy equipment loss damage waiver. The bill establishes requirements and restrictions relating to such a loss damage waiver and makes a merchant that violates the bill's provisions liable for a civil penalty.

House Bill 2573
Effective: 9-1-15

House Author: Johnson et al.
Senate Sponsor: Lucio

House Bill 2573 amends the Business & Commerce Code to specify that, for purposes of making deceptive trade practices unlawful, the term "false, misleading, or deceptive acts or practices" includes using a foreign language translation of a title or other word in reference to a person who is not an attorney in order to imply that the person is authorized to practice law in the United States. A district or county attorney is not required to obtain the permission of the consumer protection division of the office of the attorney general to prosecute an actor for such a false and misleading translation under the Deceptive Trade Practices-Consumer Protection Act if that attorney provides proper prior written notice to the division. Three-fourths of any civil penalty awarded by a court in such an action prosecuted by a district or county attorney must be paid to the county where the court is located.

House Bill 2590
Effective: 9-1-15

House Author: Johnson et al.
Senate Sponsor: West

House Bill 2590 amends the Business & Commerce Code to establish that certain fraud committed in a transaction involving the transfer of title to real estate is a false, misleading, or deceptive act or practice under the Deceptive Trade Practices-Consumer Protection Act and to extend the authority to prosecute such fraud to a city attorney.

Business and Commerce

House Bill 3536
Effective: 9-1-15

House Author: Landgraf
Senate Sponsor: Eltife

House Bill 3536 amends the Finance Code to remove the specification that the banking commissioner and the savings and mortgage lending commissioner, who are appointed by the Finance Commission of Texas, must be appointed by at least five affirmative votes.

Senate Bill 656
Effective: 5-15-15

Senate Author: Eltife
House Sponsor: Parker

Senate Bill 656 amends Health and Safety Code provisions relating to the banking commissioner's regulation of perpetual care cemeteries. The bill authorizes the commissioner to petition a court to modify or terminate a perpetual care trust fund established for the maintenance, repair, and care of a perpetual care cemetery if the income from the fund is inadequate and another source for additional contributions is unavailable. The bill authorizes the court, at the request or with the consent of the commissioner, to order the distribution and transfer of the fund's assets to a nonprofit corporation, municipality, county, or other appropriate person willing to accept, continue to care for, and maintain the cemetery.

Senate Bill 656 introduces the district courts of Travis County as venues in which the commissioner may bring a civil action to enjoin a violation of a perpetual care cemetery regulation. The bill also sets out requirements and procedures relating to the content, delivery, and effect of an emergency order issued by the commissioner on a finding that a threat of immediate and irreparable harm exists.

Senate Bill 1389
Effective: 9-1-15

Senate Author: Lucio et al.
House Sponsor: Lucio III

Senate Bill 1389 amends Government Code provisions to clarify the duties of the border commerce coordinator. Among other provisions, the bill expands the duties of the coordinator to include working to identify problems associated with border truck inspections and related trade and transportation infrastructure and developing recommendations for addressing those problems; working with the appropriate state and federal agencies to develop initiatives to mitigate congestion at ports of entry; and developing recommendations designed to increase trade by attracting new business ventures, to support expansion of existing and new industries, and to address workforce training needs. The bill requires the coordinator to appoint a border mayor task force and sets out the task force's composition.

Business Organization and Regulation

House Bill 1881
Effective: 6-9-15

House Author: Capriglione et al.
Senate Sponsor: Creighton

House Bill 1881 amends the Business & Commerce Code and the Finance Code to authorize an accredited private school to charge an additional fee or other amount in connection with a credit card, debit card, or electronic funds transfer payment of tuition, a fee, or another charge to the private school.

House Bill 2391
Effective: 9-1-15**House Author:** Bohac
Senate Sponsor: Watson

House Bill 2391 amends the Business & Commerce Code to provide for a cash refund of the balance of certain stored value cards following an in-person redemption if the remaining balance is less than \$2.50.

House Bill 2430
Effective: 6-16-15**House Author:** Kuempel et al.
Senate Sponsor: Menéndez

House Bill 2430 amends the Health and Safety Code to prohibit rules adopted under statutory provisions relating to minimum standards of sanitation and health protection measures from prohibiting the consumption of food or beverages in a privately owned and operated public swimming pool.

House Bill 3555
Effective: 9-1-15**House Author:** Parker
Senate Sponsor: Eltife

House Bill 3555 amends the Finance Code to subject the subsidiaries of state banks and state trust companies to Texas Banking Act and Texas Trust Company Act provisions governing enforcement orders and supervision and conservatorship, as applicable, and to provide clarity regarding the application of certain Texas Banking Act enforcement provisions to a bank holding company. Moreover, the bill authorizes the banking commissioner of Texas to informally dispose of a matter within the jurisdiction of and before the banking commissioner under the Texas Banking Act or Texas Trust Company Act, addresses the scope of a cease and desist order proposed by the banking commissioner under those acts, and establishes that the banking commissioner has grounds to remove or prohibit a person from office or employment in, or further participation in the affairs of, a state bank or state trust company if the person has been finally convicted of a felony offense involving a bank or other financial institution, dishonesty, or breach of trust.

Senate Bill 641
Effective: 9-1-15**Senate Author:** Schwertner
House Sponsor: Raney

Senate Bill 641 transfers provisions of the Finance Code to the Business & Commerce Code and amends those provisions to make a person who knowingly violates the prohibition against imposing a surcharge for the use of a debit or stored value card liable to the state for a civil penalty. The bill authorizes the attorney general or the prosecuting attorney in the county in which the violation occurs to bring a suit to recover the civil penalty and an action in the name of the state to restrain or enjoin a person from violating the prohibition. The bill entitles a first-time violator to an opportunity to cure the violation.

Senate Bill 859
Effective: See below**Senate Author:** Eltife
House Sponsor: Oliveira et al.

Senate Bill 859 amends the Business Organizations Code to revise and clarify certain provisions relating to partnerships and limited liability companies. Among other provisions, the bill replaces the annual registration renewal requirement for a limited liability partnership with an annual report requirement and provides for the irrevocability of certain powers of attorney concerning a partnership or limited liability company. The bill takes effect September 1, 2015, except for provisions relating to the registration and reporting requirements for a limited liability partnership, which take effect January 1, 2016.

Business and Commerce

Senate Bill 860
Effective: 9-1-15

Senate Author: Eltife
House Sponsor: Oliveira et al.

Senate Bill 860 amends the Business Organizations Code to set out and revise statutory provisions relating to corporations and fundamental business transactions, including provisions regarding owner liability, mergers, and the ratification of defective corporate acts or shares.

Senate Bill 1077
Effective: 5-23-15

Senate Author: Eltife
House Sponsor: Parker et al.

Senate Bill 1077 amends the Business & Commerce Code to expand the definition of "person" under the Uniform Commercial Code to include a particular series of a for-profit entity.

Senate Bill 1233
Effective: 5-23-15

Senate Author: Taylor, Larry
House Sponsor: Oliveira

Senate Bill 1233 amends the Business Organizations Code to authorize a domestic nonprofit corporation to make distributions of its income to the corporation's members who are 501(c)(3) nonprofit corporations, subject to certain conditions.

Senate Bill 1313
Effective: 6-19-15

Senate Author: Watson et al.
House Sponsor: Villalba

Current law authorizes a business entity to use, reserve, or register a name that is identical or deceptively similar to a name that is used, reserved, or registered by another entity if the other entity or the person for whom the name is reserved or registered consents in writing. Senate Bill 1313 amends the Business Organizations Code to condition that authorization on the consent being notarized and provided to the secretary of state.

Financial Services

House Bill 1626
Effective: 9-1-15

House Author: Johnson et al.
Senate Sponsor: West

House Bill 1626 amends the Finance Code to require the Finance Commission of Texas and the Credit Union Commission to administer and monitor a banking development district program and a credit union development district program, respectively, to encourage the establishment of branches of financial institutions or credit unions in areas where there is a demonstrated need for such financial services. The bill authorizes a local government to apply for the designation of a banking or credit union development district and authorizes a financial institution or credit union to apply to open a branch in a proposed development district at the time the local government submits the application.

House Bill 1626 authorizes the governing body of a local government in which a banking or credit union development district has been established to designate a financial institution or credit union located in the district as a banking district depository or credit union district depository, as applicable. The bill authorizes a local government to deposit public funds with a financial institution or credit union designated as a district depository. The bill also authorizes the comptroller of public accounts to deposit public funds with a district depository if the comptroller designates the financial institution or credit union as a state depository.

House Bill 1628
Effective: Vetoed

House Author: Johnson et al.
Senate Sponsor: Rodríguez et al.

House Bill 1628 amends the Business & Commerce Code, Finance Code, Occupations Code, and Penal Code to establish the Texas Savings Promotion Act to authorize a credit union or financial institution to conduct a savings promotion raffle in which the sole action required for a chance of winning a designated prize is the deposit of at least a specified amount of money in a savings account or other savings program offered by the credit union or financial institution.

Governor's Reason for Veto: "The Texas Constitution authorizes raffles to be conducted only for charitable purposes. When non-charitable businesses conduct drawings, they typically allow entry with "no purchase necessary," which generally exempts the drawing from the constitutional restrictions on raffles or lotteries. House Bill 1628 authorizes banks and credit unions to conduct raffles in which raffle tickets are offered only in exchange for opening a savings account. Opening an account and paying any customary fees associated with the account amounts to consideration paid for the raffle ticket and places such a raffle squarely within the gambling prohibitions of the Texas Constitution and Penal Code. The bill would therefore require a conforming constitutional amendment in order to be effective. No such constitutional amendment was proposed by the Legislature."

House Bill 1629
Effective: 9-1-15

House Author: Johnson et al.
Senate Sponsor: West

House Bill 1629 amends The Securities Act to require the State Securities Board to adopt rules to regulate and facilitate online intrastate crowdfunding applicable to certain authorized small business development entities.

House Bill 2067
Effective: 6-17-15

House Author: Oliveira
Senate Sponsor: Zaffirini

House Bill 2067 amends the Civil Practice and Remedies Code to provide for the rescission or waiver of an acceleration of the maturity date of certain debt secured by a lien on real property.

House Bill 3132
Effective: 9-1-15

House Author: Parker
Senate Sponsor: Birdwell

House Bill 3132 amends the Government Code to add registration with the U.S. Securities and Exchange Commission as a municipal advisor under the federal Securities Exchange Act of 1934 as an alternative condition of eligibility to be a financial adviser or an investment adviser for purposes of the issuance of public securities and related matters.

Senate Bill 875
Effective: 9-1-15

Senate Author: Eltife
House Sponsor: Flynn

Senate Bill 875 amends the Finance Code to change the restricted capital requirements for state trust companies as well as the benchmark by which a state trust company is considered insolvent due to insufficient equity capital. Moreover, the bill broadens the circumstances under which a state trust company qualifies for exempt status, clarifies and revises the procedures for annual certification of an exempt state trust company and the procedures for maintaining the exempt status of a state trust company if the control of the company is sold or otherwise transferred, and provides that certain state trust companies operating under a prior exemption lose that prior exempt status after the earlier of September 1, 2020, or the date control is sold or otherwise transferred unless the company reapplies for exempt status. The bill also provides the banking commissioner of Texas with the discretion to examine state trust companies more or less frequently than annually and provides for the confidentiality of a statement of condition and income for a state trust company with exempt status.

Senate Bill 899
Effective: 9-1-15

Senate Author: Eltife
House Sponsor: Stephenson

Senate Bill 899 amends the Finance Code to clarify and update the Money Services Act, which regulates money transmission and currency exchange businesses. The bill refines an exemption provided to a person engaged in the business of currency transportation, eliminates an exemption from change of control requirements provided to a person that acquires control acting in certain official capacities, clarifies provisions relating to the prosecution of a criminal offense under the act, and clarifies the conduct that constitutes engaging in the business of money transmission for purposes of licensing requirements. With respect to the security that an applicant for or holder of a currency exchange license is required to provide or maintain, the bill provides for an increase in the amount of security required of certain applicants or license holders by basing the amount on the volume of currency exchange business.

Senate Bill 1075
Effective: 9-1-15

Senate Author: Eltife
House Sponsor: Flynn

Senate Bill 1075 amends the Government Code and Finance Code to clarify and expand the consumer credit commissioner's authority to obtain criminal history record information. The bill clarifies that the commissioner is entitled to obtain criminal history record information relating to a person who is an applicant for or holder of a residential mortgage loan originator license, credit services organization registration, or debt management service registration. Moreover, the bill entitles the commissioner to obtain criminal history record information relating to an employee of or volunteer with the Office of Consumer Credit Commissioner (OCCC), an applicant for employment with the OCCC, or a contractor or subcontractor of the OCCC. The bill also clarifies the circumstances in which criminal history record information obtained by the OCCC may be released or disclosed.

Senate Bill 1203
Effective: 9-1-15

Senate Author: Rodríguez
House Sponsor: Pickett

Senate Bill 1203 amends the Finance Code to exempt from the Residential Mortgage Loan Company Licensing and Registration Act a nonprofit organization that is designated as a Section 501(c)(3) organization and originates residential mortgage loans for borrowers who, through a self-help program, have provided at least 200 labor hours or 65 percent of the labor to construct the dwelling securing the loan. The bill also exempts the employees of such a nonprofit organization from the licensing and other requirements of the Mortgage Banker Registration and Residential Mortgage Loan Originator License Act applicable to residential mortgage loan originators. The bill removes the exemption from the Texas Secure and Fair Enforcement for Mortgage Licensing Act of 2009 for nonprofit organizations providing self-help housing that originates zero interest residential mortgage loans for borrowers who provide part of the labor to construct the dwelling securing the loan.

The summaries for the following bills are in the listed chapters:

House Bill 2394—Civil Remedies and Procedures
House Bill 3031—Insurance

Civil Remedies and Procedures

This chapter covers legislation relating to civil indemnifications, immunities, judgments, liabilities, and lawsuits and the rules and standards governing the adjudication of civil litigation. Related legislation that is summarized in other chapters is listed at the end of this chapter.

House Bill 189
Effective: 9-1-15

House Author: Thompson, Senfronia et al.
Senate Sponsor: Taylor, Van

House Bill 189 amends the Civil Practice and Remedies Code and Code of Criminal Procedure to revise the statute of limitations for a suit brought for personal injury arising from certain sexual offenses committed against a child. The bill includes sexual assault among the offenses for which there is no statute of limitations if probable cause exists to believe that the defendant has committed the same or a similar sexual offense against five or more victims.

House Bill 638
Effective: 9-1-15

House Author: Anchia et al.
Senate Sponsor: Ellis et al.

House Bill 638 amends the Civil Practice and Remedies Code to authorize a person entitled to compensation for wrongful imprisonment to elect to receive reduced alternative annuity payments instead of standard annuity payments in order to extend the payment or a portion thereof to a surviving spouse or designated beneficiary on the claimant's death. The bill provides for an increase in the annuity payments should the spouse of a claimant that elected to receive a reduced payment die prior to the claimant. The bill sets out provisions relating to distribution of an annuity in the case of multiple beneficiaries. Annuity payments terminate if a claimant's spouse or designated beneficiary is convicted of a felony offense after that person begins receiving annuity payments.

House Bill 638 authorizes a claimant who started receiving annuity payments before September 1, 2015, to elect to receive any remaining payments as reduced alternative annuity payments by filing the proper form with the comptroller of public accounts, who must develop and make available the election form not later than December 1, 2015.

House Bill 1040
Effective: 6-9-15

House Author: Paddie
Senate Sponsor: Hancock

House Bill 1040 amends the Civil Practice and Remedies Code to establish that a sports official engaged in an athletic competition is not liable for civil damages related to any act, error, or omission that results from a risk inherent in the nature of the competitive activity in which the claimant chose to participate unless the act, error, or omission constitutes gross negligence or wanton, wilful, or intentional misconduct. An organization sponsoring such a competitive activity cannot be held liable for an act, error, or omission of a sports official absent any new act, error, or omission of the organization that gave rise to the harm.

House Bill 1050
Effective: 6-16-15

House Author: White, James et al.
Senate Sponsor: Taylor, Van et al.

House Bill 1050 amends the Civil Practice and Remedies Code to condition the waiver of civil or criminal liability arising from the condition of apparently wholesome food that a person or gleaner donates to certain entities for distribution to the needy or that a nonprofit organization distributes to the needy on the food being apparently wholesome at the time of donation or distribution.

House Bill 1079
Effective: 6-16-15

House Author: Thompson, Senfronia et al.
Senate Sponsor: Perry

Previous law required the comptroller of public accounts to credit to the judicial fund for programs approved by the supreme court that provide basic civil legal services to the indigent the net amount of a civil penalty recovered in an attorney general action under the Business & Commerce Code's Deceptive Trade Practices-Consumer Protection Act and the net amount of civil restitution recovered in an attorney general action arising from a consumer protection, public health, or general welfare law violation. House Bill 1079 amends the Government Code to expand the types of civil action for which the net amount of a recovered penalty must be credited to the legal aid fund to include any attorney general action under the Business & Commerce Code and to expand the types of civil action for which the net amount of recovered restitution must be so credited to include any civil action brought by the attorney general. The bill does not capture funds designated for other entities under a separate statute or a judicial award.

House Bill 1403
Effective: 9-1-15

House Author: Sheets et al.
Senate Sponsor: Estes

House Bill 1403 amends the Civil Practice and Remedies Code to specify that the term "health care liability claim," for purposes of provisions governing medical liability, does not include certain causes of action under the Texas Workers' Compensation Act against an employer by an employee or the employee's surviving spouse or heir.

House Bill 1492
Effective: 9-1-15

House Author: Miller, Doug et al.
Senate Sponsor: Schwertner

House Bill 1492 amends Civil Practice and Remedies Code provisions relating to asbestos or silica trust claims. The bill requires a claimant who has filed an action to recover damages for or arising from an asbestos- or silica-related injury to make a trust claim against each asbestos or silica trust the claimant believes may owe the claimant compensation or damages for the injury that is the basis of the action, except that a claimant may file a motion to seek relief from that obligation if the claimant believes the fees and expenses for filing the claim exceed the reasonably anticipated recovery from the trust. A claimant is required to notify each party of, and trust claim material relating to, each trust claim made by or on behalf of the exposed person. A multidistrict litigation (MDL) pretrial court is prohibited from remanding an action to a trial court unless the claimant has made each claim and served notice of those claims. The bill authorizes a defendant to file a motion to stay the proceedings and the claimant to file a response to that motion. The court is required to grant the defendant's motion if the court determines the motion was timely filed and the claimant is likely to receive compensation from a trust identified by the motion. The bill applies to an action commenced on or after or pending on September 1, 2015.

House Bill 1492 requires all actions for an asbestos-related injury that were pending on August 31, 2005, to be dismissed on or before December 31, 2015.

House Bill 1666
Effective: 9-1-15

House Author: Bonnen, Dennis
Senate Sponsor: Huffman

House Bill 1666 amends the Civil Practice and Remedies Code to grant immunity from liability for damages arising from the execution of certain fire or emergency training exercises and from the execution of certain training exercises for managing a hazardous material or disaster assistance incident, so long as the person does not engage in reckless conduct or intentional, wilful, or wanton misconduct.

House Bill 2303
Effective: 6-19-15

House Author: Kuempel et al.
Senate Sponsor: Huffman

House Bill 2303 amends the Civil Practice and Remedies Code to include the use of a recreational off-highway vehicle among the types of pleasure driving defined as “recreation” for purposes of determining liability of certain owners, lessees, or occupants of land for injuries incurred during recreational activities by an individual on that land.

House Bill 2390
Effective: 9-1-15

House Author: Bohac
Senate Sponsor: Creighton et al.

House Bill 2390 amends the Civil Practice and Remedies Code to limit the liability of an employer in relation to an employee wellness program unless the program discriminates on the basis of a prior medical condition, gender, age, or income level or the cause of action is based on intentional or reckless conduct.

House Bill 2394
Effective: 9-1-15

House Author: Darby et al.
Senate Sponsor: Creighton

House Bill 2394 amends the Finance Code to prohibit a court from ordering a financial institution to produce a customer record in response to a record request by a party in a lawsuit or finding the financial institution to be in contempt of court for failing to produce the record if the requesting party has not paid the financial institution’s costs of complying with the record request or posted a cost bond to cover those costs as required under the Texas Banking Act.

Senate Bill 378
Effective: 9-1-15

Senate Author: Rodríguez
House Sponsor: Sheffield

Senate Bill 378 amends the Civil Practice and Remedies Code to designate a licensed social worker or eligible retired social worker who voluntarily provides health care services without compensation or expectation of compensation as a volunteer health care provider for purposes of the Charitable Immunity and Liability Act of 1987.

Senate Bill 381
Effective: 9-1-15

Senate Author: Uresti et al.
House Sponsor: Guillen

Senate Bill 381 amends the Parks and Wildlife Code to grant immunity from civil liability to a Parks and Wildlife Department (TPWD) volunteer acting within the course and scope of the volunteer’s assignment for TPWD for any act or omission resulting from the volunteer’s operation or use of a TPWD-owned or -leased motor-driven vehicle or motor-driven equipment unless the act or omission is intentional, wilfully negligent, or done with conscious indifference or reckless disregard for the safety of others. Among other provisions, the bill requires TPWD to compensate a claimant for property damage, personal injury, or death proximately caused by the wrongful act or omission or negligence of a TPWD volunteer acting within the scope of the volunteer’s assignment under certain conditions and exempts such a TPWD volunteer from the Texas Motor Vehicle Safety Responsibility Act.

Senate Bill 610
Effective: 6-19-15

Senate Author: Perry
House Sponsor: Murr

Senate Bill 610 amends the Civil Practice and Remedies Code to grant limited liability to an agritourism entity for an agritourism participant injury or damages arising out of such an injury if an applicable warning sign was posted on or near any premises on which the agritourism

activity was conducted or if the agritourism entity obtained a signed written agreement and warning statement from the agritourism participant with respect to the agritourism activity from which the injury arises.

Senate Bill 627
Effective: 5-28-15

Senate Author: Huffman
House Sponsor: Hunter

Senate Bill 627 amends the Civil Practice and Remedies Code to specify that, for purposes of a defense to a libel action brought against a newspaper or other periodical or broadcaster, the truth of the statement on which the action is based applies to an accurate reporting of allegations made by a third party regarding a matter of public concern.

Senate Bill 735
Effective: 9-1-15

Senate Author: Fraser et al.
House Sponsor: King, Ken

Senate Bill 735 amends the Civil Practice and Remedies Code to authorize a trial court, on the motion of a party and after notice and a hearing, to authorize discovery of evidence of a defendant's net worth if the court finds in a written order that the claimant has demonstrated a substantial likelihood of success on the merits of a claim for exemplary damages. The bill sets out provisions regarding the submission and review of such evidence.

Senate Bill 1457
Effective: 9-1-15

Senate Author: Nichols et al.
House Sponsor: Clardy

Senate Bill 1457 amends the Business & Commerce Code to prohibit a person from sending to an end user of a product, service, or technology located or doing business in Texas a written or electronic communication that is a bad faith claim of patent infringement and establishes the conditions under which a communication is considered to be such a claim. The attorney general is authorized to enforce a violation of the prohibition by injunction or a civil penalty.

The summaries for the following bills are in the listed chapters:

House Bill 262—Property Interests and Housing

House Bill 1171—Public Education

House Bill 1692—Courts

Senate Bill 450—Property Interests and Housing

Senate Bill 678—Special Districts

Corrections

This chapter covers legislation relating to correctional facilities, jails, incarcerated individuals, community supervision, parole, and sex offender registration, as well as the functions and duties of the Texas Department of Criminal Justice and the Windham School District. Legislation relating to juvenile correctional facilities, services, and probation is in the **Juvenile Justice** chapter. Related legislation that is summarized in other chapters is listed at the end of this chapter.

General

House Bill 549
Effective: 9-1-15

House Author: Johnson et al.
Senate Sponsor: Whitmire et al.

House Bill 549 amends the Government Code to require the Commission on Jail Standards to establish minimum standards for prisoner visitation that provide each prisoner at a county jail with a minimum of two in-person, noncontact visitation periods per week of at least 20 minutes duration each. The bill provides an exemption from the standards for a county jail under certain conditions.

House Bill 875
Effective: 9-1-15

House Author: Farias et al.
Senate Sponsor: Menéndez

House Bill 875 amends the Government Code to revise the process used by the Texas Department of Criminal Justice to verify the veteran status of each inmate for purposes of assisting inmates who are veterans in applying for federal benefits or compensation and to impose a similar verification process on the Commission on Jail Standards with respect to prisoners who are veterans.

House Bill 1083
Effective: 9-1-15

House Author: Márquez et al.
Senate Sponsor: Whitmire et al.

House Bill 1083 amends the Government Code to require an appropriate medical or mental health care professional to perform a mental health assessment of an inmate before the Texas Department of Criminal Justice may confine the inmate in administrative segregation and to prohibit that type of confinement if the assessment indicates that type of confinement is not appropriate for the inmate's medical or mental health.

House Bill 1140
Effective: 9-1-15

House Author: Israel et al.
Senate Sponsor: Whitmire

House Bill 1140 amends the Government Code to require a county jail to notify the Commission on Jail Standards of any change in the jail's policies and procedures related to the provision of health care to pregnant prisoners and the placement of a pregnant prisoner in solitary confinement or administrative segregation. The bill requires each sheriff to report to the commission certain information regarding the implementation of policies and procedures to provide adequate care to pregnant prisoners and requires the commission to compile, analyze, and summarize the information contained in those submitted reports.

House Bill 1855
Effective: Vetoed

House Author: Rose
Senate Sponsor: Whitmire et al.

House Bill 1855 amends the Government Code to establish training, continuing education, and weapons proficiency requirements for correctional officers employed by the Texas Department of Criminal Justice.

Governor's Reason for Veto: "Texas rightly holds its state correctional officers to the highest standards of professional excellence. The Texas Department of Criminal Justice meets those standards through numerous training and continuing education programs, including training for mental health crisis intervention. TDCJ must continue those efforts. House Bill 1855 unnecessarily micromanages the state prison system by requiring officers to meet rigid and arbitrary training and education quotas. TDCJ should retain the flexibility to adjust its training and education methods and requirements to meet the prison system's evolving needs."

House Bill 1908
Effective: 9-1-15

House Author: Naishtat
Senate Sponsor: Garcia

House Bill 1908 amends the Health and Safety Code to require the methods used in establishing the continuity of care system for offenders with mental impairments to ensure that each such offender is identified and qualified for the system and to serve adults with severe and persistent mental illness who are experiencing significant functional impairment due to a mental health disorder.

House Bill 2189
Effective: 9-1-15

House Author: Parker
Senate Sponsor: Creighton

House Bill 2189 establishes the Radford Crocker Memorial Act and amends the Government Code to require the Texas Department of Criminal Justice to establish and maintain a program for inmates and state jail defendants confined in a correctional facility who are suspected of or identified as having an intellectual disability or borderline intellectual functioning and whose adaptive functioning is significantly impaired.

Senate Bill 578
Effective: 9-1-15

Senate Author: Hinojosa et al.
House Sponsor: Allen

Senate Bill 578 amends the Government Code to require the Texas Department of Criminal Justice to collaborate with specified types of organizations to provide inmates with reentry and reintegration resource guides and county-specific information packets.

Senate Bill 1024
Effective: 5-19-15

Senate Author: Seliger
House Sponsor: White, James et al.

Senate Bill 1024 amends the Education Code to require a school district to grant credit to a student toward course requirements for high school graduation for courses the student successfully completes in the Windham School District educational programs. The bill establishes a student's eligibility to graduate and receive a diploma from a Windham School District educational program on successful completion of foundation high school program curriculum requirements and compliance with end-of-course test performance requirements and provides for the issuance of a certificate of coursework completion by a Windham School District educational program to a student who successfully completes those curriculum requirements but fails to comply with the performance requirements.

Community Supervision, Parole, and Sex Offender Registration

House Bill 372
Effective: 9-1-15

House Author: Riddle et al.
Senate Sponsor: Whitmire

House Bill 372 amends the Code of Criminal Procedure and Government Code to require a court that grants community supervision to a sex offender who is subject to certain restrictions on Internet access, and a parole panel that releases such a sex offender on parole or to mandatory supervision, to require the offender as a condition of the supervision or parole to submit to regular inspection or monitoring of each electronic device used by the defendant to access the Internet. The bill includes a sex offender assigned a numeric risk level of two based on a sex offender risk assessment among the sex offenders subject to those Internet access restrictions on placement on community supervision or release to parole or mandatory supervision.

House Bill 583
Effective: 9-1-15

House Author: Larson
Senate Sponsor: Menéndez

House Bill 583 amends the Code of Criminal Procedure to include certain charitable and nonprofit organizations among the entities to which a judge may order a defendant to make a donation in lieu of performing community service.

House Bill 710
Effective: 9-1-15

House Author: Turner, Sylvester et al.
Senate Sponsor: Rodríguez et al.

House Bill 710 amends the Government Code to provide for the issuance of a summons to appear at a hearing, instead of a warrant, to a person who, in addition to meeting other criteria, is charged only with committing a certain new offense after the first anniversary of the person's release on parole or to mandatory supervision and to apply that same time frame to the circumstances under which a person may be issued such a summons after committing an administrative violation of release. The bill revises procedures for the issuance of a warrant requiring a releasee who has violated a condition of parole or mandatory supervision to be held in county jail.

House Bill 1914
Effective: 9-1-15

House Author: Bonnen, Dennis et al.
Senate Sponsor: Hancock

House Bill 1914 amends the Government Code to change the required frequency with which the Board of Pardons and Paroles reconsiders the eligibility for release on parole of an inmate serving a sentence for aggravated sexual assault or a life sentence for capital murder.

House Bill 1930
Effective: 9-1-15

House Author: White, James et al.
Senate Sponsor: Menéndez

Previous law required a community justice council to submit a community justice plan for a community supervision and corrections department as a condition to payment of state aid to a department or county and for eligibility for payment of emergency overcrowding relief. House Bill 1930 amends the Government Code to instead require a community supervision and corrections department to submit its own strategic plan as a condition to payment of the state aid only. The bill revises the required contents of the plan and revises the process for establishing a community justice council.

Corrections

House Bill 2299
Effective: 1-1-17

House Author: Riddle
Senate Sponsor: Whitmire

House Bill 2299 enacts a nonsubstantive revision of provisions relating to community supervision by amending the Alcoholic Beverage Code, Civil Practice and Remedies Code, Code of Criminal Procedure, Education Code, Family Code, Government Code, Health and Safety Code, Local Government Code, Occupations Code, Penal Code, and Transportation Code.

House Bill 3387
Effective: 9-1-15

House Author: Krause et al.
Senate Sponsor: Whitmire

House Bill 3387 amends the Government Code to provide for a parole panel's duty and discretionary authority to require certain releasees to participate in a sex offender treatment program as a condition of release on parole or to mandatory supervision.

Senate Bill 746
Effective: 6-17-15

Senate Author: Whitmire et al.
House Sponsor: Turner, Sylvester

Senate Bill 746 amends the Code of Criminal Procedure, Government Code, and Health and Safety Code to revise procedures relating to the civil commitment of sexually violent predators in Texas. The bill renames the Office of Violent Sex Offender Management as the Texas Civil Commitment Office, establishes the office's and the Texas Department of Criminal Justice's (TDCJ) duties with respect to a mandatory sex offender treatment program for committed persons before release, and provides for the office's development and oversight of a tiered program for the supervision and treatment of a committed person. Among other provisions, the bill revises the time frame for TDCJ to provide notice of a potential predator's release to the multidisciplinary team assessing the likelihood of a repeat sexually violent offender's recidivism, revises the team's composition, and revises outpatient civil commitment requirements.

Senate Bill 790
Effective: 9-1-15

Senate Author: Kolkhorst
House Sponsor: Fletcher

Senate Bill 790 amends the Government Code to establish procedures for the release on bond of a person who is in custody and who is the subject of a warrant alleging the commission of an administrative violation of the person's release on parole or to mandatory supervision. The bill revises procedures for the issuance of a warrant requiring a releasee who has violated a condition of parole or mandatory supervision to be held in county jail.

Senate Bill 1070
Effective: 9-1-15

Senate Author: Hinojosa
House Sponsor: Moody

Senate Bill 1070 amends the Code of Criminal Procedure and Transportation Code to allow certain defendants placed on community supervision for an intoxication offense to complete substance abuse education at a residential treatment facility in lieu of attending a required substance abuse education program.

The summaries for the following bills are in the listed chapters:

House Bill 1546—Criminal Justice

House Bill 2788—Utilities

Courts

This chapter covers legislation on the creation, jurisdiction, and administration of trial and appellate courts. This chapter also includes legislation relating to judges and court personnel, county and district attorneys, juries, juvenile boards, judicial districts, court costs and fees, jury service, and the collection and reporting of information on family violence, sexual assault, stalking, and human trafficking. Legislation on county commissioners courts is in the **Local Government** chapter. Related legislation that is summarized in other chapters is listed at the end of this chapter.

General

House Bill 866
Effective: 9-1-15

House Author: Thompson, Ed
Senate Sponsor: Huffman

House Bill 866 amends the Government Code to update the language used in reference to disabled persons in statutory provisions establishing an exemption from jury service for a primary caregiver.

House Bill 1306
Effective: 9-1-15

House Author: Hughes
Senate Sponsor: Zaffirini

House Bill 1306 amends the Government Code to replace the cap of 25 cents per mile on reimbursement for certain travel expenses incurred by a district court's official or deputy court reporter in a judicial district composed of more than one county with a reasonable mileage rate cap set by the commissioners court of the respective county of the judicial district for which the expenses were incurred.

House Bill 1436
Effective: 9-1-15

House Author: Smithee
Senate Sponsor: Lucio

House Bill 1436 amends the Health and Safety Code to clarify the court proceedings involving a dangerous dog determination by, among other things, establishing requirements for the owner of a dog determined by an animal control authority to be dangerous to file a court appeal of that decision, allowing dog owners appealing an authority's determination to request a trial by jury, and granting jurisdiction to the applicable county court or county court at law to hear an appeal of such cases from a municipal or justice of the peace court.

House Bill 1692
Effective: 6-16-15

House Author: Sheets
Senate Sponsor: Huffman

House Bill 1692 amends the Civil Practice and Remedies Code to prohibit a court from staying or dismissing a plaintiff's claim under the doctrine of forum non conveniens if the plaintiff is a derivative claimant of a legal Texas resident and to require that the determination to stay or dismiss a claim be made on an individual basis and without regard to the plaintiff's country of citizenship or national origin. If an action involves both plaintiffs who are legal Texas residents and those who are not, the court is required to consider appropriate factors and determine whether to deny the motion or to stay or dismiss the claim of any plaintiff who is not a legal Texas resident.

Courts

House Bill 2747
Effective: 9-1-15

House Author: Landgraf et al.
Senate Sponsor: Creighton

House Bill 2747 amends the Government Code to add United States citizenship to the list of qualifications a person must meet to serve as a petit juror and to clarify that a potential juror must be a resident of the summoning county.

House Bill 3729
Effective: 6-16-15

House Author: Farias et al.
Senate Sponsor: Menéndez

House Bill 3729 amends the Government Code to specify that an essential characteristic of a veterans court program, among others, is the inclusion of a program participant's family members who agree to be involved in the treatment and services provided to the participant under the program.

House Bill 3996
Effective: 9-1-15

House Author: Blanco
Senate Sponsor: Uresti

House Bill 3996 amends the Government Code to include a veterans court program among the programs to which a juror may donate all or a portion of the juror's daily reimbursement.

Senate Bill 287
Effective: 6-19-15

Senate Author: West
House Sponsor: Smithee

Senate Bill 287 repeals provisions of the Code of Criminal Procedure, Government Code, Transportation Code, and Vernon's Civil Statutes to eliminate certain court costs and fees. The bill amends the Code of Criminal Procedure to specify the circumstances under which a written bill of court costs provided to a defendant is considered payable by the person charged with the cost.

Senate Bill 455
Effective: 9-1-15

Senate Author: Creighton
House Sponsor: Schofield

Senate Bill 455 amends the Government Code to provide for a special three-judge district court to convene, on petition of the attorney general to the chief justice of the supreme court, to hear certain suits involving a claim that challenges the finances or operations of the state's public school system or that involves the apportionment of districts for the house of representatives, the senate, the State Board of Education, or the United States Congress, or state judicial districts. The bill establishes provisions relating to operations of the special court, the consolidation of related actions with the cause of action before a special court, the application of Texas Rules of Civil Procedure to a proceeding before a special court, and authorized actions by a judge or justice of a special court. The bill establishes the supreme court as the court of appeals for an interlocutory order or final judgment of a special court.

Senate Bill 536
Effective: 6-16-15

Senate Author: Whitmire
House Sponsor: Thompson, Senfronia

Senate Bill 536 transfers provisions of the Health and Safety Code relating to the prostitution prevention program to the Government Code, subjecting the program to the statutory authorities and requirements generally applicable to specialty courts, and renames the program as the commercially sexually exploited persons court program.

Senate Bill 565
Effective: 6-16-15

Senate Author: West
House Sponsor: Smithee

Senate Bill 565 amends the Government Code to designate the first seven days in May as Jury Appreciation Week.

Senate Bill 662
Effective: 6-16-15

Senate Author: Rodríguez
House Sponsor: Alonzo

Senate Bill 662 amends the Code of Criminal Procedure to require a convicting court to appoint an attorney to represent an eligible indigent defendant for purposes of filing an application for a writ of habeas corpus in a non-capital case under certain circumstances.

Senate Bill 681
Effective: 6-16-15

Senate Author: Zaffirini
House Sponsor: Rodriguez, Justin

Senate Bill 681 amends the Government Code to authorize the designation of a bailiff as the officer in charge of the jury selection process in Bexar County and to clarify the role of such a bailiff in that process.

Senate Bill 740
Effective: 9-1-15

Senate Author: West
House Sponsor: Canales

Senate Bill 740 amends the Code of Criminal Procedure to limit the assessment of court costs and fees in a single criminal action in which a defendant is convicted of multiple offenses or of multiple counts of the same offense.

Senate Bill 1057
Effective: 9-1-15

Senate Author: Hinojosa
House Sponsor: Herrero

Senate Bill 1057 amends the Government Code to include an eligible public defender's office and a law school's legal clinic or program that provides county indigent defense services among the entities to which the Texas Indigent Defense Commission must distribute grants for those services and to establish the process for determining grant eligibility.

Senate Bill 1116
Effective: 9-1-15

Senate Author: West
House Sponsor: Smithee

Senate Bill 1116 amends the Government Code to authorize a court, justice, judge, magistrate, or clerk to send any notice or document using mail or electronic mail, as defined in the bill. This authorization applies to all civil and criminal statutes requiring delivery of a notice or document.

Senate Bill 1139
Effective: See below

Senate Author: Huffman et al.
House Sponsor: Smithee et al.

Senate Bill 1139 amends provisions of the Family Code, Government Code, Human Resources Code, and Code of Criminal Procedure relating to the operation, administration, and practice of courts in the judicial branch and the composition of certain juvenile boards. The bill revises certain procedures relating to associate judges for child support and child protection cases; increases the electronic filing fee required for certain civil actions and proceedings; establishes provisions regarding bailiffs for county courts at law and family district courts in Tarrant County; revises provisions relating to the El Paso Criminal Law Magistrate Court, criminal law hearing officers in Cameron County, and the juvenile board of Atascosa County; and revises provisions relating to temporary justices in certain justice precincts, telephone interpreter services in criminal proceedings, and the courts authorized to hear matters related to a capias pro fine.

Courts

Senate Bill 1139 revises the terms of the 52nd District Court in Coryell County and creates the 446th Judicial District in Ector County, the 469th and 470th Judicial Districts in Collin County, and the 505th Judicial District in Fort Bend County. Effective January 1, 2016, the bill creates the 507th Judicial District in Harris County. Effective January 1, 2017, the bill creates the 451st Judicial District in Kendall County and the 440th Judicial District in Coryell County and abolishes the office of county attorney and the County Court at Law of Kendall County.

Effective on specified dates, the bill creates the County Court at Law Nos. 4 and 5 of Cameron County, the County Court at Law No. 7 of Collin County, the County Court at Law No. 5 of Fort Bend County, and the County Criminal Court at Law No. 16 of Harris County. Among other provisions, the bill provides for the designation of the administrative county for certain multicounty statutory courts, including the 1st Multicounty Court at Law. The bill modifies the jurisdiction of the Jefferson County Court, sets out provisions relating to the county attorneys of Aransas and Guadalupe Counties and the criminal district attorney of Kendall County, and abolishes the office of district attorney for the 25th Judicial District. These provisions take effect on specified dates. Except as otherwise provided, the bill takes effect September 1, 2015.

Senate Bill 1341
Effective: 6-16-15

Senate Author: Taylor, Van
House Sponsor: Laubenberg

Senate Bill 1341 amends the Government Code to provide for the transfer of certain court records in electronic or paper form by a district or county court clerk, as applicable, if a case is transferred from a district court to a county court or if a case or civil or criminal jurisdiction is transferred from a county court to a district court.

Senate Bill 1353
Effective: 9-1-15

Senate Author: Hinojosa
House Sponsor: Coleman

Senate Bill 1353 amends the Government Code to authorize the Texas Indigent Defense Commission, by entering into an interlocal contract with one or more counties under the Interlocal Cooperation Act, to participate and assist counties in the creation, implementation, operation, and maintenance of a computerized system to be used to assist those counties in the provision and administration of indigent defense services and to be used to collect data from those counties regarding representation of indigent defendants in Texas. The bill additionally authorizes the commission to award a grant to an administrative agency, local government, or certain tax-exempt organization that provides administrative services to a county under an interlocal contract entered into for the purpose of providing or improving indigent defense services in the county.

Senate Bill 1369
Effective: 9-1-15

Senate Author: Zaffirini et al.
House Sponsor: Smithee

Senate Bill 1369 amends the Government Code to establish judicial reporting requirements, applicable beginning with the 2017 state fiscal year. The bill requires the clerk of each court in Texas to prepare a report on the court appointments for an attorney ad litem, guardian ad litem, guardian, mediator, or competency evaluator for a case before the court in the preceding month, provides certain exceptions from that requirement, and makes a court that fails to provide the information required for the report ineligible for an award of grant money for the next fiscal biennium. The bill requires the Office of Court Administration of the Texas Judicial System to prescribe the format used to report the required information, provides reporting requirements for a court that does not make any appointments in the preceding month, and requires the Texas Judicial Council to adopt rules to implement the reporting requirements. The bill provides for a study by the office of the feasibility of establishing a statewide uniform attorney ad litem billing system.

Senate Bill 1474
Effective: 9-1-15

Senate Author: Garcia et al.
House Sponsor: Farias

Senate Bill 1474 amends the Government Code to include among the conditions of participation by a veteran in a veterans treatment court program that the court find that the person was a victim of military sexual trauma, to require the court to find that an injury, illness, disorder, or trauma occurred during or resulted from the person's military service without regard to whether it resulted from service in a combat zone or similar hazardous duty area, and to add as an alternative condition of participation that the court find that participation in a program is likely to achieve the program's objective of ensuring public safety through rehabilitation of the veteran.

Among other provisions, the bill authorizes a program to transfer responsibility for supervising a defendant's participation to another program located in the county in which the defendant works or resides and provides for the placement of defendants charged with an offense in a county without a program.

Senate Bill 1517
Effective: 9-1-15

Senate Author: Seliger et al.
House Sponsor: Coleman

Senate Bill 1517 amends the Code of Criminal Procedure to provide for the appointment of counsel for an indigent defendant arrested under a warrant issued in a county other than the county in which the arrest was made.

Senate Bill 1876
Effective: 9-1-15

Senate Author: Zaffirini
House Sponsor: Smithee

Previous law required a local administrative judge to maintain a list of all attorneys qualified to serve as an attorney ad litem for the courts for which the judge serves as local administrative judge. Senate Bill 1876 amends the Government Code to instead require a court located in a county with a population of 25,000 or more to establish and maintain the following: a list of all attorneys who are qualified to serve as an attorney ad litem and are registered with the court; a list of all attorneys and other persons who are qualified to serve as a guardian ad litem and are registered with the court; a list of all persons who are registered with the court to serve as a mediator; and a list of all attorneys and private professional guardians who are qualified to serve as a guardian and are registered with the court. On request, a local administrative judge may establish and maintain the required lists for a court or courts. The bill establishes the manner in which and the conditions under which an attorney ad litem, guardian ad litem, mediator, or guardian must be appointed from the list and requires the lists to be posted by a court.

County and District Courts

House Bill 1774
Effective: 9-1-15

House Author: Lucio III
Senate Sponsor: Lucio

House Bill 1774 amends the Government Code to expand the powers and jurisdiction of a criminal law hearing officer in Cameron County to, among other things, include presiding over an extradition proceeding under the Uniform Criminal Extradition Act. The bill authorizes an applicable district judge or county court at law judge to refer to such a criminal hearing officer any criminal case for proceedings involving a bond forfeiture, arraignment, determination of indigency, appointment of counsel for an indigent defendant, and a negotiated plea of guilty or nolo contendere.

Courts

House Bill 2182
Effective: 9-1-15

House Author: Clardy et al.
Senate Sponsor: Creighton

House Bill 2182 amends Code of Criminal Procedure, Government Code, and Local Government Code provisions relating to the collection and refunding of certain fees and deposits by a county or district clerk. The bill, among other things, increases jury fees for certain cases, expands the types of court proceedings for which a county commissioners court may charge a district court records archive fee, and increases the filing fee for a claim against an estate.

House Bill 2536
Effective: 9-1-15

House Author: Harless et al.
Senate Sponsor: Whitmire et al.

Previous law established that a Harris County civil court at law has exclusive jurisdiction in Harris County of eminent domain proceedings, both statutory and inverse, regardless of the amount in controversy. House Bill 2536 amends the Government Code to instead condition the exclusive jurisdiction on the amount in controversy in a statutory proceeding not exceeding \$200,000 in civil cases. The bill authorizes a party initiating a condemnation proceeding in Harris County to file a petition with the district clerk when the amount in controversy exceeds \$200,000 and establishes that the amount in controversy is the amount of the bona fide offer made by the entity with eminent domain authority to acquire the property from the property owner voluntarily.

House Bill 4199
Effective: 9-1-15

House Author: Paddie
Senate Sponsor: Eltife

House Bill 4199 amends the Government Code to expand the jurisdiction of a Harrison County court at law concurrent with the district court to include civil cases and felony cases other than capital murder, to entitle the criminal district attorney to the same fees prescribed by law for prosecutions in a district court for those cases, and to set out jury requirements.

Senate Bill 432
Effective: 6-16-15

Senate Author: West
House Sponsor: Villalba

Senate Bill 432 amends the Government Code to continue until July 1, 2030, a resolution adopted by the Dallas County commissioners court authorizing certain additional filing fees for Dallas County civil courts.

Senate Bill 643
Effective: 6-16-15

Senate Author: Creighton
House Sponsor: Faircloth

Senate Bill 643 amends the Government Code and Local Government Code to authorize the commissioners court of Chambers County to designate a suitable facility outside of the City of Anahuac but within 10 miles of the city limits as an auxiliary county seat for purposes of holding court proceedings for the 253rd District Court and the 344th District Court.

Senate Bill 909
Effective: 9-1-15

Senate Author: Zaffirini
House Sponsor: Rodriguez, Justin

Senate Bill 909 amends provisions of the Government Code relating to the county courts at law in Bexar County to update the statutory case assignments regarding civil and criminal cases, the salary and removal of a county court at law judge, and certain bond requirements.

Senate Bill 1913
Effective: 9-1-15

Senate Author: Perry
House Sponsor: Smithee

Previous law authorized the county criminal courts or the county courts at law having both criminal and civil jurisdiction, in a county with more than one such court, to establish and maintain a court administrator system. Senate Bill 1913 amends the Government Code to grant that authority to the district courts or statutory county courts in a county with more than one such court.

Judges

House Bill 257
Effective: 1-1-17

House Author: Farney et al.
Senate Sponsor: Huffman et al.

House Bill 257 amends the Government Code to make the prohibition against certain justices or judges having a significant interest that is a direct investment in a business entity that owns, manages, or operates a private correctional or rehabilitation facility applicable to any direct investment in such a business entity.

House Bill 1080
Effective: 6-16-15

House Author: Hughes
Senate Sponsor: Taylor, Van

House Bill 1080 amends the Transportation Code to expand the definition of "state judge," for purposes of state driver's license and personal identification laws, to include a statutory probate court judge and an associate judge appointed under Government Code provisions governing associate judges or Health and Safety Code provisions governing court ordered mental health services.

House Bill 1923
Effective: 9-1-15

House Author: Naishtat
Senate Sponsor: Rodríguez

House Bill 1923 amends the Civil Practice and Remedies Code to include a retired or former statutory probate court judge among the judges eligible to serve as a special judge in certain civil or family law matters.

House Bill 3747
Effective: 6-16-15

House Author: Phillips
Senate Sponsor: Estes

House Bill 3747 amends the Government Code to include a retired federal judge who is a Texas resident among those defined as a "retired judicial officer" for purposes of eligibility for a concealed handgun license.

House Bill 4103
Effective: Vetoed

House Author: Guillen
Senate Sponsor: Garcia

House Bill 4103 amends the Government Code to authorize a judge of a municipal court who continues to serve for another term in office to continue to perform the duties of the office without taking an additional oath or affirmation.

Governor's Reason for Veto: "The Texas Constitution requires all elected or appointed officers to take the following oath: "I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of _____ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God." The oath is commonly re-taken when an existing officeholder begins a new term. House Bill 4103 would exempt municipal judges from the need to take the oath for a subsequent term of office. Judges, of all offices, should never be excused from the obligation to swear to preserve, protect, and defend the Constitution."

Courts

Senate Bill 306
Effective: 9-1-15

Senate Author: Zaffirini
House Sponsor: Raymond

Senate Bill 306 amends the Government Code to expand the contents of the annual report of the State Commission on Judicial Conduct to include certain statistical information regarding the number of complaints received and dismissed by the commission and the number of each type of judicial misconduct or disability that resulted in sanction or censure of a judge.

The summaries for the following bills are in the listed chapters:

House Bill 184—State Government

House Bill 2398—Juvenile Justice

Senate Bill 478—Property Interests and Housing

Senate Bill 1025—Public Officials and Employees

Criminal Justice

This chapter covers legislation relating to criminal offenses and penalties, crime victims' rights and services, and procedures, including those relating to bail, the issuance and execution of search warrants, and a writ of habeas corpus. Legislation on correctional and rehabilitation facilities, jails, incarcerated individuals, community supervision, parole, and sex offender registration, as well as the functions and duties of the Texas Department of Criminal Justice, is in the **Corrections** chapter. Legislation relating to law enforcement agencies, the Texas Department of Public Safety, and concealed handguns and firearms possession is in the **Public Safety** chapter. Legislation relating to juvenile justice, delinquency, detention, and correctional facilities, juvenile court proceedings, and the functions and duties of the Texas Juvenile Justice Department is in the **Juvenile Justice** chapter. Legislation relating to Transportation Code offenses is in the **Transportation** chapter. Related legislation that is summarized in other chapters is listed at the end of this chapter.

General

House Bill 10
Effective: 9-1-15

House Author: Thompson, Senfronia et al.
Senate Sponsor: Huffman et al.

House Bill 10 amends provisions of the Code of Criminal Procedure, Education Code, Government Code, and Penal Code relating to trafficking of persons and compelling prostitution. The bill removes the statute of limitations on compelling prostitution of a child younger than 18 years of age. The bill expands the offense of prostitution conduct for which the penalty is enhanced to a second degree felony to include conduct in which the person solicited is represented to the actor as being, or believed by the actor to be, younger than 18 years of age. The bill makes a prostitution offense punishable as a second degree felony a "reportable conviction or adjudication" for purposes of sex offender registration. The bill authorizes a prosecutor to compel a party to a trafficking of persons offense to provide evidence or testify about the offense in exchange for immunity from prosecution.

House Bill 10 allows a claimant or victim of child trafficking to be compensated from the Texas crime victims' compensation fund notwithstanding the claimant's or victim's knowing and willing participation in the criminally injurious conduct and allows a claimant or victim of other human trafficking to be compensated if the criminally injurious conduct was the result of force, fraud, or coercion. The bill requires the judicial training provided by the Supreme Court of Texas and the Texas Court of Criminal Appeals to include information about human trafficking and requires the Texas Education Agency to develop policies on reporting child trafficking.

House Bill 10 continues the Human Trafficking Prevention Task Force established by the attorney general, expands its membership, and revises its duties. The bill requires certain state agencies to designate an individual, and notify the task force of the designated individual, who is authorized to coordinate the agency's resources to strengthen state and local efforts to prevent human trafficking, protect and assist trafficking victims, and investigate and prosecute trafficking offenders. The bill also creates the Child Sex Trafficking Prevention Unit within the criminal justice division of the governor's office and sets out its duties.

House Bill 48
Effective: 6-1-15

House Author: McClendon et al.
Senate Sponsor: Ellis et al.

House Bill 48 amends the Code of Criminal Procedure to create the Timothy Cole Exoneration Review Commission for the purpose of reviewing and examining all cases in Texas in which

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an innocent defendant was convicted and then, on or after January 1, 2010, was exonerated. The commission exists independently under the Texas Judicial Council and is administratively attached to the Office of Court Administration of the Texas Judicial System. The bill requires the commission to issue a report of its findings and recommendations and dissolves the commission on the earlier of the date the commission submits its report or December 1, 2016.

House Bill 225
Effective: Vetoed

House Author: Guillen et al.
Senate Sponsor: Watson et al.

House Bill 225 amends the Health and Safety Code to establish a defense to prosecution for certain drug-related offenses if the actor sought emergency medical assistance in response to another's possible overdose or was the victim of a possible overdose for which assistance was requested. The bill provides for the prescription, distribution, possession, and administration of an opioid antagonist and for certain related grants.

Governor's Reason for Veto: "HB 225 has an admirable goal, but it does not include adequate protections to prevent its misuse by habitual drug abusers and drug dealers. Although my office suggested amendments to this legislation that would have eliminated the bill's protections for habitual drug abusers and drug dealers -- while maintaining protections for minors and first-time offenders -- those amendments were not adopted during the legislative process. Consequently, it was necessary to veto this bill."

House Bill 307
Effective: 6-17-15

House Author: White, James
Senate Sponsor: Burton

House Bill 307 requires the Texas Department of Criminal Justice (TDCJ) to study and report on the feasibility and potential costs and benefits to the state of implementing a pay-for-performance contract program under which TDCJ contracts for the operation of criminal justice programs or the provision of criminal justice services funded using investor-provided financial capital and makes payments based on the achievement of specified performance requirements and outcomes from the programs and services and the positive return on investment to the state.

House Bill 480
Effective: 9-1-15

House Author: Bell et al.
Senate Sponsor: Kolkhorst

House Bill 480 amends the Government Code to provide for the appointment of reserve investigators by a prosecuting attorney.

House Bill 530
Effective: 9-1-15

House Author: Hernandez
Senate Sponsor: West

House Bill 530 amends the Code of Criminal Procedure to create an exception to the restricted use of proceeds from criminal asset forfeiture for law enforcement purposes by allowing a certain percentage to be used to provide college scholarships to children of peace officers killed in the line of duty. The bill requires the attorney general to annually prepare and maintain a report on the total value of forfeited property in Texas in the preceding calendar year.

House Bill 634
Effective: 9-1-15

House Author: Metcalf et al.
Senate Sponsor: Creighton et al.

House Bill 634 amends the Code of Criminal Procedure and Government Code to authorize the court-appointed guardian of an incapacitated person subject to arraignment who provides a court with letters of guardianship for the defendant to provide information relevant to the determination of indigency and request that counsel be appointed. The visitation policies for persons confined in facilities operated by either the institutional division or state jail division

of the Texas Department of Criminal Justice are required to allow visitation by such a guardian of an inmate or defendant, as applicable, to the same extent as the inmate's or defendant's next of kin and to require the guardian to provide the warden or facility director, as applicable, with letters of guardianship before being allowed to visit. The Commission on Jail Standards is required to adopt reasonable rules and procedures regarding visitation of a prisoner at a county jail by a guardian that allow visitation by such a guardian to the same extent as the prisoner's next of kin and require the guardian to provide the sheriff with letters of guardianship before being allowed to visit.

House Bill 1396
Effective: 9-1-15

House Author: Workman
Senate Sponsor: Burton et al.

House Bill 1396 amends the Code of Criminal Procedure, Government Code, and Penal Code to prohibit a peace officer from searching the cellular phone or wireless communications device of an arrested person without a warrant and to provide for the issuance of such a warrant. The bill requires the trial of a criminal action in which the alleged victim is younger than 14 years of age to be given preference over other matters before the court and provides for the construction of certain statutes and rules involving a criminal offense or penalty. The bill updates the pecuniary thresholds used to determine the penalty grade for certain offenses against property and public administration and creates a commission to study and review certain Texas penal laws.

House Bill 2150
Effective: 9-1-15

House Author: Alvarado et al.
Senate Sponsor: Whitmire et al.

House Bill 2150 amends the Code of Criminal Procedure and Government Code to revise the process by which a grand jury is organized and to provide for the recusal of a grand juror.

House Bill 2290
Effective: 9-1-15

House Author: Parker et al.
Senate Sponsor: Huffman

House Bill 2290 amends the Government Code to designate January as Human Trafficking Prevention Month and to authorize the observance of such through appropriate activities in public schools and other places to increase awareness and prevention of human trafficking.

House Bill 2455
Effective: 6-16-15

House Author: Burkett et al.
Senate Sponsor: Rodríguez

House Bill 2455 amends the Government Code to establish the task force to promote uniformity in the collection and reporting of information on family violence, sexual assault, stalking, and human trafficking. The task force is required to develop policy recommendations and best practices guidelines regarding uniform data collection and reporting on family violence, sexual assault, stalking, human trafficking, and the implementation of dating violence training and awareness education in public schools. The task force is required to prepare and submit to the appropriate parties a report that includes its recommendations not later than September 1, 2016. The director of the Office of Court Administration of the Texas Judicial System appoints the presiding officer of the 17-member task force and the office is required to provide administrative and technical support to the task force. The bill's provisions expire and the task force is abolished September 1, 2017.

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House Bill 2499
Effective: 9-1-15

House Author: Thompson, Senfronia et al.
Senate Sponsor: Perry

House Bill 2499 amends the Code of Criminal Procedure to authorize electronic filing of a bail bond with the court, judge, magistrate, or other officer taking the bond.

House Bill 3668
Effective: 6-19-15

House Author: Workman
Senate Sponsor: Menéndez

House Bill 3668 amends the Code of Criminal Procedure to include a member of an arson investigating unit commissioned by a municipality, county, or the state among the peace officers authorized to engage in wiretapping.

Senate Bill 130
Effective: Vetoed

Senate Author: West
House Sponsor: Canales et al.

Senate Bill 130 amends the Government Code and Occupations Code to establish the eligibility for an order of nondisclosure of certain persons placed on community supervision on a conviction that is subsequently set aside.

Governor's Reason for Veto: "After convicted criminals complete their sentences and repay their debts to society, their criminal records do not disappear. The reality for some individuals who have been charged with relatively minor crimes is that their records can follow them forever, making it difficult for them to find employment and reintegrate into society. That is why I previously signed into law Senate Bill 1902, which authorizes courts in limited circumstances to seal the records of certain first-time misdemeanor offenders, to ensure that a minor criminal record is not a road block to an individual becoming a productive member of society even decades later. But the State's interest in reintegrating one-time, petty offenders must be balanced with an employer's right to know what they are getting when they make a hire. Senate Bill 130 goes too far because it would permit individuals who have committed even serious felonies (including crimes like manslaughter, arson, enticing of a child, and improper photography of a minor) to hide their heinous acts from employers. And it places no limits on the number of times repeat offenders can attempt to erase their past."

Senate Bill 316
Effective: 9-1-15

Senate Author: Hinojosa
House Sponsor: Leach

Current law authorizes a court in a county in which a public defender's office is created or designated to appoint that office to represent an indigent defendant in a criminal case. Senate Bill 316 amends the Code of Criminal Procedure to require such a court to give priority in appointing that office for that representation and to establish circumstances under which the court is not required to make that appointment.

Senate Bill 1743
Effective: 9-1-15

Senate Author: Hinojosa
House Sponsor: Herrero

Senate Bill 1743 amends the Code of Criminal Procedure and Government Code to provide for the representation of a defendant in a habeas corpus proceeding based on the availability or contradictory nature of scientific evidence by the office of capital writs, renamed as the office of capital and forensic writs, after the case is referred to the office by the Texas Forensic Science Commission.

Senate Bill 1853
Effective: 6-19-15

Senate Author: Lucio et al.
House Sponsor: Phillips

Senate Bill 1853 amends the Government Code to authorize the Department of Public Safety (DPS) to establish a statewide program for preventing and detecting certain criminal offenses involving contraband and the smuggling or trafficking of persons between Texas and an adjacent

state or the United Mexican States. If the program is established, DPS must implement the program in conjunction with federal and local law enforcement agencies.

Senate Bill 1902

Effective: 9-1-15

Senate Author: Perry et al.

House Sponsor: Herrero et al.

Senate Bill 1902 amends the Business & Commerce Code, Code of Criminal Procedure, Government Code, Health and Safety Code, and Occupations Code to establish an alternative framework for granting an order of nondisclosure to a person who receives a discharge and dismissal after being placed on deferred adjudication community supervision for certain nonviolent misdemeanors. The bill expands the group of persons eligible for an order of nondisclosure and the offenses that render a person ineligible for an order of nondisclosure. The bill expands the list of noncriminal justice agencies to which a criminal justice agency may disclose criminal history record information that is the subject of an order of nondisclosure and provides for the admissibility and use of such criminal history record information that is related to a conviction in a subsequent criminal proceeding.

Senate Bill 2019

Effective: 6-19-15

Senate Author: Uresti

House Sponsor: Guillen

Senate Bill 2019 amends the Code of Criminal Procedure to add a representative of the Texas Alcoholic Beverage Commission to the Texas Violent Gang Task Force.

Crime Victim Rights and Services

House Bill 188

Effective: 5-28-15

House Author: Thompson, Senfronia et al.

Senate Sponsor: Menéndez et al.

House Bill 188 amends the Government Code to continue the Human Trafficking Prevention Task Force, expand its membership to include a representative of a statewide medical association appointed by the attorney general, and require it to develop recommendations for addressing the demand for forced labor or services or sexual conduct involving victims of human trafficking.

House Bill 968

Effective: 6-1-15

House Author: Hernandez et al.

Senate Sponsor: Garcia

House Bill 968 amends the Civil Practice and Remedies Code to establish the civil liability of certain shareholders and members of a corporation, limited liability company, or professional entity that engages in human trafficking for personal damages arising from the trafficking of the person.

House Bill 1293

Effective: 9-1-15

House Author: Alvarado et al.

Senate Sponsor: Huffman

House Bill 1293 amends the Code of Criminal Procedure and Property Code to provide for the use of a pseudonym by a victim of a stalking offense instead of the victim's name in all public files and records and legal proceedings concerning the offense. The bill requires the office of the attorney general to develop and distribute to all state law enforcement agencies a pseudonym form and provides for the implementation of the pseudonym by the law enforcement agency receiving a completed pseudonym form. The bill provides for limited disclosure of a stalking victim's identifying information and establishes Class C misdemeanors for certain conduct involving the knowing disclosure of that information to a person not associated with the case.

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House Bill 1293 requires a tenant who is a stalking victim seeking to terminate a lease, vacate, and avoid related liability and who is identified in the applicable law enforcement incident report by means of a pseudonym to provide a copy of the completed pseudonym form to the landlord.

House Bill 1446
Effective: 9-1-15

House Author: Dale et al.
Senate Sponsor: Rodríguez et al.

House Bill 1446 amends the Code of Criminal Procedure to provide for reimbursement of costs incurred for emergency medical care provided to a sexual assault victim, compensation to a stalking victim for relocation and housing rental expenses, and the creation of the governor's program for victims of child sex trafficking.

House Bill 1447
Effective: 9-1-15

House Author: Dale et al.
Senate Sponsor: Rodríguez

House Bill 1447 amends the Code of Criminal Procedure to expand the persons authorized to file an application for a protective order for certain victims of sexual assault or abuse, stalking, or trafficking and to entitle victims of those offenses or the victim's parent or guardian to additional crime victims' rights relating to the protective order.

House Bill 2286
Effective: 9-1-15

House Author: Parker et al.
Senate Sponsor: Burton et al.

House Bill 2286 amends the Government Code to establish the eligibility of certain trafficking victims convicted of a prostitution offense for an order of nondisclosure.

House Bill 2511
Effective: 6-19-15

House Author: Thompson, Senfronia et al.
Senate Sponsor: Huffman

House Bill 2511 amends the Government Code to require the secretary of state to establish and implement a human trafficking prevention business partnership program to engage participating corporations and other private entities in voluntary efforts to prevent and combat human trafficking.

House Bill 3184
Effective: Vetoed

House Author: McClendon et al.
Senate Sponsor: Menéndez

House Bill 3184 amends the Code of Criminal Procedure, Family Code, Government Code, and Human Resources Code to provide for the establishment, operation, and funding of pretrial victim-offender mediation programs.

Governor's Reason for Veto: "Mediation is a process available in civil lawsuits by which parties can work out their disputes without using courts. House Bill 3184 imports the civil law process of mediation into criminal law, allowing for mediation between the victim of the crime and the criminal to take the place of prosecution by the State, even in some violent felony cases. This 'victim-offender mediation' leaves out a key party in criminal litigation -- the State of Texas. Criminal indictments in Texas allege that a crime has been committed 'against the peace and dignity of the State.' The State, not the victim of crime, brings criminal litigation against the defendant. And while prosecutors do seek justice for victims, their primary duty is to represent the broader public interest in deterring and punishing crime for the good of all Texans. Making amends with the victim of a crime does not absolve the criminal of his legal debt to the State. Mediation is not well-suited to the criminal context and should be reserved for civil cases."

Senate Bill 112
Effective: 5-23-15

Senate Author: Taylor, Van
House Sponsor: Thompson, Senfronia

Senate Bill 112 amends the Code of Criminal Procedure to authorize a magistrate, in an order for emergency protection and on finding good cause, to prohibit an arrested party from communicating in any manner with a person protected under the order or a member of the family or household of such a protected person, except through the party's attorney or a person appointed by the court.

Senate Bill 630
Effective: 9-1-15

Senate Author: Rodríguez et al.
House Sponsor: Dale

Senate Bill 630 amends the Code of Criminal Procedure to expand the persons authorized to file an application for a protective order for certain victims of sexual assault or abuse, stalking, or trafficking and to entitle victims of those offenses or the victim's parent or guardian to additional crime victims' rights relating to the protective order.

Senate Bill 737
Effective: 9-1-15

Senate Author: Rodríguez
House Sponsor: Moody

Senate Bill 737 amends provisions of the Code of Criminal Procedure, Family Code, and Government Code relating to certain protective orders and magistrate's emergency protection orders. Among other provisions, the bill authorizes a magistrate to issue an emergency protection order for an offense of trafficking of persons and continuous trafficking of persons. The bill imposes a deadline on a magistrate's requirement to notify the appropriate law enforcement agency that an emergency protection order has been issued and requires any minimum distance a person subject to a protective order is required to maintain from the protected places or persons to be entered into the statewide law enforcement information system.

Offenses and Penalties

House Bill 207
Effective: 9-1-15

House Author: Leach et al.
Senate Sponsor: Whitmire

House Bill 207 amends the Penal Code to create the Class C misdemeanor offense of voyeurism for a person who, with the intent to arouse or gratify the actor's sexual desire, observes another person without the person's consent while the person is in a dwelling or structure in which the person has a reasonable expectation of privacy.

House Bill 511
Effective: 9-1-15

House Author: Moody et al.
Senate Sponsor: Rodríguez

Current law makes it an offense for employees of and other specified persons associated with certain correctional facilities to violate the civil rights of or engage in sexual conduct with a person in custody. House Bill 511 amends the Code of Criminal Procedure and Penal Code to include among those facilities any place or facility designated for the detention of a person suspected of violating a provision of the federal Immigration and Nationality Act.

House Bill 896
Effective: 9-1-15

House Author: Hernandez
Senate Sponsor: Huffman

House Bill 896 amends the Penal Code to expand the conduct that constitutes the offense of breach of computer security to include knowingly accessing a computer, computer network, or

computer system that is owned by the government, a business, or a commercial entity engaged in a business activity if such action is in violation of a contractual agreement or a clear and conspicuous prohibition by the owner of the computer, network, or system and is taken with the intent to obtain or use a stored file, data, or proprietary information to defraud or harm another or alter, damage, or delete property. The bill establishes a defense to prosecution for this conduct.

House Bill 1061
Effective: 9-1-15

House Author: Turner, Chris et al.
Senate Sponsor: Whitmire

House Bill 1061 amends the Penal Code to establish a rebuttable presumption that a person commits an offense of interference with a peace officer's public duties if the person intentionally disseminated certain personal information of the officer or a family member of the officer.

House Bill 1286
Effective: 9-1-15

House Author: Simmons et al.
Senate Sponsor: Lucio

House Bill 1286 amends the Penal Code to expand the conditions that qualify a person as a disabled individual for purposes of the offense of injury to a child, elderly individual, or disabled individual and to establish an affirmative defense to prosecution for that offense that the actor did not know and could not reasonably have known that the individual was disabled.

House Bill 1363
Effective: Vetoed

House Author: Johnson et al.
Senate Sponsor: Whitmire et al.

House Bill 1363 amends the Code of Criminal Procedure, Family Code, Health and Safety Code, and Penal Code to revise the conduct that constitutes a prostitution offense and to reduce certain penalties associated with the offense. The bill provides for the dismissal of certain prostitution offenses pending successful completion of a prostitution prevention program and expands the required components of such a program.

Governor's Reason for Veto: "House Bill 1363 provides useful tools for courts when distinguishing between the offenses of prostitution and soliciting the services of a prostitute. This is a supportable goal, however this bill also reduces penalties for individuals convicted of prostitution on multiple occasions. Reducing penalties for willful repeat offenders is not in the best interest of the offender or the people of Texas. A better option for addressing the difference between prostitution and soliciting the services of a prostitute is Senate Bill 825, which does more to protect the victims of human trafficking and forced prostitution."

House Bill 1424
Effective: 9-1-15

House Author: Lozano et al.
Senate Sponsor: Zaffirini

House Bill 1424 amends the Health and Safety Code to enhance the penalty for subsequent offenses of knowingly manufacturing, delivering, or possessing with intent to deliver a controlled substance listed in a schedule by an action of the commissioner of state health services but not listed in a penalty group of the Texas Controlled Substances Act.

House Bill 1481
Effective: 9-1-15

House Author: Murphy et al.
Senate Sponsor: Birdwell

House Bill 1481 amends the Government Code to establish the Class B misdemeanor offense of operating an unmanned aircraft over or near a critical infrastructure facility.

House Bill 2291
Effective: 9-1-15

House Author: Parker et al.
Senate Sponsor: Perry

House Bill 2291 amends the Code of Criminal Procedure and Penal Code to provide penalty enhancements for the offense of possession or promotion of child pornography and to authorize a court to order a defendant convicted of such an offense to make restitution to an individual who as a child was depicted in the visual material.

House Bill 2589
Effective: 9-1-15

House Author: Phelan et al.
Senate Sponsor: Nichols

House Bill 2589 amends the Penal Code to lower the age above which a person is considered a disabled individual for purposes of an aggravated sexual assault offense.

House Bill 2645
Effective: 9-1-15

House Author: Blanco et al.
Senate Sponsor: Hinojosa

House Bill 2645 amends the Code of Criminal Procedure and Penal Code to authorize each party to the prosecution of certain offenses involving family violence to offer testimony or other evidence of all relevant facts and circumstances that would assist the trier of fact in determining whether the defendant committed the offense. The bill expands the conduct that constitutes a violation of certain court orders or bond conditions in a family violence, sexual assault or abuse, or stalking case.

Senate Bill 172
Effective: 9-1-15

Senate Author: Huffman et al.
House Sponsor: Clardy et al.

Senate Bill 172 amends the Health and Safety Code to revise the controlled substances listed in Penalty Groups 1-A and 2 of the Texas Controlled Substances Act.

Senate Bill 173
Effective: 9-1-15

Senate Author: Huffman et al.
House Sponsor: Clardy et al.

Senate Bill 173 amends the Health and Safety Code to revise the controlled substances listed in Penalty Group 2-A of the Texas Controlled Substances Act and to provide for the classification of a controlled substance analogue in that penalty group for purposes of the prosecution of an offense under the act.

Senate Bill 183
Effective: 9-1-15

Senate Author: Huffman et al.
House Sponsor: White, James

Senate Bill 183 amends the Penal Code to revise the offenses of the violation of the civil rights of a person in custody and of improper sexual activity with a person in custody. Among other provisions, the bill expands the actors to whom the offenses apply to include an official, employee, and certain other persons working or volunteering at a juvenile facility and enhances the penalty for improper sexual activity with an individual placed in a juvenile facility.

Senate Bill 236
Effective: 9-1-15

Senate Author: Schwertner
House Sponsor: Farney

Senate Bill 236 amends the Health and Safety Code to provide penalty enhancements for certain offenses involving the manufacture, delivery, or possession of a controlled substance listed in Penalty Group 1-A of the Texas Controlled Substances Act committed in a drug-free zone.

Senate Bill 344
Effective: 9-1-15

Senate Author: Huffman et al.
House Sponsor: Dale

Under previous law, an individual who represented himself or herself to be younger than 17 years of age was considered a minor for purposes of the offense of online solicitation of a minor. Senate Bill 344 amends the Penal Code to instead establish that an individual who is younger than 17 years of age is considered a minor for those purposes. The bill revises the defenses to prosecution for the offense and the circumstances that are expressly not defenses to prosecution and changes the requisite intent for certain conduct involving communicating in a sexually explicit manner with a minor or distributing sexually explicit material to a minor.

Senate Bill 461
Effective: 9-1-15

Senate Author: Perry et al.
House Sponsor: Parker

Senate Bill 461 amends the Health and Safety Code to make it a Class C misdemeanor to knowingly produce, distribute, sell, or offer for sale a mislabeled abusable synthetic substance in the course of business. The bill provides a penalty enhancement for certain prior convictions, provides for the collection of a civil penalty from a person who commits the offense, and establishes an affirmative defense to prosecution or liability for the offense.

Senate Bill 473
Effective: 9-1-15

Senate Author: Perry et al.
House Sponsor: Frullo

Senate Bill 473 amends the Penal Code to exclude an item registered in the National Firearms Registration and Transfer Record maintained by the Bureau of Alcohol, Tobacco, Firearms and Explosives or classified as a curio or relic by the U.S. Department of Justice from the items the intentional or knowing possession, manufacture, transport, repair, or sale of which constitutes a prohibited weapons offense.

Senate Bill 825
Effective: 9-1-15

Senate Author: Huffman et al.
House Sponsor: Thompson, Senfronia

Senate Bill 825 amends the Family Code, Health and Safety Code, and Penal Code to revise the conduct that constitutes a prostitution offense, the conduct that constitutes abuse for purposes of an investigation of a report of child abuse, and the conduct for which a county or municipality may establish a prostitution prevention program.

Senate Bill 835
Effective: 9-1-15

Senate Author: Taylor, Van et al.
House Sponsor: Sheets

Senate Bill 835 amends the Penal Code to increase the penalty for the offense of fraudulent or fictitious military record from a Class C misdemeanor to a Class B misdemeanor.

Senate Bill 923
Effective: 9-1-15

Senate Author: Watson
House Sponsor: Zedler

Senate Bill 923 amends the Code of Criminal Procedure and Penal Code to expand the conduct that constitutes a retaliation offense to include posting the contact information of a public servant or a public servant's family or household member on a publicly accessible website with the intent to cause harm or a threat of harm in retaliation for or on account of the public servant's service or status. The bill provides a penalty enhancement for this conduct that results in bodily injury.

Senate Bill 1135
Effective: 9-1-15

Senate Author: Garcia et al.
House Sponsor: González

Senate Bill 1135 amends the Civil Practice and Remedies Code and Penal Code to establish the Class A misdemeanor offense of unlawful disclosure or promotion of intimate visual material and to establish a defendant's civil liability to a person depicted in intimate visual material for damages arising from the material's unlawful disclosure or promotion.

Senate Bill 1317
Effective: 6-18-15

Senate Author: Menéndez
House Sponsor: Miller, Doug et al.

Senate Bill 1317 amends the Code of Criminal Procedure and Penal Code to rename the offense of improper photography or visual recording as invasive visual recording and to revise the conduct constituting the offense. The bill provides for the discovery of evidence depicting an invasive visual recording of a child and for the sealing of that evidence.

Senate Bill 1828
Effective: 9-1-15

Senate Author: Zaffirini
House Sponsor: Fletcher

Senate Bill 1828 amends the Code of Criminal Procedure and Penal Code to establish the offense of cargo theft with penalties ranging from a state jail felony to a first degree felony based on the total value of the cargo involved in the offense.

Procedures

House Bill 121
Effective: 6-15-15

House Author: Fletcher et al.
Senate Sponsor: Whitmire

House Bill 121 amends the Code of Criminal Procedure to authorize a court to adopt an alternative procedure for collecting a defendant's past due payment on a judgment for a fine and related court costs if a *capias pro fine* has been issued in the case.

House Bill 211
Effective: 6-19-15

House Author: Rose
Senate Sponsor: Rodríguez

House Bill 211 amends the Code of Criminal Procedure to establish a deadline by which criminal proceedings must be resumed after a defendant's competency to stand trial is restored following the defendant's return to court. The bill changes the deadline by which the court must make that competency determination following the defendant's return and establishes notification and evaluation requirements and deadlines regarding the defendant's return.

House Bill 324
Effective: 9-1-15

House Author: Dutton et al.
Senate Sponsor: Burton

House Bill 324 amends the Code of Criminal Procedure to prohibit a peace officer from conducting a search of a body cavity below the waist during a traffic stop without first obtaining a search warrant.

House Bill 326
Effective: 9-1-15

House Author: Wu et al.
Senate Sponsor: Hall

House Bill 326 amends the Code of Criminal Procedure to provide for a magistrate's authority to consider information communicated by telephone or other reliable electronic means in determining whether to issue a search warrant.

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House Bill 510
Effective: 9-1-15

House Author: Moody
Senate Sponsor: Ellis

House Bill 510 amends the Code of Criminal Procedure to revise the discovery requirement relating to the disclosure of certain information about expert witnesses in a criminal case.

House Bill 518
Effective: 9-1-15

House Author: Moody
Senate Sponsor: Rodríguez

Current law authorizes a judge to revoke a defendant's community supervision following an alleged violation of a condition of the supervision without a hearing if the defendant, among other actions, waives the right to a hearing and to counsel before a court of record. House Bill 518 amends the Code of Criminal Procedure to include a notary public as an alternative entity before which the defendant may take those actions for purposes of the community supervision revocation.

House Bill 643
Effective: 9-1-15

House Author: Harless
Senate Sponsor: Whitmire

House Bill 643 amends the Code of Criminal Procedure to authorize a surety to file a motion only for the purpose of discharging a defendant's bail when the defendant has been detained in custody or held to bail to answer any criminal accusation and no indictment or information has been presented against the defendant in the required time frame.

House Bill 644
Effective: 9-1-15

House Author: Canales et al.
Senate Sponsor: Hinojosa

House Bill 644 amends the Code of Criminal Procedure and Penal Code to require a search warrant to contain the name of the magistrate issuing the warrant and to enhance the penalty for tampering with a governmental record if the record was a search warrant issued by a magistrate.

House Bill 904
Effective: 9-1-15

House Author: Smith et al.
Senate Sponsor: Huffman et al.

House Bill 904 amends the Code of Criminal Procedure to include among the felony defendants who must be transferred to the Texas Department of Criminal Justice after giving notice of an appeal a defendant who is ineligible for release on bail pending appeal from any felony conviction for which the defendant's punishment equals or exceeds 10 years confinement or for which a judge is prohibited from ordering community supervision.

House Bill 941
Effective: 9-1-15

House Author: Hernandez et al.
Senate Sponsor: Perry et al.

House Bill 941 amends the Code of Criminal Procedure and Government Code to expand the types of offenses that trigger a convicted defendant's duty to provide a DNA sample for the purpose of creating a DNA record in the state DNA database system. The bill exempts a defendant from the requirement to provide a DNA sample as a condition of community supervision if a sample has already been provided for the purpose of creating a DNA record and provides for the destruction of a DNA sample collected for that purpose after any associated test results are entered into the state and federal DNA databases.

House Bill 1015
Effective: Vetoed

House Author: Canales
Senate Sponsor: Hinojosa

House Bill 1015 amends the Code of Criminal Procedure to require the Texas Department of Criminal Justice to notify a sentencing court by electronic communication of the date on which a defendant received into state jail felony facility custody following a violation and subsequent revocation of the defendant's community supervision will have served 75 days in the facility.

Governor's Reason for Veto: "House Bill 1015 requires the Texas Department of Criminal Justice to notify the sentencing court of the date on which a defendant convicted of a state jail felony will have served 75 days in a correctional facility. This mandated notification adds needless administrative bureaucracy to seemingly encourage a judge to exercise discretionary authority to grant "probation" to certain convicted felons, thereby shortening the offender's time in prison. Issuing potential early release reminders should not be the mandated responsibility of the Department of Criminal Justice. This duty has been already properly placed where it belongs: on the judges and attorneys taking part in the original criminal proceeding. Furthermore, House Bill 1015 has the potential to inappropriately increase the number of convicted felons granted early probation. Crime victims and the public deserve better."

House Bill 1264
Effective: 9-1-15

House Author: Wu
Senate Sponsor: Huffman

House Bill 1264 amends the Code of Criminal Procedure to require a governmental or public entity or an individual charged with collecting, storing, preserving, analyzing, or retrieving toxicological evidence to ensure that toxicological evidence collected pursuant to an investigation or prosecution of an intoxication or alcoholic beverage offense is retained and preserved for a period determined by a court based on guidelines established by the bill. The bill requires the court to notify the defendant, child offender, or child offender's guardian and the entity or individual charged with storing the evidence of that period or any change in the period and provides for the destruction of the evidence on expiration of the period.

House Bill 1386
Effective: 9-1-15

House Author: Raymond
Senate Sponsor: Ellis

House Bill 1386 amends the Code of Criminal Procedure to remove the prohibition against more than one counsel conducting either the prosecution or defense in a criminal proceeding before a justice or municipal court.

House Bill 1546
Effective: 9-1-15

House Author: Allen
Senate Sponsor: Rodríguez

House Bill 1546 amends the Code of Criminal Procedure to revise the process by which diligent participation credit earned by a defendant confined in a state jail felony facility for participation in an educational, vocational, treatment, or work program is awarded against any time the defendant must serve.

House Bill 1595
Effective: 6-17-15

House Author: Murr et al.
Senate Sponsor: Whitmire

Current law requires an arrested person who causes a peace officer to come into contact with the person's bodily fluids to undergo testing for communicable diseases. House Bill 1595 amends the Code of Criminal Procedure to also require such testing if an arrested person causes a magistrate or correctional facility employee to come into contact with the person's bodily fluids.

Criminal Justice

House Bill 1793 **Effective: 9-1-15**

House Author: Frullo et al.
Senate Sponsor: Hinojosa

House Bill 1793 amends the Code of Criminal Procedure and Government Code to require the public safety director of the Department of Public Safety (DPS) to adopt rules regarding procedures for a local law enforcement agency on receiving a report of a missing child who is younger than 14 years of age and determined to be at high risk of human trafficking, sexual assault, exploitation, abuse, or neglectful supervision. A local law enforcement agency, in entering information into the national crime information center missing person file regarding a report of a missing child who is 14 years of age or older and about whom the same determination has been made, is authorized to indicate that the child is at a high risk of harm. The authority to award missing or exploited children prevention grants is transferred from DPS to the governor's criminal justice division.

House Bill 2185 **Effective: 9-1-15**

House Author: Clardy et al.
Senate Sponsor: Huffman

House Bill 2185 amends the Code of Criminal Procedure to authorize a search warrant issued by a district court judge to collect a person's DNA specimen for the purpose of connecting the person to an offense to be executed in any Texas county.

House Bill 2300 **Effective: 9-1-15**

House Author: Riddle
Senate Sponsor: Whitmire

House Bill 2300 amends the Code of Criminal Procedure to eliminate telegraph transmission as a method to communicate certain information relating to an arrest warrant.

House Bill 3579 **Effective: Vetoed**

House Author: Alonzo et al.
Senate Sponsor: Rodríguez

House Bill 3579 amends the Business & Commerce Code, Code of Criminal Procedure, Government Code, and Occupations Code to establish a procedure for petitioning a court for an order of nondisclosure for certain fine-only misdemeanors, to expand the criminal record information that a person is entitled to have expunged, and to provide for a judge's modification of a conviction record to reflect a lesser offense under certain circumstances.

Governor's Reason for Veto: "I previously signed Senate Bill 1902, which increases the ability of those who have been convicted of misdemeanors to have their criminal records sealed from public disclosure. The purpose of that legislation is to expand the employment prospects of individuals whose minor criminal records may be unduly limiting their ability to pursue an honest living.

"House Bill 3579 has a similar goal, but it goes too far by allowing courts to expunge dismissed criminal charges—including serious felony charges—even when the defendant was convicted of other, related charges. This would be problematic for two reasons. First, dismissal of a criminal charge is not necessarily an indicator of the defendant's innocence of that crime, particularly when a multi-charge arrest results in a plea agreement. Second, unlike orders of non-disclosure, which seal records from public view, expunction seals the records even from law enforcement. Under House Bill 3579, even those convicted of serious felonies could have parts of their criminal record expunged. This would deprive law enforcement of information about the offense history of habitual criminals, which may be useful in the investigation of future crimes."

House Bill 3633 **Effective: 9-1-15**

House Author: Herrero et al.
Senate Sponsor: West

House Bill 3633 amends the Code of Criminal Procedure to prohibit a judge from ordering a defendant determined to have financial resources that offset the costs of legal services provided by appointed counsel to pay an amount that exceeds the actual costs paid by the county for

those services or, if the defendant was represented by a public defender's office, the actual amount that would have been paid for those services. The bill makes that prohibition applicable to a judge-ordered general condition of community supervision requiring county reimbursement for legal services and prohibits a judge from imposing a condition of community supervision requiring a defendant to reimburse a county for the costs of legal services if the defendant has already satisfied that payment obligation during the pendency of the charges or as conviction costs.

House Bill 3724
Effective: 9-1-15

House Author: Herrero
Senate Sponsor: Whitmire

House Bill 3724 amends the Code of Criminal Procedure to expand the factors a court must consider when making a finding as to whether scientific evidence constituting the basis for an application for a writ of habeas corpus was not ascertainable.

House Bill 3791
Effective: 9-1-15

House Author: Geren
Senate Sponsor: Hinojosa

House Bill 3791 amends the Code of Criminal Procedure to entitle a person stopped or arrested on suspicion of certain intoxication offenses to receive a copy of any video made by or at the direction of the officer who made the stop or arrest that contains footage of the stop, arrest, conduct of the person stopped or arrested, or procedure in which a breath or blood specimen is taken.

Senate Bill 147
Effective: 9-1-15

Senate Author: Rodríguez et al.
House Sponsor: Hernandez

Senate Bill 147 amends the Code of Criminal Procedure, Government Code, and Penal Code to consolidate provisions relating to violations of protective orders or bond conditions in a family violence, sexual assault or abuse, or stalking case and to include trafficking cases within the scope of those provisions.

Senate Bill 487
Effective: 9-1-15

Senate Author: Ellis et al.
House Sponsor: Thompson, Senfronia

Senate Bill 487 amends the Code of Criminal Procedure to change the type of evidence for which a convicted person may submit to a convicting court a motion for forensic DNA testing from evidence containing biological material to evidence that has a reasonable likelihood of containing biological material. In addition to existing requirements, the bill conditions a convicting court's authority to order forensic DNA testing of evidence on the court finding that there is a reasonable likelihood that the evidence contains biological material suitable for DNA testing.

Senate Bill 873
Effective: 9-1-15

Senate Author: Rodríguez
House Sponsor: Moody

Senate Bill 873 amends the Code of Criminal Procedure to provide an arresting officer with alternatives to placing a defendant in jail if the court that issued a *capias pro fine* against the defendant is unavailable.

Criminal Justice

Senate Bill 965
Effective: 9-1-15

Senate Author: Bettencourt
House Sponsor: Schofield

Senate Bill 965 amends the Code of Criminal Procedure to revise the process for filing a copy of the record containing information about an accused person who, after review by a personal bond pretrial release office, is released by a court on personal bond.

Senate Bill 1071
Effective: 9-1-15

Senate Author: Hinojosa
House Sponsor: Thompson, Senfronia

Senate Bill 1071 amends the Code of Criminal Procedure to require a copy of an order setting an execution date to be sent to the office of capital writs and the attorney who most recently represented the condemned person. The bill requires the clerk of the court in which a death sentence is pronounced and a warrant of execution is issued to send a copy of the warrant to those recipients and also to the attorney representing the state.

Senate Bill 1326
Effective: 9-1-15

Senate Author: Menéndez
House Sponsor: Herrero

Senate Bill 1326 amends the Code of Criminal Procedure to harmonize provisions relating to time credits awarded against the maximum cumulative period allowed for restoration of a defendant's competency to stand trial.

The summaries for the following bills are in the listed chapters:

House Bill 1690—Public Officials and Employees
Senate Bill 1697—Open Government and Privacy

Economic Development

This chapter covers legislation affecting state and local economic development, including legislation on job creation, economic incentives, and events funding. Legislation relating to economic development improvement and management districts is in the **Special Districts** chapter, and legislation relating to workforce development is in the **Labor and Employment** chapter. Related legislation that is summarized in another chapter is listed at the end of this chapter.

House Bill 26
Effective: 9-1-15

House Author: Button et al.
Senate Sponsor: Fraser et al.

House Bill 26 is an omnibus bill relating to state economic development measures that amends the Education Code and Government Code to abolish the Texas emerging technology fund; establish the governor's university research initiative as the successor to the Texas emerging technology fund; create the Economic Incentive Oversight Board, which is responsible for reviewing certain state incentive programs; revise a review deadline in connection with a proposed grant from the Texas Enterprise Fund; and rename the Major Events trust fund as the Major Events Reimbursement Program. Under the governor's university research initiative, which is to be administered by the Texas Economic Development and Tourism Office (TEDTO), the bill requires TEDTO to award matching grants from the governor's university research initiative fund established by the bill to assist a general academic teaching institution or medical and dental unit in recruiting distinguished researchers. The bill requires the Texas Treasury Safekeeping Trust Company to manage and wind up the state's emerging technology investment portfolio.

House Bill 2667
Effective: 9-1-15

House Author: Ashby
Senate Sponsor: Eltife

House Bill 2667 amends the Government Code, Local Government Code, and Utilities Code to abolish the linked deposit program and the Texas Small Business Industrial Development Corporation administered by the Texas Economic Development Bank.

House Bill 2772
Effective: 6-17-15

House Author: Martinez
Senate Sponsor: Lucio

House Bill 2772 amends the Local Government Code to expand the types of transportation facility projects that development corporations authorized by certain border municipalities may undertake and to allow such projects to be owned and operated as a business.

House Bill 3402
Effective: 6-17-15

House Author: Smith
Senate Sponsor: Ellis

House Bill 3402 amends the Local Government Code to authorize a venue district located in Harris County to act as an endorsing municipality or county for purposes relating to games or event trust funds.

Senate Bill 100
Effective: 9-1-15

Senate Author: Hinojosa
House Sponsor: Murphy

Senate Bill 100 amends Government Code and Tax Code provisions relating to the enterprise zone program administered by the Texas Economic Development and Tourism Office. The bill removes restrictions on a county's authority to nominate an enterprise project located within the jurisdiction of a municipality in the county and provides for an interlocal agreement to govern such a project. The bill includes new permanent jobs held by veterans among the jobs

that satisfy employment requirements in connection with state benefits and local incentives for a qualified business. The bill authorizes an enterprise project designation to be split into two half designations and specifies the maximum state tax refund for a half enterprise project. The bill makes the tax refund for certain large enterprise projects dependent on the creation of new permanent jobs, rather than on the creation or retention of jobs.

Senate Bill 293

Effective: 4-8-15

Senate Author: Nelson et al.

House Sponsor: Isaac

Senate Bill 293 clarifies the law governing the eligibility of certain events for funding under the Major Events trust fund by adding three site selection organizations for events that are eligible for funding.

Senate Bill 458

Effective: 9-1-15

Senate Author: Lucio et al.

House Sponsor: Bonnen, Greg et al.

Senate Bill 458 amends the Government Code to expand the duties of the aerospace and aviation office of the Texas Economic Development and Tourism Office to include the development of certain policy initiatives and recommendations as part of the required industry-specific strategic plan to promote the retention, development, and expansion of aerospace and aviation industry facilities in Texas. Additionally, the bill revises the composition and duties of the aerospace and aviation advisory committee.

Senate Bill 633

Effective: 9-1-15

Senate Author: Fraser

House Sponsor: Isaac et al.

Senate Bill 633 amends Vernon's Texas Civil Statutes and the Local Government Code to transfer administration of certain event trust funds from the comptroller of public accounts to the Texas Economic Development and Tourism Office and to abolish the special event trust fund. The bill also expands the types of events that are eligible for funding under the Major Events trust fund and authorizes certain local government corporations in Harris County to act as an endorsing municipality or county for purposes relating to event trust funds.

The summary for the following bill is in the listed chapter:

Senate Bill 1408—Agriculture

Elections

This chapter covers legislation on issues relating to statewide and local election regulation, including election officials and election procedures, campaign ethics and financing, and voter registration.

Campaign Ethics and Financing

House Bill 484
Effective: 9-1-15

House Author: Capriglione et al.
Senate Sponsor: Hancock

House Bill 484 amends the Election Code and Government Code to require that a person be a registered voter in order for the person to become a candidate for certain public elective offices and to qualify for certain public elective offices.

House Bill 1114
Effective: 9-1-15

House Author: Gonzales
Senate Sponsor: Bettencourt

House Bill 1114 amends the Election Code to require a specific-purpose political committee created to support or oppose a measure on the issuance of bonds by a school district to file reports of political contributions and expenditures with the Texas Ethics Commission.

House Bill 3683
Effective: 9-1-15

House Author: Geren
Senate Sponsor: Zaffirini

House Bill 3683 amends the Government Code to require a personal financial statement filed with the Texas Ethics Commission to be filed by means of electronic transfer, using computer software that meets commission specifications for a standard file format.

Senate Bill 431
Effective: 9-1-15

Senate Author: Seliger
House Sponsor: Phelan

Senate Bill 431 amends the Government Code to postpone the deadline for an individual who is a partisan or independent candidate for an office as an elected officer to file the required personal financial statement.

Election Officials and Election Procedures

House Bill 621
Effective: 9-1-15

House Author: Lozano et al.
Senate Sponsor: Burton

House Bill 621 amends the Election Code to authorize a voter registrar to terminate the appointment of a volunteer deputy registrar if the volunteer deputy registrar engaged in any activity that conflicts with the responsibilities of a volunteer deputy registrar.

House Bill 1026
Effective: 6-17-15

House Author: Thompson, Ed
Senate Sponsor: Garcia

House Bill 1026 amends the Election Code to require that a person, in order to be eligible for appointment as a tabulation supervisor for a central counting station for processing electronic voting system results, be a registered voter of the political subdivision served by the authority establishing the counting station or an employee of the political subdivision that adopts or owns the voting system.

Elections

House Bill 1927
Effective: 9-1-15

House Author: Bonnen, Greg et al.
Senate Sponsor: Huffman et al.

House Bill 1927 amends the Election Code to revise the procedures for applying for a ballot to be voted by mail. Among other provisions, the bill revises the conduct that constitutes an offense for unlawfully witnessing an early voting ballot application for more than one applicant, establishes requirements for sharing among certain governmental entities certain information relating to applications for ballots voted by mail, and provides for the in-person delivery of a marked ballot to be voted by mail to the early voting clerk's office on election day.

House Bill 2027
Effective: 9-1-15

House Author: Bonnen, Greg et al.
Senate Sponsor: Hancock et al.

House Bill 2027 amends the Election Code to establish that county election precincts are the election precincts for an election held by a political subdivision on a uniform election date, excepting elections that have certain characteristics and are conducted on the May uniform election date by a political subdivision.

House Bill 2050
Effective: 9-1-15

House Author: Rodriguez, Eddie
Senate Sponsor: Zaffirini

House Bill 2050 amends the Election Code to require the record that the voter registrar is required to electronically submit for each voter participating in certain elections to include a notation of the method by which the voter voted.

House Bill 2160
Effective: 9-1-15

House Author: Paul
Senate Sponsor: Bettencourt

House Bill 2160 amends the Election Code to establish that an e-mail address or personal phone number of an election judge or clerk collected or maintained by the authority conducting the election is confidential and does not constitute public information under the public information law. The bill requires such information to be made available under certain circumstances.

House Bill 2354
Effective: 9-1-15

House Author: Farney et al.
Senate Sponsor: Schwertner

House Bill 2354 amends the Election Code to move the spring uniform election date for general or special elections from the second to the first Saturday in May.

House Bill 2366
Effective: 9-1-15

House Author: Goldman et al.
Senate Sponsor: Hancock

House Bill 2366 amends the Election Code to require the early voting clerk to enter "early voting voter" beside the name of each person on the precinct list of registered voters whose name appears on the list of early voting voters.

House Bill 2381
Effective: Vetoed

House Author: Reynolds
Senate Sponsor: Rodríguez

House Bill 2381 amends the Election Code to change the process for appointing election judges and for selecting early voting election officers for primary elections.

Governor's Reason for Veto: "The Election Code allows the county chairs of each major political party to select election judges to represent the political party at polling places, subject only to the county commissioners court's review of the legal eligibility of the county chairs' selections. House Bill 2381 would enable partisan county clerks to override the selection of the party county chair in some cases. The selection of a political party's representative at a polling place should be left to party leadership and should not be subject to any influence by elected county clerks whose interests may not align with the party's interest. Other sections of House Bill 2381 contain reforms that would be worthy of reconsideration by the next Legislature."

House Bill 2721
Effective: 6-19-15

House Author: Blanco
Senate Sponsor: Rodríguez

House Bill 2721 amends the Election Code to require the public notice of the dates and hours for early voting to be posted on the website of the authority ordering the election if the authority maintains a website and, for a primary election or general election, by the secretary of state on the secretary's website.

House Bill 2775
Effective: Vetoed

House Author: Rodriguez, Eddie
Senate Sponsor: Zaffirini

House Bill 2775 amends the Election Code to provide for the correction and supplementation of a candidate's petition filed in connection with an application for a place on the ballot and to validate under certain circumstances a single notarized affidavit by a person who obtained signatures for such a petition.

Governor's Reason for Veto: "The Election Code requires those seeking a place on the ballot for certain races to submit to the Secretary of State a petition containing signatures of registered voters who support the candidacy. House Bill 2775 would allow candidates who submit deficient petitions to update their petitions in a piecemeal fashion, rather than requiring the submission of a single, legally compliant petition. This could increase the risk of erroneous or fraudulent petitions. To the extent there are concerns about the Secretary of State's current policies on candidate petitions, the Legislature should work with the Secretary of State's office to address this issue in the next session."

House Bill 2778
Effective: 9-1-15

House Author: Elkins
Senate Sponsor: Bettencourt

House Bill 2778 amends the Election Code to authorize balloting materials to be sent by e-mail for any election in which a voter who registers under the federal Military and Overseas Voter Empowerment Act is eligible to vote.

House Bill 2900
Effective: 6-1-15

House Author: Goldman
Senate Sponsor: Creighton

House Bill 2900 amends the Election Code to prohibit the use of a voting system in an election unless the system complies with the voting system standards adopted by the Election Assistance Commission.

House Bill 3157
Effective: 9-1-15

House Author: Faircloth
Senate Sponsor: Huffman

House Bill 3157 amends the Election Code to authorize a county election officer to use a single combined notice of cancellation for all authorities for which the officer provides election services under contract and that declare an election on a measure moot.

Elections

House Bill 3456
Effective: 9-1-15

House Author: Paul et al.
Senate Sponsor: Estes

House Bill 3456 amends the Election Code to revise the composition and meeting procedures of the district executive committee of a political party for a district situated in more than one county.

Senate Bill 142
Effective: 6-20-15

Senate Author: Garcia et al.
House Sponsor: Klick

Senate Bill 142 amends the Election Code to authorize a county to adopt a method of appointment for volunteer deputy registrars prescribed by or approved of by the secretary of state that provides for the training and examination of potential volunteer deputy registrars. The bill sets out the examination and appointment process for a potential volunteer deputy registrar.

Senate Bill 383
Effective: 9-1-15

Senate Author: Uresti et al.
House Sponsor: Bernal

Senate Bill 383 amends the Election Code to advance the beginning date of the period during which the jacket envelopes containing the early voting ballots voted by mail are authorized to be delivered to the early voting ballot board in an election conducted by certain counties or conducted jointly with those counties.

Senate Bill 733
Effective: 6-19-15

Senate Author: Fraser
House Sponsor: Workman

Senate Bill 733 amends the Election Code to authorize the governing body of a political subdivision, other than a county or municipal utility district, that holds its general election for officers on a date other than the November uniform election date to change that election date to the November uniform election date.

Senate Bill 795
Effective: 9-1-15

Senate Author: Perry et al.
House Sponsor: Klick

Senate Bill 795 amends the Election Code to require the secretary of state to cooperate with other states and jurisdictions to develop systems to compare voters, voter history, and voter registration lists to identify voters whose addresses have changed.

Senate Bill 1034
Effective: Vetoed

Senate Author: Rodríguez et al.
House Sponsor: Miller, Rick

Senate Bill 1034 amends the Election Code to establish that the cancellation by personal appearance of an application for an early voting ballot that is submitted to the county clerk indicating the ground of eligibility is age or disability and that does not specify the election for which the ballot is requested does not cancel the application with respect to certain subsequent elections. The bill provides for the redesign of the official carrier envelope for an early voting ballot and for the receipt of certain ballots by a person eligible to apply for more than one election in the same application for an early voting ballot.

Governor's Reason for Veto: "The integrity of the vote-by-mail process must be strengthened, not called into question. Amendments added to Senate Bill 1034 late in the legislative process would create confusion as to how counties should administer mail-in ballot applications. To ensure this important matter is addressed with the clarity it deserves, the Legislature should reconsider the issue and eliminate the uncertainty and ambiguity contained in this bill."

Senate Bill 1072**Effective:** 9-1-15**Senate Author:** Zaffirini**House Sponsor:** Rodriguez, Eddie

Senate Bill 1072 amends the Election Code to authorize the removal of a precinct or county chair who has failed to perform statutory duties provided by the Election Code or failed to attend four or more consecutive meetings of the county executive committee for abandonment of office.

Senate Bill 1073**Effective:** 9-1-15**Senate Author:** Zaffirini**House Sponsor:** Rodriguez, Eddie

Senate Bill 1073 amends the Election Code to revise certain requirements and procedures regarding a candidate's application or nomination for a place on the ballot. The bill requires such an application to include a public mailing address and any available e-mail address at which the candidate receives correspondence relating to the candidate's campaign and requires a candidate on the general primary election ballot to be informed that certain contact information will be posted on the secretary of state's publicly viewable website. The bill sets out procedures for the return, resubmission, and consideration of an application if payment of a filing fee is returned for insufficient funds. In addition, the bill repeals provisions requiring candidates applying for a place on the ballot for certain judicial offices who choose to pay the filing fee to also file a petition and increasing the petition requirements for certain candidates who do not choose to pay the filing fee.

Senate Bill 1073 revises the requirement that the county executive committee canvass the precinct election returns for the county to instead require the county chair and, if available, at least one member of the county executive committee to canvass the returns. Among other provisions, the bill requires the official result of the primary election that is determined from the local canvass of precinct returns, except for offices canvassed at the state level, to be posted to the secretary of state's website; revises the method by which the county chair certifies the name and address of each primary candidate who is nominated for a county or precinct office for placement on the general election ballot; requires the secretary of state to develop appropriate notations to describe the status of each candidate; and requires the authority preparing the official general election ballot to use the list of candidates named on the website as the nominees for general election in preparing the general election ballot.

Senate Bill 1073 transfers the responsibility for canvassing county election returns to the state chair and requires the secretary of state to preserve and archive on the secretary's website all of the information pertaining to candidates and the canvass results. The bill revises the method by which the state chair certifies the name and address of each primary candidate who is nominated for a statewide or district office and provides that the county clerk, rather than the county chair, is responsible for preparing a report of the number of votes received in a primary election in each election precinct by each candidate for certain state or federal offices.

Senate Bill 1115**Effective:** 6-15-15**Senate Author:** Campbell**House Sponsor:** White, James

Senate Bill 1115 amends the Election Code to continue and expand the e-mail ballot pilot program that allows a member of the U.S. armed forces who is on active duty overseas and eligible for hostile fire pay to cast an early voting ballot by e-mail.

Elections

Senate Bill 1448
Effective: 9-1-15

Senate Author: Ellis
House Sponsor: Miller, Rick

Current law provides for an alternative primary procedure for a political party in a county without party leadership by which the state chair of a political party may contract with a county clerk, county tax assessor-collector, or county elections administrator, as appropriate, to hold a primary election that is required for the nomination of a political party to a statewide office. Senate Bill 1448 amends the Election Code to instead require those county officers to contract with the state chair, on the chair's request, to hold such a primary election or a presidential primary election.

Senate Bill 1703
Effective: 9-1-15

Senate Author: Huffman
House Sponsor: Laubenberg

Senate Bill 1703 amends the Education Code and Election Code to revise the deadlines for certain election processes and procedures.

Senate Bill 1779
Effective: 9-1-15

Senate Author: Menéndez
House Sponsor: Minjarez

Senate Bill 1779 amends the Election Code to require the order of the candidates' names on the runoff election ballot for an expedited special election to fill an unexpired term of a state senator or state representative to be the relative order of names on the original expedited election ballot.

Emergency Response

This chapter covers legislation on issues relating to disasters and emergencies, including emergency medical services, emergency communications, and fire suppression. Legislation relating to the licensing of emergency medical services providers is in the **Health and Medical Occupations** chapter, and legislation relating to emergency services districts is in the **Special Districts** chapter. Related legislation that is summarized in other chapters is listed at the end of this chapter.

House Bill 120
Effective: 6-1-15

House Author: Flynn
Senate Sponsor: Nelson

House Bill 120 amends the Government Code to authorize the Texas Division of Emergency Management to use appropriated funds to purchase food and beverages for division personnel who are activated to provide services in response to a disaster and who are unable to leave or required to remain at their assignment areas due to the disaster.

House Bill 479
Effective: 9-1-15

House Author: Bell et al.
Senate Sponsor: Perry

House Bill 479 amends the Health and Safety Code to transfer the administration of the regional emergency medical dispatch resource centers program from the area health education center at The University of Texas Medical Branch at Galveston to the Commission on State Emergency Communications. The commission, with assistance from the area health education center at the Texas Tech University Health Sciences Center, is required to establish the next generation 9-1-1 telemedicine medical services pilot project to provide emergency medical services instruction and emergency prehospital care instruction to certain medical service providers in rural areas through a telemedicine service provided by regional trauma resource centers. The center at the Texas Tech University Health Sciences Center, in cooperation with the commission, is required to report its findings to the governor and the presiding officer of each house of the legislature not later than December 31, 2020.

House Bill 834
Effective: 5-29-15

House Author: Hernandez et al.
Senate Sponsor: Creighton

House Bill 834 amends the Government Code to remove the criteria that a senior citizen be domiciled in Texas from the required criteria for issuing a silver alert.

House Bill 1388
Effective: 5-29-15

House Author: Bohac
Senate Sponsor: Creighton

House Bill 1388 amends the Government Code and Labor Code to require that a rebuttal offered against the presumption that certain diseases or illnesses were caused due to an individual's employment as a firefighter or emergency medical technician include a statement describing in detail the evidence reviewed to determine that a cause other than the individual's service caused the disease or illness. Further, the bill prescribes requirements for an insurance carrier's notice of denial of compensation under such circumstances.

Emergency Response

House Bill 2358
Effective: 6-16-15

House Author: Lucio III et al.
Senate Sponsor: Eltife

House Bill 2358 amends the Business & Commerce Code and Tax Code to implement the Facilitating Business Rapid Response to State Declared Disasters Act, which provides exemptions from taxes and specified registration and licensing requirements for certain out-of-state businesses and employees who are in Texas solely to perform disaster- or emergency-related work during a disaster response period.

House Bill 2827
Effective: 6-17-15

House Author: Phillips
Senate Sponsor: Garcia

House Bill 2827 amends the Government Code to define any activity related to the prevention or discovery of, response to, or recovery from a fire or medical emergency requiring resources beyond a local jurisdiction's capabilities as "homeland security activity" for purposes of statutory provisions governing homeland security.

Senate Bill 788
Effective: 5-15-15

Senate Author: Eltife et al.
House Sponsor: Paddie

Senate Bill 788 amends the Health and Safety Code to enact Kari's Law requiring a business service user to configure a telephone system and equivalent systems that use Internet Protocol enabled services to allow 9-1-1 to be dialed directly.

Senate Bill 1108
Effective: 9-1-15

Senate Author: Lucio et al.
House Sponsor: Deshotel

Senate Bill 1108 amends the Health and Safety Code to enact the Regional Emergency Communication Districts Act which authorizes the counties and municipalities composing a 9-1-1 region servicing a total population of less than 1.5 million on September 1, 2015, to create a regional emergency communication district and to impose a 9-1-1 service fee.

Senate Bill 1465
Effective: 6-18-15

Senate Author: Watson
House Sponsor: Phillips et al.

Senate Bill 1465 amends the Government Code to authorize the governor to issue a limited purpose disaster declaration if the governor determines that a disaster can be adequately addressed without invoking all of the governor's powers and duties provided under the Texas Disaster Act of 1975. The bill also requires the Texas Division of Emergency Management to establish and operate a search and rescue task force in each field response region to assist in search, rescue, and recovery efforts before, during, and after a natural or man-made disaster.

The summaries for the following bills are in the listed chapters:

- House Bill 1094—Labor and Employment
- House Bill 1666—Civil Remedies and Procedures
- Senate Bill 31—Taxes and Tax Administration
- Senate Bill 904—Taxes and Tax Administration

Energy Resources

This chapter covers legislation relating to the oil and gas industry and energy efficiency and conservation. Legislation relating to electric utilities is in the **Utilities** chapter.

House Bill 40
Effective: 5-18-15

House Author: Darby et al.
Senate Sponsor: Fraser

House Bill 40 amends the Natural Resources Code to subject an oil and gas operation to the exclusive jurisdiction of the state. The bill expressly preempts the authority of a municipality or other political subdivision to regulate an oil and gas operation but authorizes a municipality to enact, amend, or enforce certain measures that regulate aboveground activity.

House Bill 497
Effective: 6-10-15

House Author: Wu
Senate Sponsor: Uresti

House Bill 497 amends the Natural Resources Code to consider as a saltwater pipeline facility under the law governing such facilities located in the vicinity of public roads a pipeline facility that conducts water that contains salt and other substances and is intended to be used in drilling or operating a well used in the exploration for or production of oil or gas.

House Bill 1184
Effective: 6-19-15

House Author: Paddie et al.
Senate Sponsor: Eltife

House Bill 1184 amends the Local Government Code to expand the energy savings performance contracts that a local government may enter into with a provider for energy or water conservation or usage measures to include a contract related to a pilot program operated by the Energy Systems Laboratory at the Texas A&M Engineering Experiment Station that, among other things, establishes and implements energy efficiency improvements to state-owned buildings maintained by the Texas Facilities Commission; a contract for the implementation of programs resulting in utility cost savings; and a contract for the implementation of alternative fuel programs resulting in energy cost savings and reduced emissions for local government vehicles.

House Bill 1331
Effective: 9-1-15

House Author: King, Phil et al.
Senate Sponsor: Fraser

House Bill 1331 amends the Natural Resources Code to set out provisions establishing the ownership of drill cuttings that result from the drilling of an oil or gas well and that are transferred to another entity for treatment and subsequent beneficial use and to waive certain liability in tort for a person who generates and transfers drill cuttings. The bill requires the Railroad Commission of Texas to govern the treatment and beneficial use of drill cuttings.

House Bill 1633
Effective: Vetoed

House Author: Romero, Jr.
Senate Sponsor: Uresti

House Bill 1633 amends the Natural Resources Code to require the Railroad Commission of Texas to adopt rules to require that an application for a permit to drill an oil or gas well include an affirmation as to whether or not the well is located in or near an easement held by the Texas Department of Transportation.

Energy Resources

Governor's Reason for Veto: "Oil and gas companies are already required to report the location of their wells to the State, via the Texas Railroad Commission. The problem House Bill 1633 seeks to solve is that the Texas Railroad Commission and the Texas Department of Transportation do not communicate effectively with one another when an oil and gas producer asks the Railroad Commission for a permit to drill near a right-of-way owned by TxDOT. Instead of requiring these two state agencies to work more effectively together, House Bill 1633 thrusts a new and unnecessary hurdle onto oil and gas producers to solve the State's internal communication challenges. It is within the existing power of the two state agencies to solve this problem, and they should do so."

House Bill 1736
Effective: 6-16-15

House Author: Villalba et al.
Senate Sponsor: Fraser et al.

House Bill 1736 amends the Health and Safety Code to adopt the energy efficiency chapter of the International Residential Code as the energy code in Texas for single-family residential construction as of September 1, 2016, and to prohibit the State Energy Conservation Office from adopting a subsequent edition more often than once every six years. The bill also includes provisions relating to the Energy Rating Index Compliance Alternative.

House Bill 2207
Effective: 1-1-16

House Author: Keffer et al.
Senate Sponsor: Eltife

House Bill 2207 amends the Property Code to set out provisions relating to the foreclosure sale of real property that covers the mineral interest in hydrocarbons and is subject to an oil or gas lease. Among other things, the bill establishes that an oil or gas lease covering real property subject to a security instrument that has been foreclosed remains in effect after the foreclosure sale if the oil or gas lease has not terminated or expired on its own terms and was executed and recorded in the real property records of the county before the foreclosure sale.

House Bill 3187
Effective: 6-16-15

House Author: Keffer et al.
Senate Sponsor: Lucio

House Bill 3187 amends the Local Government Code to make changes to the Property Assessed Clean Energy Act, which provides for municipal and county water and energy improvement regions and the financing of qualified projects that decrease water and energy consumption and demand for property owners.

House Bill 3291
Effective: Vetoed

House Author: Raymond
Senate Sponsor: Zaffirini et al.

House Bill 3291 amends the Natural Resources Code to make it a second-degree felony offense for a person who is not a pipeline operator or gatherer authorized to operate by the Railroad Commission of Texas to recklessly possess, transport, remove, deliver, accept, purchase, sell, or physically move oil, gas, or condensate as part of a regulated transaction without an applicable permit, approval, or authorization or a pending request for such a permit, approval, or authorization.

Governor's Reason for Veto: "Theft of oil and gas is a serious problem facing one of our state's most vital industries. Those responsible should be prosecuted to the fullest extent of the law. I support increasing the criminal penalties for these crimes. And I support providing prosecutors with new tools targeted at theft of oil and gas."

“House Bill 3291 shares these goals, but unfortunately its overly broad language creates severe criminal penalties for conduct that may have nothing to do with theft of oil and gas. For example, the bill would make it a second-degree felony to possess, purchase, or sell oil or gas without the proper Railroad Commission permit. Under current law, such a violation results only in a civil fine - like most other violations of state permitting rules. But under House Bill 3291, the penalty for not having the appropriate Railroad Commission paperwork could be as much as 20 years in prison. And because the crime created by the bill requires only a reckless mental state, a felony conviction could be obtained even if the defendant did not know his paperwork was out of order. Turning paperwork errors into felonies is not the right solution to the very real problem of oil and gas theft.”

Senate Bill 1589
Effective: 1-1-16

Senate Author: Zaffirini
House Sponsor: Guillen

Senate Bill 1589 amends the Property Code to require a holder of unclaimed mineral proceeds that is regulated by the Railroad Commission of Texas to include in the property report for the proceeds certain information with respect to each well the production from which resulted in the proceeds. The bill requires the comptroller of public accounts to compile and revise each year an alphabetical list by county of the number of filed property reports for mineral proceeds attributable to all wells located in each respective county and the aggregate amount of reported mineral proceeds attributable to all wells located in each respective county.

Environment

This chapter covers legislation on issues relating to environmental protection and regulation, including air and water quality, soil decontamination, waste disposal and recycling, and coastal management. Legislation relating to the oil and gas industry and energy efficiency and conservation is in the **Energy Resources** chapter. Related legislation that is summarized in another chapter is listed at the end of this chapter.

General

House Bill 942

Effective: See below

House Author: Kacal et al.

Senate Sponsor: Birdwell

House Bill 942 amends provisions of the Agriculture Code, Health and Safety Code, and Water Code relating to the storage of certain hazardous materials, including ammonium nitrate, and the regulation of such storage. Among other provisions, the bill transfers from the Department of State Health Services (DSHS) to the Texas Commission on Environmental Quality (TCEQ) the powers, duties, obligations, and liabilities of DSHS relating to the Texas Community Right-To-Know Acts (TCRAs); provides for the required filing of updated tier two forms with TCEQ by a facility operator and the provision of a copy of such a form to the appropriate fire chief and local emergency planning committee, the state fire marshal, and the Texas Division of Emergency Management; caps the amount of the penalty against a facility operator who violates certain TCRAs; subjects a person who knowingly discloses false information or negligently fails to disclose a hazard as required by certain TCRAs to a civil penalty; and makes it an offense to proximately cause an occupational disease or injury to an individual by knowingly disclosing false information or knowingly failing to disclose hazard information as required by those TCRAs. The bill takes effect September 1, 2015, except that the Agriculture Code provisions regarding fire prevention at ammonium nitrate storage facilities take effect June 16, 2015.

House Bill 2119

Effective: 9-1-15

House Author: Lozano et al.

Senate Sponsor: Zaffirini

House Bill 2119 amends the Civil Practice and Remedies Code, Local Government Code, and Natural Resources Code to authorize the members of a charitable prescribed burning organization to conduct a prescribed burn if the member in charge of the burn has completed an approved training curriculum and the organization has applicable insurance coverage.

Senate Bill 695

Effective: 9-1-15

Senate Author: Taylor, Larry et al.

House Sponsor: Faircloth et al.

Senate Bill 695 requires the legislature to establish a joint interim committee to report on a study of the feasibility and desirability of creating and maintaining a coastal barrier system in Texas that includes a series of gates and barriers to prevent storm surge damage to gulf beaches or coastal ports, industry, or property.

Senate Bill 709

Effective: 9-1-15

Senate Author: Fraser et al.

House Sponsor: Morrison et al.

Senate Bill 709 amends the Government Code and Water Code to revise certain environmental permitting procedures, focusing on the referral of issues raised by an affected person regarding a permit application and the contested case hearing process.

Environment

Senate Bill 912
Effective: 9-1-15

Senate Author: Eltife
House Sponsor: Crownover

Current law requires an individual who operates, is in charge of, or is responsible for the activity or facility from which an accidental discharge or spill occurs that causes or may cause pollution to notify the appropriate authority of the discharge or spill. Senate Bill 912 amends the Water Code to exempt such an individual from this requirement for certain discharges or spills that occur at a wastewater treatment or collection facility owned or operated by a local government and to require the individual to submit a monthly summary of such discharges and spills to the Texas Commission on Environmental Quality.

Senate Bill 1734
Effective: 6-10-15

Senate Author: Uresti et al.
House Sponsor: King, Tracy O.

Senate Bill 1734 amends the Agriculture Code to require the State Soil and Water Conservation Board to develop and implement a program to eradicate Carrizo cane along the Rio Grande River.

Waste Disposal

House Bill 281
Effective: 6-18-15

House Author: Simmons et al.
Senate Sponsor: Nelson

House Bill 281 amends the Health and Safety Code to prohibit the Texas Commission on Environmental Quality from approving an application for the issuance, amendment, or renewal of a permit under the Solid Waste Disposal Act that seeks to expand the area or capacity of certain municipally owned Type I municipal solid waste landfills unless the governing body of the municipality in which the landfill is located first approves by resolution or order the issuance, amendment, or renewal of the permit.

House Bill 2244
Effective: 6-10-15

House Author: Zerwas et al.
Senate Sponsor: Creighton

House Bill 2244 amends the Health and Safety Code and Water Code to make the Texas Commission on Environmental Quality responsible for the regulation of the handling, transportation, storage, and disposal of medical waste.

House Bill 2598
Effective: 9-1-15

House Author: Kuempel et al.
Senate Sponsor: Zaffirini

House Bill 2598 amends the Health and Safety Code to prohibit the Texas Commission on Environmental Quality from considering steel slag as solid waste under certain conditions.

House Bill 2763
Effective: 6-17-15

House Author: Thompson, Ed
Senate Sponsor: Rodríguez

House Bill 2763 requires the Texas Commission on Environmental Quality to conduct a study on the current and potential economic impacts of recycling.

The summaries for the following bills are in the listed chapter:

House Bill 1794—Local Government
Senate Bill 394—Local Government

Family Law

This chapter covers legislation on issues relating to family law, the marriage relationship, spousal maintenance, child custody and support, parental rights, foster care, family and domestic violence, child abuse and neglect, and child protective services.

General

House Bill 2278
Effective: 9-1-15

House Author: Muñoz, Jr.
Senate Sponsor: Uresti

House Bill 2278 amends the Family Code to include a current or retired associate judge of a statutory probate court and a current or retired associate judge of a county court at law among the persons authorized to conduct a marriage ceremony.

House Bill 3538
Effective: 7-1-15

House Author: Smithee
Senate Sponsor: West

House Bill 3538 amends the Family Code to adopt the 2008 amendments to the Uniform Interstate Family Support Act in order to bring state law in line with the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance to provide for, among other things, the enforcement of American child support orders abroad.

Senate Bill 812
Effective: 9-1-15

Senate Author: Rodríguez
House Sponsor: Lucio III

Senate Bill 812 amends the Family Code to include a judge of a court with jurisdiction of a name change suit among the judges authorized to appoint an associate judge and a visiting associate judge to perform the judge's duties.

Senate Bill 813
Effective: 9-1-15

Senate Author: Rodríguez
House Sponsor: Lucio III

Senate Bill 813 amends the Family Code to establish that a digitized signature on a pleading or order in a proceeding involving the marriage relationship, the child in relation to the family, or a protective order satisfies the requirements for and imposes the duties of signatories to pleadings, motions, and other papers identified under the Texas Rules of Civil Procedure.

Senate Bill 821
Effective: 9-1-15

Senate Author: Rodríguez
House Sponsor: Lucio III

Senate Bill 821 amends the Family Code to replace certain references to a primary school with references to an elementary school in order to conform to usage in other law.

Senate Bill 2065
Effective: 6-11-15

Senate Author: Estes et al.
House Sponsor: Sanford et al.

Senate Bill 2065 amends the Family Code to prohibit certain religious organizations and individuals from being required to solemnize any marriage or provide services, accommodations, facilities, goods, or privileges for a purpose related to the solemnization, formation, or celebration of any marriage if the action would cause the organization or individual to violate a sincerely held religious belief and to provide for legal protection against discrimination for an organization that or individual who exercises this right.

Child Custody and Parental Rights

House Bill 825
Effective: 9-1-15

House Author: Giddings et al.
Senate Sponsor: Uresti

House Bill 825 amends the Family Code to require a court to ask all parties present at a full adversary, status, or permanency hearing in a child protection suit whether the child or the child's family has a Native American heritage and to identify any Native American tribe with which the child may be associated.

House Bill 1449
Effective: 9-1-15

House Author: Thompson, Senfronia
Senate Sponsor: Rodríguez

Previous law prescribed procedures for social studies in a suit affecting the parent-child relationship. House Bill 1449 amends the Family Code, Government Code, and Human Resources Code to instead establish separate procedures for a child custody evaluation and for an adoption evaluation and extend to those evaluations many of the requirements previously applicable to a social study. Among other provisions, the bill removes most of the exceptions to the minimum qualifications for a person to conduct an evaluation and establishes additional requirements for an evaluation. The bill provides for an adoption evaluator's access to certain confidential information from the Department of Family and Protective Services and makes it a Class A misdemeanor to recklessly disclose such information. The bill requires the Texas State Board of Examiners of Psychologists, the Texas State Board of Examiners of Professional Counselors, the Texas State Board of Social Worker Examiners, the Texas State Board of Examiners of Marriage and Family Therapists, the Texas Medical Board, and the executive commissioner of the Health and Human Services Commission to adopt rules regarding a license holder's involvement with an evaluation.

House Bill 1500
Effective: 9-1-15

House Author: Thompson, Senfronia
Senate Sponsor: Rodríguez

House Bill 1500 amends the Family Code to require a person who files a motion for a temporary order in a suit for modification of the parent-child relationship to execute and attach to the motion an affidavit that contains facts that support the allegation that the child's present circumstances would significantly impair the child's physical health or emotional development. The bill establishes a court's duty to schedule a hearing if those facts are adequate to support the allegation.

House Bill 3003
Effective: 9-1-15

House Author: Thompson, Senfronia
Senate Sponsor: Garcia

House Bill 3003 amends the Family Code to authorize a county commissioners court to create an office of child representation, an office of parent representation, or both offices to provide legal representation and services for a child or parent, as applicable, in a suit filed by a governmental entity seeking termination of the parent-child relationship or the appointment of a conservator for the child or to contract with a nonprofit corporation to provide those services. The commissioners court of two or more counties may enter into a written agreement to jointly create and fund a regional office of child representation, a regional office of parent representation, or both regional offices. Further, the bill authorizes a commissioners court to appoint a governmental entity, nonprofit corporation, or local bar association to operate

a managed assigned counsel program for the purpose of appointing counsel to provide legal representation and services for a child or parent in a suit seeking termination of the parent-child relationship or the appointment of a conservator for the child.

House Bill 4086
Effective: 6-16-15

House Author: Muñoz, Jr.
Senate Sponsor: Rodríguez

House Bill 4086 amends the Family Code to authorize a party to a suit affecting the parent-child relationship to request a de novo hearing before the referring court regarding a temporary order rendered by an associate judge.

Senate Bill 314
Effective: 9-1-15

Senate Author: West
House Sponsor: Burkett

Senate Bill 314 amends the Family Code to detail what information the Department of Family and Protective Services and a court appointing a nonparent as managing conservator of a child must provide to the nonparent.

Senate Bill 822
Effective: 9-1-15

Senate Author: Rodríguez
House Sponsor: Lucio III

Senate Bill 822 amends the Family Code to establish the applicability of definitions under laws governing the parent-child relationship to terms used in laws governing the child in relation to the family and the applicability of laws relating to attorney ad litem, guardian ad litem, or amicus attorney appointments in family law proceedings to those laws governing the child in relation to the family.

Senate Bill 1929
Effective: 9-1-15

Senate Author: Garcia et al.
House Sponsor: Thompson, Senfronia

Senate Bill 1929 amends the Family Code to change the period within which the clerk of the court transferring a proceeding in a suit affecting the parent-child relationship is required to send certain case-related documents to the proper court. The bill revises the information the clerk must send and includes the judge of the transferee court among the required recipients of the notice that the suit has been docketed. The bill requires an order of transfer in a child protection suit to include certain information regarding relevant dates and each attorney ad litem or guardian ad litem appointed in the suit. The bill authorizes the court to which a child protection suit is transferred to retain an attorney ad litem or guardian ad litem appointed by the transferring court or, if appropriate, to appoint a new attorney ad litem or guardian ad litem by a certain date.

Senate Bill 1931
Effective: 9-1-15

Senate Author: Garcia et al.
House Sponsor: Thompson, Senfronia

Senate Bill 1931 amends the Family Code to revise requirements relating to mandatory court appointment of an attorney ad litem to represent a parent in a child protection suit. The bill also establishes a court's authority to appoint an attorney ad litem to represent a parent for a limited period before commencement of the full adversary hearing and establishes the duties of an attorney ad litem so appointed.

Divorce, Child Support, and Spousal Maintenance

House Bill 826
Effective: 9-1-15

House Author: Giddings
Senate Sponsor: Ellis

House Bill 826 amends the Family Code to require a child support order to contain a specified statement regarding the circumstances under which a court may modify a child support order.

House Bill 884
Effective: 9-1-15

House Author: Phelan
Senate Sponsor: Nichols

House Bill 884 amends the Human Resources Code to abolish the Orange County child support office, transfer the former office's obligations, rights, and other assets to the Orange County Juvenile Board, and provide for a divorce and contempt fees fund for the board.

House Bill 943
Effective: 9-1-15

House Author: Thompson, Senfronia
Senate Sponsor: Rodríguez

House Bill 943 amends the Family Code to make the wage and salary presumption in a suit affecting the parent-child relationship inapplicable if a party is subject to an order of confinement exceeding 90 days and is incarcerated in a local, state, or federal jail or prison at the time the court makes the determination regarding the party's income.

House Bill 3121
Effective: 9-1-15

House Author: Thompson, Senfronia
Senate Sponsor: Rodríguez

House Bill 3121 amends the Family Code to provide for the enforcement of a temporary order rendered in a suit affecting the parent-child relationship and to expand a court's authority to enforce a final order rendered in such a suit.

Senate Bill 550
Effective: 9-1-18

Senate Author: Uresti
House Sponsor: Rose

Senate Bill 550 amends the Family Code, Government Code, Insurance Code, and Labor Code to establish a court's duty to render an order for the dental support of a child in a suit affecting the parent-child relationship or in a proceeding under the Uniform Interstate Family Support Act.

Senate Bill 814
Effective: 9-1-15

Senate Author: Rodríguez
House Sponsor: Lucio III

Senate Bill 814 amends the Family Code to establish the authority of a party to a suit to remove the disabilities of minority, a suit to change a person's name, or a suit affecting the parent-child relationship to waive the issuance or service of citation. The bill revises requirements for a waiver of service in a suit for dissolution of a marriage.

Senate Bill 815
Effective: 9-1-15

Senate Author: Rodríguez
House Sponsor: Thompson, Senfronia

Senate Bill 815 amends the Family Code to expand the types of activities a court may prohibit by temporary restraining order in a suit for the dissolution of marriage.

Senate Bill 1174
Effective: 6-19-15

Senate Author: Eltife
House Sponsor: Dutton

Senate Bill 1174 amends the Family Code to exclude certain property damage claims from the claim or settlement information that an insurer must identify under the insurance reporting program operated by the attorney general's office.

Senate Bill 1726
Effective: 9-1-15

Senate Author: Creighton
House Sponsor: Riddle

Senate Bill 1726 amends the Estates Code, Family Code, and Government Code to revise and clarify provisions relating to suits affecting the parent-child relationship, including provisions relating to Class 4 claims against an estate, the conditions under which a court is authorized to order that certain information not be disclosed to a party to a suit, notice requirements regarding enrollment in or termination of benefits under an employer's health insurance plan, and notice requirements and enforcement mechanisms for certain child support orders. Among other provisions, the bill provides for electronic notarization of required signatures in a proceeding filed under provisions relating to the parent-child relationship.

Senate Bill 1727
Effective: 9-1-15

Senate Author: Creighton
House Sponsor: Riddle

Senate Bill 1727 amends Family Code provisions relating to the office of the attorney general's duties regarding child support orders. Among other provisions, the bill authorizes the office of the attorney general, on determining that the primary care and possession of a child under a child support order has changed, to file a petition for modification of the order, establishes a deadline for providing the office of the attorney general or the Title IV-D agency of another state certain information to assist in the location of a person or property, and expands the circumstances under which the office of the attorney general may file an appropriate child support review order.

Domestic Violence, Child Abuse and Neglect, and Child Protection Services

House Bill 77
Effective: 6-19-15

House Author: González et al.
Senate Sponsor: West

House Bill 77 requires the Health and Human Services Commission, in conjunction with a statewide coalition on family violence, to conduct a study of activities in the Dallas community addressing family violence, with a specific focus on each aspect of the Dallas Men Against Abuse program, to determine if any or all of those activities or program aspects should be implemented at the state level or in additional local communities or school districts. The bill provides for state agency participation and cooperation and establishes reporting requirements.

House Bill 331
Effective: 6-15-15

House Author: Wu et al.
Senate Sponsor: Kolkhorst

House Bill 331 amends the Family Code to require a court, for purposes of determining whether to seal documents in a child protection suit, to consider documents filed through an electronic filing system in the same manner as any other document filed with the court.

House Bill 388
Effective: 6-9-15

House Author: Raymond
Senate Sponsor: Zaffirini

House Bill 388 amends the Family Code to postpone the expiration of a protective order against a person confined or imprisoned on the order's expiration date to the second anniversary of the date the person was released from confinement or imprisonment if the sentence was for five years or less, or to the first anniversary of release if the sentence was for more than five years.

House Bill 418
Effective: 9-1-15

House Author: Wu et al.
Senate Sponsor: Huffman

House Bill 418 amends the Human Resources Code to establish provisions authorizing the commissioners court of a county or governing body of a municipality to contract with a child-placing agency to verify a secure agency foster home or secure agency foster group home for children who are victims of trafficking. The bill amends the Family Code to authorize a court to order a child who is the subject of a hearing in a child protection suit to be placed in a verified secure agency foster home or secure agency foster group home if the court finds that the child's physical health or safety is in danger because the child is a victim of trafficking and the placement is in the best interest of the child. The bill includes the fact that a child has been a victim of sex trafficking among the circumstances under which an authorized representative or officer may take possession of the child without obtaining a temporary restraining order or attachment and under which a court is not required to order the return of a child taken into possession without a court order.

House Bill 781
Effective: 9-1-15

House Author: Burkett et al.
Senate Sponsor: Perry et al.

House Bill 781 amends the Human Resources Code to establish contract requirements for a Department of Family and Protective Services (DFPS) contract for residential child-care services provided by a general residential operation or by a child-placing agency and for a DFPS contract with a private agency for the provision of substitute care or case management services for a child. The bill requires a contract between DFPS and a child-placing agency with whom children in the managing conservatorship of DFPS are placed to include certain minimum caregiver training requirements. The bill requires DFPS, in contracting with licensed child-placing agencies for residential child-care services, to determine and evaluate the home screening, assessment, and preservice training requirements used by substitute care providers before the verification and approval of caregivers and to publish on the DFPS website certain information collected by DFPS regarding the caregiver training.

House Bill 1180
Effective: 9-1-15

House Author: Burkett et al.
Senate Sponsor: Kolkhorst et al.

House Bill 1180 amends the Human Resources Code to require the Department of Family and Protective Services to maintain a searchable database containing information on each registered or listed family home that previously had a registration or listing involuntarily suspended or revoked, including a permanent notation indicating the involuntary suspension or revocation and the year in which the suspension or revocation took effect or was final, for at least the five years preceding the date the information is added to the database.

House Bill 1217
Effective: 9-1-15

House Author: Thompson, Senfronia
Senate Sponsor: Uresti et al.

House Bill 1217 amends the Family Code to establish requirements for an annual Department of Family and Protective Services (DFPS) report of statistics by county relating to child protection and for an annual DFPS report on each child in DFPS managing conservatorship who is missing from the child's substitute care provider or is a victim of human trafficking.

House Bill 1309
Effective: 6-17-15

House Author: Turner, Sylvester
Senate Sponsor: Schwertner

House Bill 1309 amends the Family Code to revise Department of Family and Protective Services (DFPS) notification requirements regarding certain medical conditions of a child in DFPS managing conservatorship, a change in the residential child-care facility of such a child, or a significant event affecting such a child. Among other provisions, the bill revises the deadlines for and exceptions to the notification requirements and expands the recipients of notices regarding a residential child-care facility change or other significant event. The bill requires DFPS to provide information concerning the death of a child for whom DFPS has been appointed managing conservator to the state senators and state representatives who represent the county in which the child's placement at the time of the child's death was located and the county in which a suit affecting the parent-child relationship involving the child is pending.

House Bill 1781
Effective: 9-1-15

House Author: Bonnen, Greg et al.
Senate Sponsor: Taylor, Larry

House Bill 1781 amends the Family Code to authorize the sibling of a child who is separated from the sibling as the result of an action by the Department of Family and Protective Services to file an original suit requesting access to the child, regardless of the sibling's age. The bill requires a court to expedite such a suit.

House Bill 1782
Effective: 9-1-15

House Author: Bonnen, Greg
Senate Sponsor: Taylor, Larry et al.

House Bill 1782 amends the Family Code to establish, for purposes of a family violence protective order, the presumption that family violence has occurred and is likely to occur in the future if the respondent has been convicted of or placed on deferred adjudication community supervision for an offense involving family violence against the child for whom the petition is filed, the respondent's parental rights with respect to the child have been terminated, and the respondent is seeking or attempting to seek contact with the child.

House Bill 2053
Effective: See below

House Author: Farney et al.
Senate Sponsor: Schwertner et al.

House Bill 2053 amends Family Code, Code of Criminal Procedure, and Occupations Code provisions relating to the child safety check alert list maintained by the Department of Public Safety (DPS) as part of the Texas Crime Information Center. The bill establishes the circumstances under which the Department of Family and Protective Services (DFPS) must notify DPS concerning an abused or neglected child who is missing or the child's family, removes the requirement that DFPS pursue certain legal action before the child or the child's family may be placed on the alert list, and revises the information that must be included in the alert list. The bill revises the duties of a law enforcement officer who encounters a child or other person on the alert list and the procedure for removing a child from the alert list and provides for an

education and training program on the alert list established by the Texas Commission on Law Enforcement. Effective March 1, 2016, the bill provides for a DPS report on the use of the alert list. Otherwise, the bill takes effect September 1, 2015.

House Bill 2070
Effective: 9-1-15

House Author: Thompson, Senfronia et al.
Senate Sponsor: Rodríguez

House Bill 2070 amends provisions of the Human Resources Code governing facilities, homes, and agencies regulated by the Department of Family and Protective Services (DFPS) that provide child-care services. The bill provides for a waiver of the notice and hearing requirements for a general residential operation providing comprehensive residential services to children who are victims of trafficking. The bill removes certain statutorily set amounts of licensing fees and annual fees for facilities, homes, and agencies that provide child-care services and instead requires the executive commissioner of the Health and Human Services Commission to set those fees. The bill requires the executive commissioner by rule to adopt a general enforcement policy describing DFPS's approach to enforcing provisions governing facilities, homes, and agencies that provide child-care services, including a methodology for determining appropriate disciplinary action. The bill revises the circumstances under which DFPS is authorized to impose an administrative penalty against a license holder without first imposing a nonmonetary administrative sanction and provides for the issuance of a cease and desist order relating to the activities of a person who is not properly licensed, certified, registered, or listed.

House Bill 2159
Effective: 9-1-15

House Author: Moody
Senate Sponsor: Huffman

House Bill 2159 amends the Code of Criminal Procedure to provide for mandatory payment of restitution in cases where a defendant has committed an offense involving family violence in the physical presence of, or in the same habitation or vehicle occupied by, a person younger than 15 years of age.

House Bill 2630
Effective: 9-1-15

House Author: Thompson, Senfronia
Senate Sponsor: Uresti

House Bill 2630 amends the Family Code and Human Resources Code to require the Department of Family and Protective Services (DFPS) to develop and implement a five-year strategic plan for prevention and early intervention services and issue a new strategic plan every five years. The bill requires a DFPS parenting education program to be an evidence-based program or a promising practice program and, if available, be provided in the community in which a family resides, establishes requirements for the evaluation of evidence-based parenting education, and provides for a DFPS report on state-funded parenting education programs. The bill provides for the funding of evidence-based and promising practice programs and repeals the infant mortality prevention education program.

House Bill 2655
Effective: 9-1-15

House Author: Frank et al.
Senate Sponsor: Estes

House Bill 2655 amends the Family Code to require the Department of Family and Protective Services (DFPS) to study the effectiveness of the relative and other designated caregiver placement program and make recommendations to the legislature for improving the program, including improvements designed to minimize the number of placements for each child, maximize efficiency in the distribution of monetary or other caregiver assistance, facilitate a safe, timely, and permanent exit from DFPS managing conservatorship, and assist caregivers in obtaining the verification necessary to qualify for foster care maintenance reimbursement.

House Bill 3327
Effective: 9-1-15

House Author: Alvarado et al.
Senate Sponsor: Huffman et al.

House Bill 3327 amends the Government Code to establish a program through which the attorney general may award grants to domestic violence high risk teams in Texas communities that coordinate efforts to increase the safety of victims by monitoring and containing perpetrators while providing victim services. Team members work together to share information and communicate to provide the best possible responses to victims at high risk. The teams may be composed of law enforcement officers, prosecutors, community supervision and corrections departments, victim advocates, nonprofit organizations that provide services or shelter to victims of family violence, and medical personnel.

Senate Bill 60
Effective: 9-1-15

Senate Author: Nelson
House Sponsor: Price

Senate Bill 60 amends the Family Code to clarify the law regarding the custody of a video recording of an interview of a child that is made by a child advocacy center and to remove a provision authorizing such a video recording to be shared with other agencies.

Senate Bill 125
Effective: 9-1-15

Senate Author: West et al.
House Sponsor: Naishtat

Senate Bill 125 amends the Family Code to establish requirements for a developmentally appropriate comprehensive assessment of a child who enters into the conservatorship of the Department of Family and Protective Services.

Senate Bill 354
Effective: 9-1-15

Senate Author: Nelson
House Sponsor: Zerwas

Senate Bill 354 amends the Family Code to transfer the powers and duties of the attorney general in regards to contract authority for children's advocacy centers and court-appointed volunteer advocate programs to the Health and Human Services Commission. The bill requires a statewide organization with which the state contracts for purposes of child advocacy centers or court-appointed volunteer advocate programs to be a charitable organization exempted from federal income tax and designated as a supporting organization under the federal Internal Revenue Code of 1986.

Senate Bill 817
Effective: 9-1-15

Senate Author: Rodríguez
House Sponsor: Thompson, Senfronia

Senate Bill 817 amends the Family Code to expand the scope of dating violence and family violence for purposes of the law governing protective orders. The bill requires a court that appoints a managing conservator during the course of a suit affecting the parent-child relationship to consider whether a party has engaged in a history or pattern of family violence, a party has engaged in a history or pattern of child abuse or child neglect, or a final protective order was rendered against a party.

Senate Bill 818
Effective: 9-1-15

Senate Author: Rodríguez et al.
House Sponsor: Thompson, Senfronia

Senate Bill 818 amends the Family Code to require a court to order that each conservator of a child has the duty to inform the other conservator of the child of certain information regarding the conservator's involvement with a person who is the subject of a final protective order or

if the conservator is the subject of such an order. The bill establishes deadlines for providing the notice and makes a conservator's failure to provide the notice in the prescribed manner a Class C misdemeanor.

Senate Bill 830
Effective: 9-1-15

Senate Author: Kolkhorst
House Sponsor: Dutton

Senate Bill 830 amends the Government Code and Human Resources Code to require the executive commissioner of the Health and Human Services Commission to appoint an ombudsman for children and youth in foster care. The bill establishes the ombudsman's duties and the duty of the Department of Family and Protective Services to cooperate with the ombudsman on certain aspects of the complaint process.

Senate Bill 949
Effective: 9-1-15

Senate Author: Uresti et al.
House Sponsor: Naishtat

Senate Bill 949 amends the Family Code to revise the information that the Department of Family and Protective Services (DFPS) must release regarding a child's death after a child abuse or neglect investigation and to require DFPS to also release information regarding a child's near fatality after such an investigation. The bill establishes requirements for DFPS to publish an annual child fatality report.

Senate Bill 1117
Effective: 9-1-15

Senate Author: Zaffirini
House Sponsor: Naishtat

Senate Bill 1117 amends the Family Code to require the Department of Family and Protective Services (DFPS) to ensure that the transition plan provided to each youth 16 years of age or older under DFPS conservatorship to assist the youth in transitioning from foster care to independent living includes specified provisions to assist the youth in managing the youth's housing needs after the youth leaves foster care.

Senate Bill 1406
Effective: 9-1-15

Senate Author: Schwertner et al.
House Sponsor: Dutton

Senate Bill 1406 amends Family Code provisions relating to the child safety check alert list maintained by the Department of Public Safety (DPS) as part of the Texas Crime Information Center. The bill establishes the circumstances under which the Department of Family and Protective Services (DFPS) must notify DPS concerning an abused or neglected child or the child's family who is missing, removes the requirement that DFPS pursue certain legal action before the child or the child's family may be placed on the alert list, and revises the information that must be included in the alert list.

Senate Bill 1407
Effective: 9-1-15

Senate Author: Schwertner et al.
House Sponsor: Dukes

Senate Bill 1407 amends the Family Code to provide for the ability of a substitute caregiver for a child in the managing conservatorship of the Department of Family and Protective Services (DFPS) to make a decision, similar to a decision a parent would be entitled to make, regarding the child's participation in age-appropriate normalcy activities. The bill establishes the duty of DFPS to promote the substitute caregiver's ability to make such a decision and provides immunity from liability and from adverse DFPS action for certain actions relating to such a decision. The bill requires a court, at each permanency hearing and at each placement review hearing, to review DFPS efforts to ensure that the child has opportunities to engage in age-appropriate normalcy activities.

Senate Bill 1496
Effective: 9-1-16

Senate Author: Uresti
House Sponsor: Naishtat et al.

Senate Bill 1496 amends the Human Resources Code to include the director, owner, or operator of a listed or registered family home or a group day-care home among the persons required to submit a complete set of fingerprints of certain persons associated with the home as part of the background and criminal history check required by the Department of Family and Protective Services. The bill revises the types of child-care providers who are exempt from this requirement.

Senate Bill 1880
Effective: 9-1-15

Senate Author: Zaffirini
House Sponsor: Raymond

Senate Bill 1880 amends the Human Resources Code and the Family Code to clarify and expand the authority of the Department of Family and Protective Services (DFPS) to investigate reports of abuse, neglect, or exploitation of individuals receiving services from certain providers, including a person who contracts with a health and human services agency or managed care organization to provide home and community-based services. The bill prohibits DFPS from investigating a report of abuse, neglect, or exploitation alleged or suspected to have been committed by a provider that is regulated by a state agency with the authority to investigate such reports and requires DFPS to forward such reports to the appropriate state agency. The bill sets out requirements for health and human services agencies and managed care organizations to share provider information and prohibits a provider of home and community-based services from retaliating against a person for filing a report or providing information in good faith relating to the possible abuse, neglect, or exploitation of an individual receiving services. The bill requires DFPS to investigate a report of abuse, neglect, or exploitation of a child receiving services from a provider and a report of abuse, neglect, or exploitation of a child receiving services from an officer, employee, agent, contractor, or subcontractor of a licensed home and community support services agency if the officer, employee, agent, contractor, or subcontractor is or may be the person alleged to have committed the abuse, neglect, or exploitation.

Senate Bill 1889
Effective: 9-1-15

Senate Author: Zaffirini et al.
House Sponsor: Burkett et al.

Senate Bill 1889 amends the Family Code to specify that, for purposes of investigations of reports of abuse or neglect of a child, neglect of a child does not include the refusal by a person responsible for a child's care, custody, or welfare to permit the child to remain in or return to the child's home resulting in the placement of the child in the conservatorship of the Department of Family and Protective Services (DFPS) if the child has a severe emotional disturbance, the person's refusal is based solely on the inability to obtain needed mental health services for the child, and the person has exhausted all reasonable means available to obtain the mental health services. The bill requires DFPS to discuss the option of joint managing conservatorship of such a child with the child's parents or legal guardian before filing a suit requesting conservatorship and requires DFPS to report specified data regarding such children and their families to the legislature.

Government Purchasing

This chapter covers legislation on issues relating to the procurement of goods and services by state and local governmental entities, including legislation on contracting and cooperative purchase agreements. Related legislation that is summarized in other chapters is listed at the end of this chapter.

House Bill 23
Effective: 9-1-15

House Author: Davis, Sarah et al.
Senate Sponsor: Huffman

House Bill 23 amends the Local Government Code to revise provisions relating to the disclosure of certain relationships with local government officers and vendors. The bill clarifies that those provisions apply to a local government officer who is an agent of a local governmental entity who exercises discretion in the planning, recommending, selecting, or contracting of a vendor, clarifies the definition of “vendor” for purposes of the applicability of those provisions, and specifies that certain water districts are local governmental entities for purposes of those provisions. The bill revises provisions making it an offense for a local government officer or a vendor to knowingly fail to file, by a specified time, the required conflicts statement or questionnaire, as applicable, disclosing certain relationships with the appropriate records administrator and establishes penalties depending on the amount of the contract at issue.

The bill decreases the aggregate value of gifts accepted by a local government officer and any family member of the officer from a vendor that triggers the requirement that the officer file a conflicts disclosure statement, unless the local governmental entity or vendor is an administrative agency created to supervise the performance of an interlocal contract, and includes as a condition that triggers the requirement for a vendor to file a conflict of interest questionnaire that the vendor has a family relationship with a local government officer of a local governmental entity with which the vendor has a business relationship. The bill specifies that a person who is both a local government officer and a vendor of a local governmental entity is required to file a conflict of interest questionnaire only if the person enters or seeks to enter into a contract with the local governmental entity or is an agent of a person who enters or seeks to enter into a contract with the local governmental entity.

Among other things, the bill authorizes the governing body of a local governmental entity to declare a contract void if the governing body determines that a vendor failed to file a conflict of interest questionnaire, with certain exceptions, and repeals a provision establishing that a local governmental entity does not have a duty to ensure that a vendor files a conflict of interest questionnaire.

House Bill 1295
Effective: 9-1-15

House Author: Capriglione et al.
Senate Sponsor: Hancock

House Bill 1295 amends the Education Code and the Government Code to require a faculty member or other employee or appointee of a public institution of higher education who conducted or participated in sponsored research to disclose the identity of each sponsor of the research in any public communication regarding the results of such research; to prohibit a governmental entity or state agency, including a public institution of higher education, from entering into a contract with a business entity that requires an action or vote by the governing body of the governmental entity, agency, or institution before the contract may be signed or that has a value of at least \$1 million unless the business entity submits a disclosure of interested parties, on a form prescribed by the Texas Ethics Commission, to the entity, agency, or institution

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at the time the business entity submits the signed contract to the entity, agency, or institution; to require an entity, agency, or institution to submit a copy of the disclosure to the commission within a specified period; and to exempt certain contracts from the prohibition.

The bill, among other provisions, prohibits a state agency that expends appropriated funds from entering into a research contract with a public institution of higher education if the contract contains a provision precluding public disclosure of any final data generated or produced in the course of executing the contract unless the agency makes certain determinations regarding the effects of premature disclosure of the data. A research contract between a public institution of higher education and the Cancer Prevention and Research Institute of Texas is exempted from this prohibition.

House Bill 2000
Effective: 9-1-15

House Author: Gutierrez
Senate Sponsor: Watson

House Bill 2000 amends the Government Code to authorize certain entities or types of entities to purchase commodity items through the Department of Information Resources.

House Bill 2049
Effective: 9-1-15

House Author: Darby et al.
Senate Sponsor: Eltife

House Bill 2049 amends the Local Government Code to revise the conditions under which a covenant or promise in, in connection with, or collateral to a contract for engineering or architectural services to which a governmental agency is a party is void and unenforceable based on the duty of an engineer or architect whose work is the subject of the contract to defend the governmental agency against claims. The bill also requires a contract for engineering or architectural services to which a governmental agency is a party to include specified standard of care provisions.

House Bill 2475
Effective: 9-1-15

House Author: Geren
Senate Sponsor: Eltife

House Bill 2475 amends the Government Code to require the Texas Facilities Commission to establish the center for alternative finance and procurement to consult with governmental entities regarding best practices for procurement and the financing of qualifying facilities and infrastructure projects and to assist governmental entities in the receipt of proposals, negotiation of interim and comprehensive agreements, and management of qualifying projects with respect to public-private partnerships and the Partnership Advisory Commission. Among other provisions, the bill repeals a provision establishing that the procedures for the development of public-private facilities and infrastructure are not exclusive.

House Bill 2634
Effective: 9-1-15

House Author: Kuempel et al.
Senate Sponsor: Zaffirini et al.

House Bill 2634 amends the Government Code to prohibit an entity related to a governmental entity's architect or engineer as described by the bill from serving as the construction manager-at-risk for a construction project.

House Bill 3014
Effective: 9-1-15

House Author: Parker et al.
Senate Sponsor: West

House Bill 3014 amends the Government Code to authorize a state agency and the comptroller of public accounts to jointly enter into with any person a success contract under which the majority of the contract payment is conditioned on the contractor meeting or

exceeding certain specified performance measures toward the outcome of the contract's objectives. Among other provisions relating to the administration of such contracts, the bill establishes the success contract payments trust fund as a trust fund outside the state treasury with the comptroller as trustee for the purpose of providing a fund from which the comptroller may make success contract payments due in accordance with the contract terms without the necessity of an appropriation for the contract payment.

House Bill 3342
Effective: 9-1-15

House Author: Kuempel
Senate Sponsor: Eltife

House Bill 3342 amends the Government Code to clarify the authority of the comptroller of public accounts to enter into interstate compacts and cooperative agreements relating to state purchasing.

House Bill 3707
Effective: 9-1-15

House Author: Gonzales
Senate Sponsor: Perry

House Bill 3707 amends the Government Code to define "cloud computing service" and substitute that term for "advanced Internet-based computing service" in statutory provisions relating to the purchase of an automated information system by a state agency.

Senate Bill 20
Effective: 9-1-15

Senate Author: Nelson et al.
House Sponsor: Price et al.

Senate Bill 20 amends the Government Code and Education Code to make comprehensive changes to state agency contracting, purchasing, and accounting procedures. Among other provisions, the bill requires the state auditor to audit the performance of Health and Human Services Commission contracts in excess of \$100 million in annual value. The bill requires the comptroller of public accounts to conduct, in cooperation with the governor's budget and policy staff, a study examining the feasibility and practicality of consolidating state purchasing functions into fewer state agencies or one state agency. The bill provides for the retention of contract and related documents by state agencies and restricts former state officers and employees who participated in procurement or contract negotiations with a person during their employment from accepting employment with that person for two years.

With respect to state agency accounting procedures, Senate Bill 20 requires the Texas Department of Information Resources under the Information Resources Management Act and related provisions to post all contract solicitation documents to the centralized statewide accounting and payroll system. The bill also requires state agencies to report contract and purchasing information in the uniform manner required by the comptroller and authorizes a state agency in the legislative branch to elect to participate in the enterprise resource planning system.

With respect to the State Purchasing and General Services Act, Senate Bill 20 provides for verification of the use of a best value standard in state agency contracting and procurement and expands the circumstances under which a vendor may be barred from participating in state contracts. The bill also establishes additional requirements for the training, continuing education, and certification of state agency purchasing personnel and adds ethics training to the requirements. The bill requires state agencies to review vendor performance after certain contracts are completed or terminated and to report the results of the review to the comptroller. Additionally, the bill authorizes the Texas Facilities Commission to participate in, sponsor, or administer a cooperative purchasing agreement. The bill requires a state agency contracting to purchase an information technology commodity item to use the list of items available for purchase through the Department of Information Resources and prohibits a state agency from

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entering into a contract to purchase a commodity item if the value of the contract exceeds \$1 million. The bill establishes additional contract requirements for the purchase of information technology items by a state agency.

With respect to state contracting standards and oversight, Senate Bill 20 establishes ethics, reporting, and approval requirements for certain Texas Department of Transportation and higher education contracts. The bill requires state employees and officials involved in procurement and contract management for such an agency to disclose to the agency any potential conflict of interest with respect to any contract with a private vendor or bid for the purchase of goods or services from a private vendor. The bill prohibits an applicable state agency from entering into a contract for the purchase of goods or services with a private vendor with whom certain persons have a financial interest. The bill provides for required posting of certain contracts, enhances contract and performance monitoring, and establishes additional requirements applicable to contracts with a value in excess of \$1 million or \$5 million. The bill requires each applicable state agency to develop and comply with a purchasing accountability and risk analysis procedure and requires such a state agency that becomes a participant in the centralized accounting and payroll systems to use the systems to identify and record each contract entered into by the agency. The bill authorizes the comptroller to assess fees for training contract managers, provides for the comptroller's rating of vendors, requires a state agency to use the vendor performance tracking system to determine whether to award a contract to a vendor reviewed in the tracking system, and requires the comptroller to make the vendor performance tracking system available to the public.

With respect to institutions of higher education, Senate Bill 20 conditions an institution of higher education's purchasing authority on compliance with standards established by the bill and requires the disclosure of sponsors of contracted research in any public communication based on the results of the sponsored research.

Senate Bill 59
Effective: 6-19-15

Senate Author: Nelson
House Sponsor: Raymond

Senate Bill 59 amends the Human Resources Code to remove the requirement that the Health and Human Services Commission (HHSC) award contracts for certain family violence center services and support activities through a competitive procurement procedure and instead requires HHSC to award such contracts through an application process developed by HHSC in consultation with a statewide family violence organization.

Senate Bill 1281
Effective: 5-29-15

Senate Author: Zaffirini
House Sponsor: Coleman

Senate Bill 1281 amends the Local Government Code to specify that the entities with which a local government is authorized to participate in a cooperative purchasing program are other local governments of Texas or another state and local cooperative organizations of Texas or another state.

The summaries for the following bills are in the listed chapters:

House Bill 307—Criminal Justice

House Bill 3517—Public Officials and Employees

Health and Human Services

This chapter covers legislation on issues relating to diseases, medical conditions and procedures, advance directives, immunization records, health code enforcement, public health nuisances, and financial, medical, and other services for individuals who are poor, elderly, or physically or mentally disabled. The chapter includes legislation relating to health and human services agencies, the provision of mental health services, health care facilities, nursing homes, assisted living facilities, protected health information, child care, Medicaid, CHIP, indigent health care, and the financing and administration of related health and human services programs. The chapter also includes legislation relating to cemeteries and funeral services, refugee placement, and homeless youth. Legislation relating to hospital and health districts is in the **Special Districts** chapter, and legislation relating to adoption and foster care, domestic violence, and child protection services is in the **Family Law** chapter. Related legislation that is summarized in other chapters is listed at the end of this chapter.

General

House Bill 606
Effective: 6-9-15

House Author: Davis, Sarah
Senate Sponsor: Huffman

House Bill 606 requires the Health and Human Services Commission to conduct and report on a study that evaluates the benefits of prenatal surgical procedures, as compared to postnatal procedures, to treat birth defects.

House Bill 679
Effective: 9-1-15

House Author: Turner, Sylvester et al.
Senate Sponsor: Zaffirini

House Bill 679 amends the Government Code to require the Texas Department of Housing and Community Affairs, in conjunction with other members of the Texas Interagency Council for the Homeless, to conduct a study on homeless youth in Texas and to report to the legislature a summary of the information resulting from the study and recommendations for changes in law necessary to provide services to or otherwise assist homeless youth.

House Bill 764
Effective: 9-1-15

House Author: King, Susan et al.
Senate Sponsor: Rodríguez

House Bill 764 amends the Health and Safety Code to require the Department of State Health Services (DSHS) or other appropriate entity to maintain a database for health care data that does not include identifying information for use as authorized by law. The bill establishes requirements relating to patient notification of the collection of health care data and imposes certain standards on the procedures for establishing the accuracy and consistency of public use data. The bill prohibits DSHS from charging a fee to a health and human services agency for using any of its collected health care data and provides for a DSHS annual report regarding security measures and issues regarding the data.

House Bill 819
Effective: 6-9-15

House Author: Sheffield
Senate Sponsor: Zaffirini

House Bill 819 amends the Health and Safety Code to classify a collection of water in any location other than certain agricultural locations that is a breeding area for mosquitoes that can transmit diseases as a public health nuisance, regardless of whether the mosquitoes are *Culex quinquefasciatus* mosquitoes.

House Bill 1212
Effective: 9-1-15

House Author: Price et al.
Senate Sponsor: Schwertner et al.

House Bill 1212 establishes the Montana Brown and Jesse High Act and amends the Health and Safety Code to establish the authority of the commissioner of state health services to designate a consumer commodity that poses a threat to public health as an abusable synthetic substance and to emergency schedule a substance as a controlled substance to avoid an imminent hazard to public safety. The bill classifies certain controlled substance analogues in Penalty Group 2-A of the Texas Controlled Substances Act and eliminates an affirmative defense to prosecution for the manufacture, delivery, or possession of a controlled substance analogue relating to the analogue's intended use.

House Bill 1779
Effective: 9-1-15

House Author: Murr
Senate Sponsor: Uresti

House Bill 1779 amends the Occupations Code to authorize a physician to disclose or release a confidential and privileged communication or record without a patient's authorization or consent if the disclosure or release is related to a judicial proceeding in which the patient is a party and is required under a subpoena issued under applicable law.

House Bill 1846
Effective: 9-1-15

House Author: King, Susan
Senate Sponsor: Rodríguez et al.

House Bill 1846 amends the Texas Food, Drug, and Cosmetic Act in the Health and Safety Code to require the Department of State Health Services (DSHS) to annually solicit comments from interested persons regarding the grants and contracts DSHS has requested from or entered into with the U.S. Food and Drug Administration for implementing the Federal Food, Drug, and Cosmetic Act and its amendments.

House Bill 1874
Effective: 6-9-15

House Author: Zerwas et al.
Senate Sponsor: Huffman

House Bill 1874 amends the Health and Safety Code to require the Health and Human Services Commission (HHSC) to establish the Palliative Care Interdisciplinary Advisory Council to assess the availability of patient-centered and family-focused palliative care in Texas. The bill requires HHSC to establish a statewide palliative care consumer and professional information and education program and to make information and resources regarding palliative care available on its website.

House Bill 2131
Effective: 9-1-15

House Author: Davis, Sarah et al.
Senate Sponsor: Huffman

House Bill 2131 amends the Health and Safety Code to require the Department of State Health Services (DSHS), in consultation with the Perinatal Advisory Council, to designate health care entities or programs in Texas as centers of excellence for fetal diagnosis and therapy. The bill provides for the appointment of a subcommittee to advise DSHS and the advisory council on the development of rules related to the designations and establishes priority considerations and qualifications for center designations.

House Bill 2171
Effective: 9-1-15

House Author: Sheffield et al.
Senate Sponsor: Zaffirini et al.

House Bill 2171 amends Health and Safety Code provisions relating to the continued inclusion in the state immunization registry of an individual's information that was included in

the registry before the individual's 18th birthday with the consent of the individual's parent, managing conservator, or guardian. Among other provisions, the bill extends the period of time during which the individual's information will be included in the registry unless withdrawn and establishes requirements for the Department of State Health Services in providing notice to the individual regarding the registry and the individual's right to withdraw or renew consent.

House Bill 2574
Effective: 9-1-15

House Author: Johnson et al.
Senate Sponsor: Rodríguez

House Bill 2574 amends the Health and Safety Code to require informational materials on the danger of heatstroke for a child left unattended in a motor vehicle to be given to a pregnant woman and other applicable persons by certain health care facilities and made available on the Department of State Health Services website.

House Bill 2641
Effective: 9-1-15

House Author: Zerwas et al.
Senate Sponsor: Schwertner

House Bill 2641 amends the Civil Practice and Remedies Code, Government Code, and Health and Safety Code to establish the authority of a health information exchange to access and transmit specified health-related information among health care providers and certain other entities and the authority of an applicable health care provider or entity to report such information through an exchange. The bill makes it a Class A misdemeanor for a person who collects, transmits, disseminates, accesses, or reports information on behalf of or as a health information exchange to intentionally allow health-related information in the possession of an exchange to be used or disclosed in an unlawful manner. The bill provides limitations on the liability of a health care provider who provides patient information to a health information exchange.

House Bill 2641 prescribes requirements for the Health and Human Services Commission relating to standards for the information systems used by health and human services agencies in sending or receiving protected health information. The bill postpones the expiration date for Medicaid reimbursement for the provision of home telemonitoring services.

House Bill 2696
Effective: 6-19-15

House Author: Howard et al.
Senate Sponsor: Zaffirini

House Bill 2696 amends the Health and Safety Code to provide for a study on reducing workplace violence against nurses conducted by the nursing resource section within the health professions resource center.

House Bill 2718
Effective: 9-1-16

House Author: Parker et al.
Senate Sponsor: Ellis et al.

House Bill 2718 amends the Government Code to require the Health and Human Services Commission (HHSC) to establish a program under which faith- and community-based organizations may, on the request of the applicant, contact and offer supplemental assistance to an applicant for benefits under the Temporary Assistance for Needy Families program, the Medicaid program, the Supplemental Nutrition Assistance Program, or the child health plan program. The bill requires the executive commissioner of HHSC to adopt rules to implement the program and sets out requirements regarding applicant enrollment and organization participation in the program.

House Bill 2794
Effective: 9-1-15

House Author: Farney et al.
Senate Sponsor: Zaffirini

House Bill 2794 amends the Health and Safety Code to change the venue in which a person may file a petition for an order to establish the applicant's date and place of birth and parentage, if a state registrar refuses to register a delayed birth certificate and to specify the required contents of such a petition. The judge of a statutory probate court or district court is authorized to appoint an attorney ad litem in a proceeding to represent the interests of the person seeking the delayed birth certificate. A parent of a person seeking a delayed birth certificate is required to sign an affidavit of personal knowledge not later than the 30th day after the date a request is made acknowledging that the individual is the parent of the person seeking the certificate if the parent's signature has been requested and is necessary for the issuance of the certificate because the person seeking the birth certificate is unable to provide other documentary evidence. The bill makes the failure of a parent to sign a required affidavit a Class A or Class B misdemeanor offense, depending on the age of the child requesting the birth certificate.

House Bill 3074
Effective: 9-1-15

House Author: Springer et al.
Senate Sponsor: Schwertner et al.

House Bill 3074 amends Health and Safety Code provisions relating to the artificial administration of nutrition and hydration and to life-sustaining treatment under the Advance Directives Act. In addition to clarifying provisions of the Advance Directives Act with respect to artificially administered nutrition and hydration, the bill requires the patient's medical record to be provided to the patient or person responsible for the patient before triggering the 10-day period after which the attending physician, another physician, and the health care facility are no longer obligated to provide life-sustaining treatment to the patient. Moreover, the bill provides for artificially administered nutrition and hydration and for treatment to enhance pain management or comfort to continue to be provided to a patient after other life-sustaining treatments have ceased, unless the provision of the nutrition or hydration would harm the patient, be medically ineffective in prolonging life, or be contrary to the patient's or surrogate's clearly documented desire not to receive artificially administered nutrition or hydration.

House Bill 3092
Effective: 9-1-15

House Author: Rose et al.
Senate Sponsor: West

House Bill 3092 amends the Human Resources Code to require the Department of Family and Protective Services to develop and implement a temporary pilot program that evaluates the feasibility and associated benefits of providing protective services to an elderly person or person with a disability who is not in a state of abuse, neglect, or exploitation but has been determined to be at risk of future harm based on certain risk assessment criteria.

House Bill 3781
Effective: 6-19-15

House Author: Crownover et al.
Senate Sponsor: Watson et al.

House Bill 3781 amends the Health and Safety Code to establish the Texas Health Improvement Network, administratively attached to The University of Texas System, to address urgent health care challenges and improve the health care system in Texas and the nation and develop health care initiatives, policies, and best practices.

Senate Bill 97**Effective:** See below**Senate Author:** Hinojosa et al.**House Sponsor:** Alvarado et al.

Senate Bill 97 amends the Health and Safety Code, Education Code, and Penal Code to provide for the regulation of e-cigarettes. The bill makes it an offense for a person to sell or give an e-cigarette to a person younger than 18 years of age, for an individual younger than 18 years of age to possess or consume an e-cigarette, and for a person to operate an e-cigarette in certain public places. The bill establishes the duties of a retailer or other person regarding the sale and distribution of e-cigarettes and related accessories. The bill requires the Department of State Health Services (DSHS) to report on the status of e-cigarette use in Texas and establishes DSHS duties regarding the prevention of e-cigarette use by minors. The bill establishes requirements for a delivery sale order of e-cigarettes and requires a school district to prohibit the use of e-cigarettes at school-related or school-sanctioned activities.

Effective September 1, 2015, Senate Bill 97 requires the comptroller of public accounts to develop the warning notice sign that must be posted by each person selling e-cigarettes. Otherwise, the bill takes effect October 1, 2015.

Senate Bill 277**Effective:** See below**Senate Author:** Schwertner**House Sponsor:** Sheffield

Effective September 1, 2015, Senate Bill 277 amends and repeals provisions of the Government Code, Health and Safety Code, Human Resources Code, Insurance Code, and Code of Criminal Procedure to abolish the Interagency Task Force on Electronic Benefits Transfers, the Medicaid and Public Assistance Fraud Oversight Task Force, the Advisory Committee on Inpatient Mental Health Services, the Interagency Inspection Task Force, the local authority network advisory committee, the Worksite Wellness Advisory Board, the Sickle Cell Advisory Committee, the Arthritis Advisory Committee, the Advisory Panel on Health Care-Associated Infections and Preventable Adverse Events, the Youth Camp Training Advisory Committee, the Drug Demand Reduction Advisory Committee, the Texas Medical Child Abuse Resources and Education System (MEDCARES) Advisory Committee, the Texas Institute of Health Care Quality and Efficiency, and the stakeholder workgroup established in connection with the jail-based restoration of competency pilot program.

Effective January 1, 2016, the bill amends and repeals provisions of the Family Code, Government Code, Health and Safety Code, Human Resources Code, and Insurance Code to abolish the advisory committee on Medicaid and child health plan program rate and expenditure disparities, the Advisory Committee on Qualifications for Health Care Translators and Interpreters, the Behavioral Health Integration Advisory Committee, the Consumer Direction Work Group, the Council on Children and Families, the Electronic Health Information Exchange System Advisory Committee, the Guardianship Advisory Board, the hospital payment advisory committee, the Interagency Coordinating Council for HIV and Hepatitis, the Medicaid and CHIP Quality-Based Payment Advisory Committee, each Medicaid managed care advisory committee appointed for a health care service region under certain Government Code provisions, the Public Assistance Health Benefit Review and Design Committee, the renewing our communities account advisory committee, the STAR + PLUS Nursing Facility Advisory Committee, the STAR + PLUS Quality Council, the state Medicaid managed care advisory committee, the task force on domestic violence, the Interagency Task Force for Children With Special Needs, the telemedicine and telehealth advisory committee, the board of directors of the Texas Institute of Health Care Quality and Efficiency, the Texas Traumatic Brain Injury Advisory Council, and the volunteer advocate program advisory committee. Among other provisions, the bill creates the Drug Utilization Review Board, specifies that the interagency task force on ensuring appropriate care

settings for persons with disabilities is abolished September 1, 2017, and sets out provisions governing the authority of the executive commissioner of the Health and Human Services Commission to establish and maintain certain health and human services advisory committees.

Senate Bill 582
Effective: 6-17-15

Senate Author: Kolkhorst
House Sponsor: Harless

Senate Bill 582 amends the Health and Safety Code to establish that a food service worker trained in a food handler training course accredited by the American National Standards Institute is considered to have met a local health jurisdiction's training, testing, and permitting requirements. The bill authorizes a local health jurisdiction to require a food establishment to maintain a certificate of completion of the training course for the establishment's employees.

Senate Bill 760
Effective: 9-1-15

Senate Author: Schwertner et al.
House Sponsor: Price

Senate Bill 760 amends the Human Resources Code and the Family Code to clarify and expand the authority of the Department of Family and Protective Services (DFPS) to investigate reports of abuse, neglect, or exploitation of individuals receiving services from certain providers, including a person who contracts with a health and human services agency or managed care organization to provide home and community-based services. The bill prohibits DFPS from investigating a report of abuse, neglect, or exploitation alleged or suspected to have been committed by a provider that is regulated by a state agency with the authority to investigate such reports and requires DFPS to forward such reports to the appropriate state agency. The bill sets out requirements for health and human services agencies and managed care organizations to share provider information and prohibits a provider of home and community-based services from retaliating against a person for filing a report or providing information in good faith relating to the possible abuse, neglect, or exploitation of an individual receiving services. The bill requires DFPS to investigate a report of abuse, neglect, or exploitation of a child receiving services from a provider and a report of abuse, neglect, or exploitation of a child receiving services from an officer, employee, agent, contractor, or subcontractor of a licensed home and community support services agency if the officer, employee, agent, contractor, or subcontractor is or may be the person alleged to have committed the abuse, neglect, or exploitation.

The bill amends the Government Code to require the Health and Human Services Commission (HHSC) to provide support and information services to Medicaid recipients through a network of entities through HHSC's office of the ombudsman or other designated HHSC division and to expand the required support and information services offered and types of recipients required to be assisted by HHSC. The bill sets out provisions regarding minimum provider access standards for the provider network of a managed care organization under the Medicaid managed care program, including penalties for noncompliance and requirements for posting and updating a provider's network directory, and revises the requirements for a contract between HHSC and a managed care organization under the managed care program relating to those standards.

Senate Bill 983
Effective: 5-27-15

Senate Author: Bettencourt et al.
House Sponsor: Schofield

Senate Bill 983 amends the Health and Safety Code to prohibit the state registrar, a local registrar, or a county clerk from charging a fee to an applicant requesting a birth record for purposes of obtaining an election identification certificate and to entitle a local registrar or county clerk who issues a birth record required for such purposes to payment of the applicable fee amount from the Texas Department of State Health Services.

Senate Bill 1214
Effective: 9-1-15

Senate Author: Taylor, Van
House Sponsor: Miller, Rick

Senate Bill 1214 amends the Health and Safety Code to provide for the use of human remains for forensic science education. Among other provisions, the bill establishes Anatomical Board of the State of Texas duties relating to such use and includes forensic science programs and certain search and rescue organizations that use canines among the entities to which the board may distribute bodies and to which an anatomical gift may be made.

Senate Bill 1243
Effective: 9-1-15

Senate Author: Burton
House Sponsor: Sheffield et al.

Senate Bill 1243 amends the Health and Safety Code to require the Department of State Health Services (DSHS) to establish a pilot program for donation and redistribution of certain unused prescription drugs in the cities of Austin, Fort Worth, or El Paso. The bill establishes the circumstances under which a donated drug may be accepted and requirements for the prescription, provision, and administration of donated drugs. The bill provides for a limitation on liability for certain acts performed under the pilot program. The bill requires DSHS to establish and maintain a central drug repository and an electronic database of the donated drugs and to conduct and report on a study to determine the feasibility of establishing a program under which entities transfer to DSHS for distribution unused drugs for which the entity received Medicaid reimbursement.

Senate Bill 1462
Effective: 9-1-15

Senate Author: West
House Sponsor: Johnson et al.

Senate Bill 1462 amends the Health and Safety Code to provide for the prescription, distribution, administration, and possession of an opioid antagonist for the treatment of an opioid-related drug overdose. The bill establishes limitations on liability and disciplinary sanctions for certain acts and omissions relating to an opioid antagonist.

Senate Bill 1485
Effective: 6-1-15

Senate Author: Garcia
House Sponsor: Guillen

Senate Bill 1485 amends the Government Code to establish that the death record of an unidentified decedent is public information and available to the public on and after the first anniversary of the date of death.

Senate Bill 1540
Effective: 6-19-15

Senate Author: Perry
House Sponsor: Keough

Senate Bill 1540 amends the Government Code and Human Resources Code to entitle the executive commissioner of the Health and Human Services Commission to obtain criminal history record information maintained by the Department of Public Safety (DPS) that relates to certain employees or applicants for employment who have or would have access to sensitive personal or financial information and sets out criminal background check requirements for such employees and applicants. The bill includes an employee or applicant for employment with the Department of Aging and Disability Services (DADS) who, as an employee, has or would have direct access to residents or clients of a facility among the persons for whom DADS is entitled to obtain DPS criminal history record information.

Senate Bill 1574
Effective: 9-1-15

Senate Author: Uresti et al.
House Sponsor: Martinez

Senate Bill 1574 amends Code of Criminal Procedure, Government Code, and Health and Safety Code provisions relating to emergency response employees and volunteers who have been or have potentially been exposed to certain diseases or parasites. Among other things, the bill requires the Department of State Health Services to provide an equal opportunity to request a waiver of the foreign county residence requirement for certain individuals who agree to practice medicine in specified areas, requires an entity that employs or uses the services of an emergency response employee or volunteer to nominate a designated infection control officer and an alternate officer, and revises testing and reporting requirements following the exposure or potential exposure of an emergency response employee or volunteer to certain diseases.

Senate Bill 1664
Effective: 6-19-15

Senate Author: Perry et al.
House Sponsor: Burkett

Senate Bill 1664 amends the Education Code to establish the Texas Achieving a Better Life Experience (ABLE) Program administered by the Prepaid Higher Education Tuition Board within the office of the comptroller of public accounts, to encourage saving funds for the purpose of supporting individuals with disabilities in maintaining health, independence, and quality of life and to provide secure funding for qualified disability expenses on behalf of designated beneficiaries with disabilities that will supplement, but not supplant, benefits provided through other sources. The bill establishes the Texas ABLE savings plan account as a trust fund outside of the state treasury and sets out provisions for the administration of and participation in the program, outlining the limitations of and procedures for terminating or modifying the program, and establishing the ABLE program advisory committee. The bill includes the prepaid tuition unit undergraduate education program and the Texas Save and Match Program among the programs required to be administered by the board.

Senate Bill 1666
Effective: 5-22-15

Senate Author: Hancock
House Sponsor: Larson

Senate Bill 1666 amends the Health and Safety Code to exempt certain chemical manufacturers engaged in commercial research and development from Texas Controlled Substances Act chemical laboratory apparatus recordkeeping requirements.

Senate Bill 1928
Effective: 6-19-15

Senate Author: Seliger
House Sponsor: Price

Senate Bill 1928 amends the Government Code to require the executive commissioner of the Health and Human Services Commission to adopt rules to ensure that local governmental and community input is included in any refugee placement report required under a federal refugee resettlement program and that governmental entities and officials are provided with related information.

Cemeteries and Funeral Services

House Bill 1219
Effective: 9-1-15

House Author: Raymond et al.
Senate Sponsor: Watson

House Bill 1219 amends Occupations Code provisions relating to a provisional license to practice funeral directing or embalming. Among other provisions, the bill requires the Texas

Funeral Service Commission to waive educational requirements for an applicant who is otherwise qualified for a provisional license, revises provisional license application requirements, and revises work requirements under the provisional license program. The bill establishes the term of a provisional license and provides for the renewal, cancellation, and reinstatement of the license and expiration of a reinstated license. The bill authorizes a person who does not complete the provisional license program within the prescribed period to reapply for a provisional license. The bill revises an eligibility requirement for a general funeral director's or embalmer's license relating to provisional license experience.

House Bill 3070
Effective: 9-1-15

House Author: Thompson, Senfronia
Senate Sponsor: Huffman

House Bill 3070 amends the Health and Safety Code to include any one or more of the duly qualified executors or administrators of a decedent's estate among the persons listed by priority who have the right to control the disposition of the remains of a decedent who did not leave written directions regarding the disposition of remains. The bill makes a person exercising the right to control the disposition of such a decedent's remains, other than a duly qualified executor or administrator of the decedent's estate, liable for the reasonable cost of interment and authorizes the person to seek reimbursement from the decedent's estate. The decedent's estate is liable for interment costs when an executor or administrator exercises that right. The executor or administrator is not individually liable for such costs. The bill makes a party to a prepaid funeral contract or written contract providing for all or some of a decedent's funeral arrangements who fails to honor the contract liable for the additional expenses incurred in the disposition of remains as a result of the breach of contract.

Senate Bill 292
Effective: 5-29-15

Senate Author: Nelson et al.
House Sponsor: Crownover

Senate Bill 292 amends the Health and Safety Code to establish the duty of a justice of the peace or medical examiner's office to adopt a written policy for requesting a waiver of the waiting period before human remains may be cremated.

Senate Bill 988
Effective: 6-16-15

Senate Author: Perry
House Sponsor: Frullo et al.

Senate Bill 988 establishes the Holly Combs Act and amends the Health and Safety Code and Occupations Code to establish that a person subject to regulation by the Texas Funeral Service Commission commits a prohibited practice by knowingly allowing an individual charged with a criminal homicide offense involving family violence against a decedent to control the disposition of the decedent's remains. The bill authorizes the commission to take disciplinary action or assess an administrative penalty against the regulated person.

Child-Care Services and Facilities

House Bill 1558
Effective: 9-1-15

House Author: Parker
Senate Sponsor: Hancock

House Bill 1558 amends the Local Government Code to prohibit a municipality from adopting or enforcing an ordinance that prohibits a church from providing overnight shelter for children age 17 and younger, but authorizes a municipality to adopt or enforce an ordinance establishing limits on the number of nights a child may use the overnight shelter or on the number of children housed in the shelter per night.

Senate Bill 1279
Effective: 9-1-15

Senate Author: Campbell et al.
House Sponsor: Morrison

Senate Bill 1279 amends the Family Code to include a licensed freestanding emergency medical care facility among the entities considered to be designated emergency infant care providers for purposes of procedures in a child protection suit for certain abandoned children.

Diseases and Medical Conditions

House Bill 21
Effective: 6-16-15

House Author: Kacal et al.
Senate Sponsor: Bettencourt

House Bill 21 establishes the Right to Try Act and amends the Health and Safety Code to establish the eligibility of a patient who has a terminal illness to access and use an investigational drug, biological product, or device, including requirements for a physician's recommendations and a patient's informed consent. The bill requires a manufacturer that provides an eligible patient with the manufacturer's investigational drug, biological product, or device to do so without receiving compensation. The bill prohibits state interference with an eligible patient's access to an investigational drug, biological product, or device and prohibits the Texas Medical Board from taking action against a physician's license based solely on the physician's lawful recommendations to an eligible patient regarding access to or treatment with an investigational drug, biological product, or device.

House Bill 177
Effective: 9-1-15

House Author: Zedler et al.
Senate Sponsor: Bettencourt et al.

House Bill 177 amends the Education Code and the Health and Safety Code to establish the Texas Adult Stem Cell Research Consortium administered by the Texas Adult Stem Cell Research Coordinating Board to make grants and loans to consortium members for adult stem cell research projects, to develop facilities to be used solely for adult stem cell research projects, and to commercialize products or technology involving adult stem cell research and treatments. Among other provisions, the bill establishes general requirements for adult stem cell use in health care and additional requirements for adult stem cell use in hospitals.

House Bill 369
Effective: 6-1-15

House Author: Villalba et al.
Senate Sponsor: Watson

House Bill 369 amends the Government Code to designate May 24 as Lung Cancer Awareness Day to encourage Texas residents to learn about the disease's prevalence, ways to increase early diagnosis and treatment and to reduce that prevalence, and the statistical risk of developing the disease.

House Bill 1052
Effective: 6-1-15

House Author: Parker
Senate Sponsor: Schwertner

House Bill 1052 amends the Government Code to change the month designated as Hydrocephalus Awareness Month from October to September.

House Bill 2055
Effective: 9-1-15

House Author: Davis, Sarah
Senate Sponsor: Schwertner

House Bill 2055 amends the Health and Safety Code to provide for the establishment of a program in the Department of State Health Services (DSHS) to identify by sentinel surveillance

individuals infected with emerging or neglected tropical diseases, maintain a database of confirmed cases of such diseases, and investigate the diseases. The bill establishes related duties of the executive commissioner of the Health and Human Services Commission and DSHS and provides for program data collection, confidentiality of health information under the program, and limited liability for divulging information required to be released under the program.

House Bill 2079
Effective: 9-1-15

House Author: Thompson, Senfronia
Senate Sponsor: Huffman et al.

House Bill 2079 amends the Government Code to designate May as Postpartum Depression Awareness Month.

House Bill 2646
Effective: 9-1-15

House Author: Giddings
Senate Sponsor: West

House Bill 2646 amends the Health and Safety Code to authorize the release of medical and epidemiological information regarding communicable diseases to governmental entities that provide first responders in a potential communicable disease situation and to a local health department or health authority for monitoring purposes. The bill establishes the scope of information that may be released and the information that must be provided to first responders.

House Bill 2950
Effective: 6-19-15

House Author: Klick et al.
Senate Sponsor: Taylor, Van

House Bill 2950 amends the Health and Safety Code to create the Task Force on Infectious Disease Preparedness and Response as an advisory panel to the governor and to provide for Health and Human Services Commission contracts or agreements to assist in the establishment of infectious disease emergency preparedness facilities at health care-related institutions in Texas.

House Bill 3374
Effective: 9-1-15

House Author: Morrison et al.
Senate Sponsor: Lucio et al.

House Bill 3374 amends the Health and Safety Code to require the Department of State Health Services to make certain information regarding Down syndrome available. The information may not present pregnancy termination as an option when a prenatal test result indicates that the unborn child has Down syndrome. The bill requires a health care provider who administers a test for Down syndrome or who diagnoses a child with Down syndrome to provide the information to a parent or expectant parent who receives a test result indicating a child or unborn child may have Down syndrome.

House Bill 3994
Effective: 1-1-16

House Author: Morrison et al.
Senate Sponsor: Perry et al.

House Bill 3994 amends the Family Code, Health and Safety Code, and Occupations Code to add requirements to statutory provisions governing judicial bypass, the process by which a judge may grant a pregnant minor who wishes to have an abortion an exemption from requirements that a parent, managing conservator, or guardian of the minor be notified and consent to the procedure, including requirements applicable to the court and the physician who performs the abortion.

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Senate Bill 791
Effective: 9-1-15

Senate Author: Kolkhorst et al.
House Sponsor: Zerwas

Senate Bill 791 establishes the Madeline Leigh Armstrong Act and amends the Health and Safety Code to require the Department of State Health Services (DSHS) to develop and publish informational materials regarding cytomegalovirus in infants and establish a related outreach program. The bill requires the inclusion of cytomegalovirus information in the resource pamphlet provided to parents of newborn children.

Senate Bill 1128
Effective: 9-1-15

Senate Author: Zaffirini
House Sponsor: Davis, Sarah

Senate Bill 1128 amends the Health and Safety Code to change the point during a woman's pregnancy at which the second diagnostic test for syphilis must be performed.

Health Care Facilities

House Bill 416
Effective: 6-19-15

House Author: Riddle et al.
Senate Sponsor: Campbell et al.

House Bill 416 amends the Health and Safety Code to require the executive director of the Health and Human Services Commission to require the personnel of abortion facilities and certain other facilities performing abortions to complete a training program to identify and assist victims of human trafficking.

House Bill 635
Effective: 9-1-15

House Author: Price et al.
Senate Sponsor: Nelson et al.

House Bill 635 amends the Health and Safety Code to require a hospital to release the remains of an unintended, intrauterine fetal death on the request of a parent of the unborn child.

House Bill 1670
Effective: 6-17-15

House Author: Sheets et al.
Senate Sponsor: Watson

House Bill 1670 amends the Health and Safety Code to provide for the possession and removal of a placenta for personal use from a hospital or birthing center by a woman who has given birth in the facility or the woman's spouse if the woman tests negative for infectious diseases. The bill provides an exemption from liability for a hospital or birthing center regarding the release of a placenta and prescribes related duties of the Department of State Health Services.

House Bill 2340
Effective: 9-1-15

House Author: Sheffield
Senate Sponsor: Lucio

House Bill 2340 amends the Health and Safety Code to provide for a temporary license issued by the Department of Aging and Disability Services (DADS) to an applicant for an initial prescribed pediatric extended care center license, pending DADS review of the applicant's initial license application. The bill specifies the times at which the parent, legal guardian, or managing conservator of a minor client of a center is not required to accompany the client and the required level of nursing services that a center must provide. The bill establishes the reimbursement rate to be set by the Health and Human Services Commission for licensed pediatric extended care centers that are enrolled in Medicaid.

House Bill 3333
Effective: 9-1-15

House Author: Clardy
Senate Sponsor: Hancock

House Bill 3333 amends the Health and Safety Code to expand the municipal hospital authorities that may invest authority funds.

House Bill 3433
Effective: 6-16-15

House Author: Sheffield et al.
Senate Sponsor: Kolkhorst

House Bill 3433 amends Health and Safety Code provisions relating to the Perinatal Advisory Council and level of care designations for hospitals that provide neonatal and maternal care. The bill increases rural representation on the advisory council, postpones the submission deadline for the advisory council's report, and establishes deadlines for the executive commissioner of the Health and Human Services Commission to complete the designations for each hospital in Texas.

House Bill 4001
Effective: 9-1-15

House Author: Raymond et al.
Senate Sponsor: Schwertner et al.

House Bill 4001 amends the Health and Safety Code to include the provision of habilitation services delivered by a licensed home and community support services agency among the services for which a person must obtain a home and community support services license. The bill exempts a person who provides home health, hospice, habilitation, or personal assistance services only to persons receiving benefits under the STAR + PLUS or other Medicaid managed care program under the program's home and community-based services (HCS) or Texas home living (TxHmL) certification from home and community support services licensing requirements and sets out provisions relating to the regulatory oversight of habilitation services providers. The bill includes person-centered service delivery as a component of quality care for the delivery of home and community support services and specifies the types of services that must be designated on the license of a home and community support services agency authorized to provide those services. The bill provides for the imposition of an administrative penalty against a provider participating in the HCS or TxHmL waiver program who violates a law or rule of the program.

Senate Bill 373
Effective: 9-1-15

Senate Author: West
House Sponsor: Rose

Senate Bill 373 establishes the Margaret Joy Thomas Act and amends the Health and Safety Code to require the Department of State Health Services (DSHS) to require a hospital that commits a violation resulting in a potentially preventable adverse event to develop and implement a plan to address the deficiencies that may have contributed to the event. The bill requires DSHS to monitor the hospital's adherence to the plan and to enforce compliance.

Senate Bill 425
Effective: 9-1-15

Senate Author: Schwertner et al.
House Sponsor: Bonnen, Greg

Senate Bill 425 amends the Health and Safety Code to require a freestanding emergency medical care facility to post a notice regarding facility fees and certain other information and to subject such a facility to requirements relating to consumer access to health care information.

Senate Bill 1560
Effective: 6-19-15

Senate Author: Zaffirini
House Sponsor: Lozano

Senate Bill 1560 amends the Health and Safety Code to prohibit a licensed chemical dependency treatment facility from providing treatment to a patient without the patient's legally

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adequate consent and to establish the conditions under which consent to the administration of prescription medication given to such a patient is considered valid. The bill grants such a patient the right to refuse unnecessary or excessive medication and prohibits medication from being used by a treatment facility as punishment or for the convenience of the staff. Among other provisions, the bill requires information on the prescription medications ordered by a physician to be provided to a patient in the patient's primary language and requires, on request, a list of the medications prescribed to the patient while the patient is in the treatment facility to be timely provided to the patient or another authorized person by the facility administrator.

Senate Bill 1999
Effective: 6-19-15

Senate Author: Menéndez
House Sponsor: Coleman

Senate Bill 1999 amends the Government Code, Health and Safety Code, and Human Resources Code to change references relating to adult day care to references relating to day activity and health services.

Health Care Provider Participation Programs

House Bill 2280
Effective: 6-18-15

House Author: VanDeaver et al.
Senate Sponsor: Eltife

House Bill 2280 amends the Health and Safety Code to create a county health care provider participation program in Rusk County.

House Bill 2809
Effective: 5-28-15

House Author: Anderson, Charles "Doc" et al.
Senate Sponsor: Birdwell

House Bill 2809 amends the Health and Safety Code to create a county health care provider participation program in McLennan County.

House Bill 2913
Effective: 5-28-15

House Author: Aycock et al.
Senate Sponsor: Fraser

House Bill 2913 amends the Health and Safety Code to create a county health care provider participation program in Bell County.

House Bill 3175
Effective: 6-18-15

House Author: Simpson et al.
Senate Sponsor: Campbell

House Bill 3175 amends the Health and Safety Code to create a county health care provider participation program in Hays County.

House Bill 3185
Effective: 5-29-15

House Author: Raney
Senate Sponsor: Lucio et al.

House Bill 3185 amends the Health and Safety Code to create a county health care provider participation program in Brazos County.

Senate Bill 1387
Effective: 5-23-15

Senate Author: Creighton
House Sponsor: Deshotel

Senate Bill 1387 amends the Health and Safety Code to create a municipal health care provider participation program in the City of Beaumont.

Senate Bill 1587
Effective: 5-28-15

Senate Author: Eltife
House Sponsor: VanDeaver et al.

Senate Bill 1587 amends the Health and Safety Code to create a county health care provider participation program in certain counties, including Bowie, Cherokee, and Gregg Counties.

Medicaid and CHIP

House Bill 839
Effective: 6-18-15

House Author: Naishtat et al.
Senate Sponsor: Rodriguez et al.

House Bill 839 amends the Health and Safety Code and Human Resources Code to require the Health and Human Services Commission (HHSC) to suspend a child's eligibility for child health plan program (CHIP) or Medicaid coverage during the period the child is placed in a juvenile facility and to reinstate the child's eligibility after the child's release from the facility. The bill provides for a juvenile facility's notice to HHSC and a child's guardian or custodian regarding a child's placement or release and requires HHSC to establish a means for determining whether a child placed in a juvenile facility is or was enrolled in CHIP or receiving Medicaid benefits. The bill exempts a juvenile facility or facility employee from civil liability for damages resulting from a failure to comply with applicable notice requirements.

House Bill 1661
Effective: 6-17-15

House Author: Guerra et al.
Senate Sponsor: Uresti

House Bill 1661 amends the Human Resources Code to require the executive commissioner of the Health and Human Services Commission to adopt rules ensuring that the same standards applying to a physician who bills Medicaid for services provided by a substitute physician apply also to a dentist who bills Medicaid for services provided by a substitute dentist.

House Bill 1878
Effective: 9-1-15

House Author: Laubenberg et al.
Senate Sponsor: Taylor, Van

House Bill 1878 amends the Government Code to require the Health and Human Services Commission to ensure that Medicaid reimbursement is provided to a physician for the physician's provision of a telemedicine medical service to a child in a primary or secondary school-based setting if specified conditions are met. The bill provides for the required notification to a child's primary care physician or provider or parent or legal guardian regarding the telemedicine medical service.

House Bill 2084
Effective: Vetoed

House Author: Muñoz, Jr. et al.
Senate Sponsor: Hinojosa et al.

House Bill 2084 amends the Government Code to establish measures for ensuring transparency of the premium payment rate-setting process for the Medicaid managed care program and the child health plan program by requiring the Health and Human Services Commission to publish actuarial reports containing specific information regarding the rate setting process.

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Governor's Reason for Veto: "Managed care organizations (MCOs) are paid by the taxpayers to insure Texas's Medicaid population. The rate the State pays MCOs per Medicaid recipient is determined in large part by federal law, but there is substantial room for negotiation. Both the state and the MCOs conduct internal actuarial analyses that are critical to the rate-setting process.

"The Texas Health and Human Services (HHSC) represents the taxpayer in rate negotiations with MCOs. House Bill 2084 would require HHSC to reveal the details of the internal actuarial analysis it uses when negotiating rates on behalf of the State. This would hamper HHSC's ability to negotiate for the best possible rate. Billions of dollars in taxpayer funds are at stake. Where there is room for negotiation, HHSC should have all available tools at its disposal to protect Texas taxpayers."

House Bill 3519
Effective: 9-1-15

House Author: Guerra et al.
Senate Sponsor: Watson

House Bill 3519 amends the Government Code to postpone the expiration date of Medicaid reimbursements for the provision of home telemonitoring services.

House Bill 3523
Effective: See below

House Author: Raymond et al.
Senate Sponsor: Perry

Legislation enacted by the 83rd Legislature provided for the design and phased implementation of an acute care services and long-term services and supports system redesign for individuals with intellectual and developmental disabilities. House Bill 3523 amends provisions of the Government Code relating to this system redesign.

In provisions effective June 19, 2015, and September 1, 2021, the bill revises Health and Human Services Commission (HHSC) responsibility for setting the minimum reimbursement rate paid to a nursing facility under the STAR + PLUS Medicaid managed care program, including the staff rate enhancement paid to a qualifying nursing facility, to make HHSC responsible only for approving the staff rate enhancement methodology for the staff rate enhancement.

Among other provisions effective June 19, 2015, the bill clarifies the role of the Intellectual and Developmental Disability System Redesign Advisory Committee in consulting and collaborating with HHSC and the Department of Aging and Disability Services (DADS), postpones the advisory committee's abolishment, and revises certain reporting requirements regarding the implementation of the system redesign and a managed care strategy pilot program. The bill removes and postpones certain deadlines relating to the provision of STAR + PLUS Medicaid managed care program benefits to recipients who reside in nursing facilities, the implementation of the system redesign, and the transition of Medicaid recipients of certain acute care services and long-term care services and supports to an integrated managed care system. The bill sets out requirements for assessing the effects and analyzing the outcomes of specified phases of the system redesign and authorizes DADS to contract with specified providers for the delivery of certain basic attendant and habilitation services.

House Bill 3823
Effective: 6-17-15

House Author: Price et al.
Senate Sponsor: Rodríguez et al.

House Bill 3823 amends the Human Resources Code to set out requirements regarding the methodology used in setting the reimbursement rates for the program of all-inclusive care for the elderly (PACE), including requirements that the costs of the program be compared to the cost to serve a comparable population in the STAR + PLUS Medicaid managed care program. The bill establishes provisions regarding data collection methods and reporting requirements to facilitate that comparison.

Senate Bill 1385**Effective:** 9-1-15**Senate Author:** Schwertner et al.**House Sponsor:** Price et al.

Senate Bill 1385 amends the Human Resources Code to authorize the Department of Aging and Disability Services (DADS) to assess and collect an administrative penalty against a provider participating in the home and community-based services (HCS) waiver program or the Texas home living (TxHmL) waiver program for a violation of a law or rule relating to the applicable program. The executive commissioner of the Health and Human Services Commission must adopt rules regarding the imposition of such penalties, including specifying the types of violations that warrant the imposition of an administrative penalty and creating a schedule of progressive administrative penalties. In lieu of imposing an administrative penalty, DADS must allow a provider who commits a minor violation a reasonable period of time to take corrective action.

Mental Health**House Bill 1329****Effective:** 9-1-15**House Author:** Naishtat**Senate Sponsor:** Zaffirini

House Bill 1329 amends the Health and Safety Code to prohibit the county responsible for paying the costs of an involuntary commitment hearing or proceeding under the Texas Mental Health Code from paying the costs from the additional fee collected for each probate, guardianship, mental health, or civil case filed in a statutory probate court to be used for court related purposes for the support of the judiciary.

Senate Bill 359**Effective:** Vetoed**Senate Author:** West et al.**House Sponsor:** Workman

Senate Bill 359 amends the Health and Safety Code to establish the authority of certain facilities and physicians to temporarily detain a person with mental illness who expresses a desire to leave or attempts to leave the facility before the examination or treatment is completed. The bill authorizes a peace officer to take a person with mental illness who has been admitted to such a facility into custody without a warrant.

Governor's Reason for Veto: "The Fourth, Fifth, and Fourteenth Amendments to the United States Constitution limit the state's authority to deprive a person of liberty. Under our constitutional tradition, the power to arrest and forcibly hold a person against his or her will is generally reserved for officers of the law acting in the name of the people of Texas. By bestowing that grave authority on private parties who lack the training of peace officers and are not bound by the same oath to protect and serve the public, SB 359 raises serious constitutional concerns and would lay the groundwork for further erosion of constitutional liberties.

"Medical facilities have options at their disposal to protect mentally ill patients and the public. Many hospitals already keep a peace officer on site at all times. For smaller facilities, law enforcement are always just a phone call and a few minutes away. Medical staff should work closely with law enforcement to help protect mentally ill patients and the public. But just as law enforcement should not be asked to practice medicine, medical staff should not be asked to engage in law enforcement, especially when that means depriving a person of the liberty protected by the Constitution."

Senate Bill 1129**Effective:** 6-17-15**Senate Author:** Zaffirini**House Sponsor:** Raymond

Senate Bill 1129 amends the Health and Safety Code to specify a mental health patient in emergency detention or detained and taken into custody under a protective custody order who is being transported to a designated mental health facility may be physically restrained

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only during the apprehension, detention, or transportation of the patient and in a manner that permits the patient to sit in an upright position without undue difficulty unless the patient is being transported by ambulance.

Senate Bill 1507
Effective: 5-28-15

Senate Author: Garcia et al.
House Sponsor: Naishtat et al.

Senate Bill 1507 amends Health and Safety Code provisions relating to the Department of State Health Services's (DSHS) statewide coordination and oversight of forensic mental health services. The bill provides for the appointment of a forensic director responsible for that coordination and oversight and provides for the establishment of a forensic work group to make recommendations relating to the effective coordination of forensic services. The bill requires the Health and Human Services Commission (HHSC) to divide the state into regions for purposes of allocating state-funded beds in state hospitals and other inpatient mental health facilities and establishes requirements for HHSC, DSHS, and the advisory panel on the allocation of outpatient mental health services and beds to develop, adopt, and report on the methodology used to allocate and evaluate the utilization of the state-funded beds.

Senate Bill 1507 provides for a DSHS training curriculum for judges and attorneys on treatment alternatives to inpatient commitment to a state hospital for certain patients ordered by a court to receive mental health services and establishes the duties of DSHS and local mental or behavioral health authorities regarding the administration of certain substance abuse services functions, including the operation of a mental health and substance abuse hotline.

Nursing Home, Assisted Living, and Related Facilities

House Bill 1337
Effective: 9-1-15

House Author: Naishtat
Senate Sponsor: Zaffirini

House Bill 1337 amends the Health and Safety Code to require a convalescent or nursing home and an assisted living facility to make a reasonable effort to request a copy of any guardianship order for a resident and, if the institution receives such an order, to maintain a copy of the order in the resident's medical records. The bill requires a Department of Aging and Disability Services investigation of a report of abuse, neglect, or exploitation or other complaint to include the inspection of a guardianship order of a resident who is the subject of the alleged abuse, neglect, or exploitation.

House Bill 1769
Effective: 9-1-15

House Author: Zerwas et al.
Senate Sponsor: Uresti

House Bill 1769 amends the Health and Safety Code to authorize an assisted living facility license applicant in good standing, as defined by the bill, to request from the Department of Aging and Disability Services (DADS) an initial license that does not require an on-site health inspection. The bill specifies the application requirements for an initial license, prohibits DADS from requiring an applicant to admit a resident to the facility before the issuance of an initial license, and establishes the deadline by which DADS must conduct a survey of a facility issued an initial license.

House Bill 2588
Effective: 6-20-15

House Author: Naishtat et al.
Senate Sponsor: Zaffirini

House Bill 2588 amends the Health and Safety Code to require the executive commissioner of the Health and Human Services Commission to adopt and to modify, as necessary, a definition

of “Alzheimer’s disease and related disorders.” The bill requires a licensed convalescent or nursing home or assisted living facility that advertises, markets, or otherwise promotes that the institution or facility provides services to residents with Alzheimer’s disease or related disorders to disclose whether the institution or facility is licensed or certified for the provision of specialized care and treatment or the provision of personal care services, as applicable, of residents with Alzheimer’s disease and related disorders.

House Bill 2697
Effective: 6-19-15

House Author: Galindo et al.
Senate Sponsor: Menéndez

House Bill 2697 amends the Health and Safety Code to expand the definition of “continuing care” for purposes of the Texas Continuing Care Facility Disclosure and Rehabilitation Act to include the furnishing of personal care services, nursing services, medical services, or other health-related services to an individual in the individual’s residence or otherwise enabling the individual to remain in the individual’s residence. The bill requires the commissioner of insurance by rule to establish requirements for escrow release for money received as an entrance fee in connection with a continuing care contract in circumstances in which a living unit is not furnished to the resident.

House Bill 2789
Effective: 9-1-15

House Author: Raymond et al.
Senate Sponsor: Zaffirini

House Bill 2789 amends the Human Resources Code to require the Department of Aging and Disability Services to develop or adopt trauma-informed care training, which may be provided through a website, for employees who work directly with individuals with intellectual and developmental disabilities in state supported living centers and intermediate care facilities.

Senate Bill 304
Effective: See below

Senate Author: Schwertner
House Sponsor: Raymond

Effective June 19, 2015, Senate Bill 304 amends the Health and Safety Code and the Government Code to provide for the revocation of a license of a convalescent or nursing facility or a related institution by the executive commissioner of the Health and Human Services Commission if the Department of Aging and Disability Services finds that the license holder has committed three violations that constitute an immediate threat to health and safety related to the abuse or neglect of a resident. The bill authorizes the executive commissioner to stay a license revocation under certain circumstances and, effective September 1, 2016, establishes the conditions under which the executive commissioner is required to revoke a license or prohibited from revoking a license. Among other provisions, the bill provides for the monitoring of certain facilities, facility visits by a rapid response team, and additional requirements for the informal dispute resolution process for license holders.

Senate Bill 914
Effective: 9-1-15

Senate Author: Kolkhorst et al.
House Sponsor: Schubert et al.

Senate Bill 914 requires the executive commissioner of the Health and Human Services Commission to establish a Long-Term Care Facility Survey and Informal Dispute Resolution Council.

The summaries for the following bills are in the listed chapters:

House Bill 19—Military Forces and Veterans

House Bill 3404—Military Forces and Veterans

Senate Bill 37—Higher Education

Senate Bill 55—Military Forces and Veterans

Senate Bill 169—Military Forces and Veterans

Senate Bill 1304—Military Forces and Veterans

Senate Bill 1305—Military Forces and Veterans

Senate Bill 1580—Military Forces and Veterans

Senate Bill 1978—Parks and Wildlife

Health and Medical Occupations

This chapter covers legislation on issues relating to the regulation and licensing of health care and medical occupations. The chapter also includes legislation on the dispensing of certain controlled substances and prescription drugs. Related legislation that is summarized in other chapters is listed at the end of this chapter.

General

House Bill 504
Effective: 6-17-15

House Author: Guillen
Senate Sponsor: Zaffirini

House Bill 504 amends the Government Code to designate the second full week in September as Direct Support Professionals Week to honor the work of direct support professionals as an integral part of the long-term support system for individuals with physical and mental disabilities.

House Bill 1924
Effective: 9-1-15

House Author: Coleman et al.
Senate Sponsor: Eltife

House Bill 1924 amends the Occupations Code to include a person enrolled in a formal internship as provided by Texas State Board of Examiners of Psychologists rules among the individuals to whom a psychologist may delegate a psychological test or service if the psychologist makes the requisite determinations.

House Bill 2020
Effective: 6-19-15

House Author: Martinez et al.
Senate Sponsor: Campbell

House Bill 2020 amends the Health and Safety Code to establish the authority of a certified emergency medical technician-paramedic or licensed paramedic to provide advanced life support in a health care facility's emergency or urgent care clinical setting.

House Bill 2498
Effective: 9-1-15

House Author: Zerwas et al.
Senate Sponsor: Eltife

House Bill 2498 amends the Health and Safety Code to enact, and enter the state into, the EMS Personnel Licensure Interstate Compact in order to facilitate the day to day movement of emergency medical services personnel across state boundaries in performing job duties.

Senate Bill 1753
Effective: 9-1-15

Senate Author: Campbell
House Sponsor: Davis, Sarah

Senate Bill 1753 amends the Health and Safety Code to require the identification badge of a health care provider who provides direct patient care at a hospital to state the specific occupation for which the provider is licensed.

Senate Bill 1899
Effective: 6-19-15

Senate Author: Campbell et al.
House Sponsor: Martinez et al.

Senate Bill 1899 amends Health and Safety Code provisions relating to the regulation of emergency medical services (EMS). The bill establishes the authority of a certified emergency medical technician-paramedic or licensed paramedic to provide advanced life support in a health care facility's emergency or urgent care clinical setting. The bill provides for an examination administered by the Department of State Health Services (DSHS) to an applicant for an EMS provider license or EMS personnel certification to determine the applicant's knowledge of

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relevant laws and rules. The bill establishes an EMS provider's duty to have a permanent physical location as the provider's primary place of business and to own or hold a long-term lease for all necessary equipment. The bill establishes DSHS duties to track, keep records of, and report on each complaint it receives regarding EMS providers and personnel and each investigation and disciplinary action it initiates under the Emergency Health Care Act.

Pharmacists and Pharmacies

House Bill 751
Effective: 9-1-15

House Author: Zerwas et al.
Senate Sponsor: Kolkhorst

House Bill 751 amends the Occupations Code to establish prescription and pharmaceutical substitution requirements for biological products and interchangeable biological products.

House Bill 1550
Effective: See below

House Author: Zerwas et al.
Senate Sponsor: Kolkhorst

House Bill 1550 amends the Occupations Code to establish a pharmacist's authority to administer epinephrine to a patient through an auto-injector device and to provide an exemption from civil liability for a pharmacist who so administers epinephrine. The bill takes effect September 1, 2015, for the limited purpose of allowing the Texas State Board of Pharmacy to adopt applicable rules, but otherwise takes effect January 1, 2016.

Senate Bill 195
Effective: See below

Senate Author: Schwertner
House Sponsor: Crownover

Senate Bill 195 amends Government Code, Health and Safety Code, and Occupations Code provisions relating to prescriptions for and certain other issues involving controlled substances regulated under the Texas Controlled Substances Act. Among other provisions, the bill changes the entity with which a person must register to manufacture, distribute, analyze, or dispense a controlled substance from the Department of Public Safety (DPS) to the Federal Drug Enforcement Administration and provides for the transfer of the regulation of the official prescription program from DPS to the Texas State Board of Pharmacy. The bill revises the persons who may access certain official prescription information submitted to the board and provides for DPS's unrestricted access to that information. The bill establishes requirements for the imposition of fees used to fund the official prescription program by the board or a state agency that licenses prescribers or dispensers of controlled substances.

Effective June 20, 2015, Senate Bill 195 requires the board to adopt certain rules and expands the membership of the interagency prescription monitoring work group. Otherwise, the bill takes effect September 1, 2016.

Senate Bill 460
Effective: 9-1-15

Senate Author: Schwertner
House Sponsor: Crownover

Senate Bill 460 amends Health and Safety Code and Occupations Code provisions relating to the licensing and regulation of pharmacists and pharmacies. The bill establishes a pharmacist's authority to dispense a limited supply of a dangerous drug during a disaster and the Texas State Board of Pharmacy's authority to inspect a facility's financial records and records of a pharmacist's practice that occurs outside of a pharmacy. The bill increases the maximum number of times an applicant for a license to practice pharmacy may retake the licensing examination, revises application and license renewal requirements for a pharmacy license, and changes the deadline for a pharmacy to report a change of location. The bill provides for board disciplinary

action against a pharmacy license holder or applicant regarding a waiver or reduction of a patient copayment or deductible for a compounded drug and revises certain other board disciplinary provisions. The bill repeals requirements that a pharmacist display certain drug availability and license information.

Physicians, Dentists, and Physician Assistants

House Bill 1945
Effective: 5-28-15

House Author: Bonnen, Greg et al.
Senate Sponsor: Hancock

House Bill 1945 amends the Occupations Code to establish that a physician providing direct primary care to a patient in return for payment of a direct fee is not an insurer or health maintenance organization nor subject to Texas Department of Insurance (TDI) regulation for the care. The bill prohibits a physician from billing an insurer or health maintenance organization for direct primary care that is paid under a medical service agreement, establishes that such an agreement is not health or accident insurance or coverage nor subject to TDI regulation, and establishes related disclosure requirements. The bill prohibits the state, a health insurer or health maintenance organization, or a health care provider from interfering with a physician or person solely because the physician provides direct primary care or the person pays a direct fee for the care.

House Bill 2849
Effective: 9-1-15

House Author: Sheffield
Senate Sponsor: Menéndez

House Bill 2849 amends the Occupations Code to include an accredited dental school or dental hygiene school approved by the State Board of Dental Examiners among the entities through which the education requirements for a coronal polishing certificate may be completed.

Senate Bill 339
Effective: 6-1-15

Senate Author: Eltife et al.
House Sponsor: Klick et al.

Senate Bill 339 amends the Health and Safety Code and Occupations Code to establish a physician's authority to prescribe low-THC cannabis to a patient with intractable epilepsy. The bill provides for the Department of Public Safety's (DPS) licensing of low-THC cannabis dispensing organizations and registration of certain associated individuals. The bill requires DPS to establish and maintain a compassionate-use registry that contains information regarding prescribing physicians and records of low-THC cannabis dispensed by a dispensing organization to a patient under a prescription. The bill prohibits a political subdivision from prohibiting the cultivation, production, dispensing, or possession of low-THC cannabis and provides exemptions from the Texas Controlled Substances Act and the Texas Pharmacy Act for certain activities involving low-THC cannabis.

Senate Bill 519
Effective: 9-1-15

Senate Author: Schwertner
House Sponsor: Crownover

Senate Bill 519 amends the Business & Commerce Code and Occupations Code to provide for the registration of dental support organizations with the secretary of state and for cooperation between the secretary of state and the State Board of Dental Examiners for sharing registration information. The bill establishes a civil penalty for a failure to file a registration and revises the information that the board must collect from a dentist regarding the dentist's involvement with a dental support organization.

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Senate Bill 622

Effective: 9-1-15

Senate Author: Uresti

House Sponsor: Laubenberg et al.

Senate Bill 622 amends the Occupations Code to increase the number of practicing physician assistants on the Texas Physician Assistant Board and to require the board's presiding officer to be a physician assistant.

Senate Bill 1235

Effective: 9-1-15

Senate Author: Whitmire

House Sponsor: Fletcher

Senate Bill 1235 amends the Occupations Code to subject a violation of pain management clinic regulations to criminal prosecution in the same manner as a violation involving the unlawful practice of medicine and to clarify the individuals considered to be an operator of a pain management clinic, including those engaged in supervision or delegation activities related to the clinic.

The summaries for the following bills are in the listed chapters:

House Bill 495—Higher Education

House Bill 1388—Emergency Response

House Bill 1779—Health and Human Services

Senate Bill 18—Higher Education

Senate Bill 295—Higher Education

Senate Bill 1466—Higher Education

Higher Education

This chapter includes legislation affecting the governance of the state's public colleges and universities and junior and community college districts in general, legislation relating to college readiness tests, and legislation relating to the mission, operation, and funding of specific institutions, as well as legislation affecting tuition, fees, and student financial aid and other higher education funding issues. Legislation relating to open-enrollment charter schools and relating to certain public junior college service areas is located in the **Public Education** chapter. Related legislation that is summarized in other chapters is listed at the end of this chapter.

General

House Bill 100

Effective: 9-1-15

House Author: Zerwas et al.

Senate Sponsor: Seliger et al.

House Bill 100 amends the Education Code to grant the boards of regents of certain public institutions of higher education the authority to issue tuition revenue bonds to finance certain capital acquisition, construction, or improvements and caps the aggregate principal amounts for the projects specified or the aggregate principal amount for each institution, as appropriate. The bill provides for the payment of the bonds and the transfer of funds to ensure repayment, as applicable, and specifies that the amount of a pledge may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

House Bill 197

Effective: 9-1-15

House Author: Price et al.

Senate Sponsor: Nelson

House Bill 197 amends the Education Code to require certain public institutions of higher education to create a web page on the institution's website dedicated solely to information regarding the mental health resources available to students at the institution. The bill requires the web page to also include the address of the nearest local mental health authority.

House Bill 495

Effective: 5-29-15

House Author: Howard

Senate Sponsor: Hinojosa

House Bill 495 amends the Education Code to postpone the expiration date of provisions requiring the Texas Higher Education Coordinating Board to award grants to nursing education programs from the permanent fund for higher education nursing, allied health, and other health related programs.

House Bill 1000

Effective: 9-1-15

House Author: Zerwas et al.

Senate Sponsor: Seliger

House Bill 1000 amends Education Code provisions relating to state funding for general academic teaching institutions, research universities, and emerging research universities in Texas. The bill establishes the core research support fund consisting of money appropriated by the legislature to provide funding to promote increased research capacity at emerging research universities. The bill provides for the appropriation of funds to an institution of higher education that is designated as an emerging research university under the Texas Higher Education Coordinating Board's accountability system, authorizes the coordinating board to audit the appropriate records of such an institution to verify information regarding the amount of research funds expended, authorizes such an institution to appeal to the advisory committee established by the coordinating board the coordinating board's decision regarding the institution's verified

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information relating to the amounts of restricted research expended, and specifies that money received from the fund may only be used for the support and maintenance of educational and general activities that promote increased research capacity at such an institution. The bill requires each institution that receives money from the core research support fund to prepare an annual report containing specified information and deliver a copy of the report to the coordinating board and the Legislative Budget Board.

The bill renames the Texas competitive knowledge fund as the Texas research university fund, the purpose of which is to provide funding to eligible research universities, and renames the research development fund as the Texas comprehensive research fund, the purpose of which is to provide funding to eligible general academic teaching institutions. In addition, the bill specifies that the Texas comprehensive research fund consists of money appropriated by the legislature to the eligible institutions.

House Bill 1054
Effective: 6-16-15

House Author: Clardy
Senate Sponsor: Zaffirini

House Bill 1054 amends Education Code provisions relating to developmental education programs under the Texas Success Initiative. Among other provisions, the bill requires the Texas Higher Education Coordinating Board, for each diagnostic test designated by the coordinating board to measure a student's readiness to perform freshman-level academic coursework, to prescribe a score below which a student is eligible for basic academic skills education.

House Bill 1287
Effective: 6-17-15

House Author: Simmons
Senate Sponsor: Burton

House Bill 1287 amends the Education Code to require each general academic teaching institution, with certain exceptions, to maintain in a prominent location on the institution's website a link to the Texas Consumer Resource for Education and Workforce Statistics (Texas CREWS) report on gainful employment applicable to the institution for the most recent year for which that report is available.

House Bill 1613
Effective: 6-19-15

House Author: Guillen
Senate Sponsor: Perry

House Bill 1613 amends the Education Code to require the State Board of Education (SBOE) to develop and adopt a chart that clearly indicates the alignment of the college readiness standards and expectations with the essential knowledge and skills identified by the SBOE. In addition, the bill exempts a student enrolled in a college preparatory mathematics or English language arts course who satisfies the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Texas Higher Education Coordinating Board on a TSI test designed by the coordinating board from the administration of the Algebra I or English I and English II end-of-course tests, as applicable, even if the student did not perform satisfactorily on a previous administration of the applicable end-of-course test. The bill specifies that a student may retake a TSI test or may take the appropriate end-of-course test if the student fails to perform satisfactorily on the TSI test.

House Bill 1807
Effective: 6-17-15

House Author: Naishtat
Senate Sponsor: Zaffirini

House Bill 1807 amends the Education Code to require the Texas Higher Education Coordinating Board to maintain, post on its website, and submit to the Texas Education Agency an inventory of all postsecondary educational programs and services provided for persons with intellectual and developmental disabilities by public institutions of higher education.

House Bill 1992
Effective: 6-3-15

House Author: Zerwas et al.
Senate Sponsor: Seliger et al.

House Bill 1992 amends the Education Code to prohibit an institution of higher education, in establishing the minimum required score on an Advanced Placement examination, from requiring an entering freshman student to achieve a score of more than three on an examination unless the institution's chief academic officer determines, based on evidence, that a higher score is necessary to show the student is sufficiently prepared to be successful in a related, more advanced course for which the lower-division course is a prerequisite.

The bill requires the Texas Higher Education Coordinating Board, in consultation with institutions of higher education, the coordinating board's Undergraduate Education Advisory Committee, and other interested parties, to conduct a study on the performance of undergraduate students at institutions of higher education who receive undergraduate course credit for achieving the required scores on Advanced Placement examinations.

House Bill 2628
Effective: 9-1-15

House Author: Clardy
Senate Sponsor: Garcia

House Bill 2628 amends the Education Code to require the Texas Higher Education Coordinating Board, with the assistance of institutions of higher education, career and technical education experts, and college and career readiness experts, to establish alignment between the college and career readiness standards and the knowledge, skills, and abilities students are expected to demonstrate in career and technical education by establishing programs of study that, among other things, culminate in the attainment of an industry-recognized certification, credential, or license, a registered apprenticeship or credit-bearing postsecondary certificate, or an associate or baccalaureate degree. The bill requires the coordinating board, with the assistance of advisory committees, to develop career and technical education program of study curricula. The bill provides for the composition of the advisory committees, requires the advisory committees to identify the knowledge, skills, and abilities required to prepare students for high-skill, high-wage jobs in high-demand occupations, and requires the coordinating board, in developing such curricula, to pursue a management strategy that maximizes efficiency. The bill authorizes the coordinating board to partner with the Texas Education Agency, the Texas Workforce Commission, and other state agencies to develop such programs of study.

In addition, the bill specifies that a student enrolled in a board-established program of study who transfers from a public institution to another public institution that offers a similar program, regardless of whether the institution has adopted the board-established program of study, must receive academic credit from the institution to which the student transferred for each of the courses that the student has successfully completed in the program of study curriculum. The bill authorizes the student to complete the program of study at the institution to which the student transferred by completing only the remaining number of semester credit hours the student would need to complete the program of study at the institution from which the student transferred, unless otherwise required by the Commission on Colleges of the Southern Association of Colleges and Schools.

House Bill 2629
Effective: 9-1-15

House Author: Kacal et al.
Senate Sponsor: Hancock

House Bill 2629 amends the Education Code to make statutory provisions relating to trespass, damage, or defacement occurring on the grounds of a public institution of higher education applicable to the grounds of certain private or independent institutions of higher education and, in addition, requires any person on the property of such a public, private, or independent institution to provide identification on request.

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House Bill 3078
Effective: 6-18-15

House Author: Darby
Senate Sponsor: Seliger

House Bill 3078 amends the Education Code to create the Uniform Pre-Nursing Curriculum Advisory Committee to develop and make recommendations to the legislature regarding the creation of a uniform pre-nursing curriculum for undergraduate professional nursing programs offered by institutions of higher education. The recommendations must specify the prerequisite courses a student must complete to qualify for consideration for admission to an undergraduate professional nursing program and the content for such courses. The bill requires the advisory committee to assess the prerequisite courses required for each undergraduate professional nursing program in Texas and the ability of a student to use course credit earned at one institution of higher education for admission to an undergraduate professional nursing program at another institution of higher education.

House Bill 3748
Effective: 6-17-15

House Author: Farney
Senate Sponsor: West

House Bill 3748 amends the Education Code to require the Texas Education Agency to designate at least one agency employee to act as a liaison officer regarding educational issues related to students in the conservatorship of the Department of Family and Protective Services (DFPS) and to require the Texas Higher Education Coordinating Board and each institution of higher education to designate at least one employee of the board and institution, respectively, to act as a liaison officer with specified duties for current and incoming students at institutions of higher education who were formerly in the conservatorship of DFPS. Among other provisions, the bill requires the coordinating board and DFPS to enter into a memorandum of understanding regarding the exchange of information as appropriate to facilitate DFPS's evaluation of educational outcomes of students who were formerly in DFPS's conservatorship and provides for the release of demographic information, subject to DFPS approval, by the coordinating board to education research centers.

House Bill 4046
Effective: 9-1-15

House Author: Alvarado et al.
Senate Sponsor: Ellis

House Bill 4046 amends the Education Code to establish that student record information is confidential if it is information in a student record at an educational institution funded wholly or partly by state revenue, except for such information that is authorized by federal law, and to authorize the institution to redact such confidential information from disclosure as public information under state public information law without requesting a decision from the attorney general. The bill requires an educational institution funded wholly or partly by state revenue, if an applicant for admission or a parent or legal guardian of a minor applicant to the institution requests information in the applicant's record, to disclose any information that is related to an applicant's application for admission and was provided to the institution by the applicant.

Senate Bill 18
Effective: 9-1-15

Senate Author: Nelson et al.
House Sponsor: Zerwas

Senate Bill 18 amends the Education Code to establish the permanent fund supporting graduate medical education and revises provisions relating to grants for such education programs, amends the Insurance Code to transfer certain assets from the Texas Medical Liability Insurance Underwriting Association to the permanent fund supporting graduate medical education and to limit the association's authority to issue or renew policies, and amends the Health and Safety Code to require the comprehensive health professions resource center to conduct certain research.

The bill establishes the permanent fund supporting graduate medical education as a special fund in the treasury outside the general revenue fund, administered by the Texas Treasury Safekeeping Trust Company, and sets out the composition and administration of the fund. The bill requires the comptroller of public accounts to adopt a distribution policy for the fund and the trust company to determine the amount available for distribution from the fund in accordance with the policy. The bill limits appropriations from the fund and sets out requirements for the Texas Higher Education Coordinating Board relating to reduction in funding for grant recipients. The bill renames planning grants as graduate medical education planning and partnership grants, revises provisions relating to grants for graduate medical education programs, and removes deadlines for the application of such grants. The bill provides for the coordinating board's determination of critical shortage levels and the awarding of new grants to medical specialties determined by the coordinating board to be at critical shortage levels.

Among other provisions, the bill requires the Texas Department of Insurance (TDI) to complete an actuarial study to determine the amount of Texas Medical Liability Insurance Underwriting Association assets necessary to cover certain insurance claims and costs of the association and requires the association to cooperate with TDI in completing the study and to transfer the amount of assets not necessary for such claims and costs to the permanent fund supporting graduate medical education. The bill requires the commissioner of insurance to determine whether a necessity exists to suspend the association's authority to issue new insurance policies and, if the commissioner determines that such a necessity exists, to order the association to cease issuing new policies immediately. The bill prohibits the association from issuing a new policy before a specified date but authorizes the association to continue to renew policies in effect immediately before the effective date of the commissioner's order in accordance with the association's plan of operation.

Senate Bill 37
Effective: 9-1-15

Senate Author: Zaffirini et al.
House Sponsor: Naishtat

Senate Bill 37 amends the Education Code to require the Texas Higher Education Coordinating Board to collect and study data relating to undergraduate and graduate level participation of persons with intellectual and developmental disabilities at institutions of higher education, including data regarding applications for admission, admissions, retention, graduation, and professional licensing.

Senate Bill 44
Effective: 9-1-15

Senate Author: Zaffirini
House Sponsor: Howard

Current law entitles an institution of higher education that is designated as an emerging research university under the Texas Higher Education Coordinating Board's accountability system to receive a matching grant under the Texas Research Incentive Program (TRIP) for gifts or endowments from a private source for the purpose of enhancing research activities at the institution. Senate Bill 44 amends the Education Code to entitle such an institution to a matching grant for a gift or endowment for undergraduate research and specifies that an institution is not entitled to receive matching funds under TRIP for a gift for undergraduate financial aid grants.

Senate Bill 295
Effective: 9-1-15

Senate Author: Schwertner et al.
House Sponsor: Guillen

Senate Bill 295 amends the Education Code to require the Texas Higher Education Coordinating Board to establish a tracking system under which the coordinating board acquires

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and maintains data regarding the initial residency program choices made by graduates of medical schools in Texas and the initial practice choices made by persons completing medical residency programs in Texas and sets out requirements for the tracking system.

Senate Bill 308
Effective: 9-1-15

Senate Author: Whitmire et al.
House Sponsor: Coleman

Senate Bill 308 amends the Education Code to establish that a campus police department of a private institution of higher education is a law enforcement agency and a governmental body for the purposes of state public information law only with respect to information relating solely to law enforcement activities.

Senate Bill 632
Effective: 9-1-15

Senate Author: Fraser et al.
House Sponsor: Button et al.

Senate Bill 632 amends the Education Code and Government Code to establish the governor's university research initiative administered by the Texas Economic Development and Tourism Office (TEDTO) within the office of the governor as the successor to the Texas emerging technology fund, which is abolished under the bill. The bill requires TEDTO to award matching grants from the governor's university research initiative fund established by the bill to assist a general academic teaching institution or medical and dental unit in recruiting distinguished researchers, giving priority to recruitment in the fields of science, technology, engineering, mathematics, and medicine. The bill requires the Texas Treasury Safekeeping Trust Company to manage and wind up the state's emerging technology investment portfolio and provides for the disposition of the balance of the Texas emerging technology fund and the winding up of contracts and awards in connection with the fund.

Senate Bill 806
Effective: 6-19-15

Senate Author: Campbell et al.
House Sponsor: King, Susan

Senate Bill 806 amends the Labor Code to require the Texas Workforce Commission, after consulting with the Texas Higher Education Coordinating Board, to report to the legislature and the governor on the results of any grants awarded under the College Credit for Heroes program; best practices for veterans and military servicemembers to achieve maximum academic or workforce education credit at institutions of higher education for military experience, education, and training obtained during military service; measures needed to facilitate the award of such credit; and other related measures needed to facilitate the entry of trained, qualified veterans and military servicemembers into the workforce.

Senate Bill 947
Effective: 5-22-15

Senate Author: Zaffirini et al.
House Sponsor: Howard

Senate Bill 947 amends the Education Code to require the Texas Higher Education Coordinating Board to report on a study examining the feasibility of providing employment positions located off-campus through the Texas college work-study program.

Senate Bill 1466
Effective: 5-15-15

Senate Author: Watson et al.
House Sponsor: Clardy

Senate Bill 1466 amends the Education Code to include the medical schools at The University of Texas at Austin and The University of Texas Rio Grande Valley and the medical education program of The University of Texas Health Science Center at Tyler among those with which the Texas Higher Education Coordinating Board may contract for the establishment and operation of certain medical residency training programs.

Senate Bill 1470
Effective: 5-23-15

Senate Author: Watson
House Sponsor: Raney

Senate Bill 1470 amends the Education Code to authorize the Texas Higher Education Coordinating Board to enter into a state authorization reciprocity agreement with other states, districts, and territories under which public or private degree-granting postsecondary educational institutions of those other states, districts, or territories may deliver postsecondary distance education to students of the other states, districts, or territories covered by the agreement. The bill requires the coordinating board to administer the state authorization reciprocity agreements and to terminate an institution's operation in Texas if the coordinating board obtains evidence that the institution is in violation of the agreement, the Education Code, or the coordinating board rules regarding such agreements. In addition, the bill authorizes a public institution of higher education established outside Texas to offer a course in Texas without the approval of the coordinating board if the course is provided in accordance with a state authorization reciprocity agreement.

Senate Bill 1543
Effective: 9-1-15

Senate Author: Perry et al.
House Sponsor: Frank

Senate Bill 1543 amends the Education Code to require a public institution of higher education, if the institution in its undergraduate admission review process sorts applicants by high school graduating class rank, to place any applicant who presents evidence that the applicant has successfully completed a nontraditional secondary education that does not include a high school graduating class ranking at the average high school graduating class rank of undergraduate applicants to the institution who have equivalent standardized testing scores as the applicant.

Senate Bill 1624
Effective: 9-1-15

Senate Author: Rodríguez et al.
House Sponsor: Márquez

Senate Bill 1624 amends the Education Code to require a general academic teaching institution to provide to each entering full-time or transferring undergraduate, graduate, or professional student information about available mental health and suicide prevention services offered by the institution or by any associated organizations or programs and early warning signs that are often present in, and appropriate intervention for, a person who may be considering suicide.

Senate Bill 1655
Effective: Vetoed

Senate Author: West
House Sponsor: Morrison

Senate Bill 1655 amends the Education Code to authorize the Texas Higher Education Coordinating Board to establish a fee, capped at specified amounts, to be charged by the board to cover all or a portion of the coordinating board's costs associated with issuing, maintaining, or revising a certificate of authorization or certificate of authority and maintaining a repository for student transcripts from closed institutions that were authorized to operate under a certificate of authorization or certificate of authority. The bill requires the coordinating board to maintain a repository for student transcripts from such closed institutions and authorizes the coordinating board to discontinue maintenance of the repository under certain conditions and to charge a fee to students requesting transcript copies.

Higher Education

Governor's Reason for Veto: "The Texas Higher Education Coordinating Board already has the legal authority to perform the services described in Senate Bill 1655. The primary purpose of the bill is to raise more revenue for the Board by creating new fees that will ultimately be paid for by students through increased tuition. These fees would be unnecessary burdens on institutions of higher education and their students. The Board should operate within its existing resources."

Senate Bill 1714
Effective: 6-16-15

Senate Author: Zaffirini
House Sponsor: Howard

Senate Bill 1714 amends Education Code provisions relating to the release of student academic information by a public institution for certain purposes and the manner in which the information is used. The bill authorizes a public institution of higher education to request the submission of a signed consent form authorizing the institution to release academic course, grade, and credit information with each application for undergraduate transfer admission to a general academic teaching institution to be used for credit transfer for an associate degree or with each request from a student for a release of the student's transcript by the institution. The bill authorizes an institution of higher education to release such student information through the National Student Clearinghouse or a similar national electronic data sharing and exchange platform operated by an agent of the institution that meets nationally accepted standards, conventions, and practices.

The bill requires a general academic teaching institution, after a student has submitted a signed consent form authorizing the institution to release the student's academic course, grade, and credit information, to release such information to a lower-division institution of higher education that the student previously attended for the purpose of determining whether the student has earned the credits required for an associate degree awarded by the lower-division institution of higher education. The bill requires a general academic teaching institution to request from a transfer student who has met certain criteria and has not submitted a signed consent form authorization to release the student's course, grade, and credit information to each lower-division institution of higher education that the student previously attended or to a reverse transfer data sharing platform for the same purpose and requires the institution, on receipt of the student's authorization, to release the information to the lower-division institution or higher education or to a reverse transfer data program. Among other things, the bill specifies that its provisions regarding the release of student academic information do not affect the ability of a lower-division institution of higher education to determine the course work required to earn an associate degree awarded by that institution.

Senate Bill 1750
Effective: 6-19-15

Senate Author: West et al.
House Sponsor: Murphy

Senate Bill 1750 amends the Education Code to require each eligible institution authorized to enter into agreements with employers that participate in the Texas college work study program to ensure that at least 20 percent but not more than 50 percent of the employment positions provided through the work-study program by the employers in an academic year are located off campus.

Senate Bill 1776
Effective: 6-16-15

Senate Author: Menéndez
House Sponsor: Guillen

Previous law authorized the commissioner of higher education to establish the exemption period for certain Texas Success Initiative assessment requirements that apply to a student who successfully completes certain college preparatory courses. Senate Bill 1776 amends the Education Code to instead make that exemption effective for two years following a student's high school graduation date and requires a student, as a condition of the exemption, to enroll

in the student's first college-level course in the exempted content area in the student's first year of enrollment in an institution of higher education. The bill also requires the institution to advise the student of non-course-based options for becoming college ready if the student earns less than a C in such a course.

In addition, the bill requires the Texas Higher Education Coordinating Board to collect and analyze data regarding the effectiveness of college preparatory courses as measured by students' successful completion of the first college-level course in the exempted content area and to report its findings to specified recipients.

Senate Bill 2031
Effective: 5-23-15

Senate Author: Watson et al.
House Sponsor: Howard

Senate Bill 2031 amends the Education Code to authorize a general academic teaching institution or medical and dental unit to delay publication of the factors to be considered in admissions decisions for a graduate or professional program if compliance with requirements of an accrediting agency effectively prevents the institution or unit from timely publishing those factors.

Governance and Policy

House Bill 699
Effective: 6-19-15

House Author: Nevárez et al.
Senate Sponsor: Uresti

House Bill 699 amends the Education Code to require each public institution of higher education to adopt a campus sexual assault policy that includes definitions of prohibited behavior, sanctions for violations, and the protocol for reporting and responding to reports of campus sexual assault. Each institution must make the policy available to students, faculty, and staff members in the institution's student handbook and personnel handbook and on a web page on the institution's website dedicated solely to the policy and must require each entering freshman or undergraduate transfer student to attend an orientation on the institution's campus sexual assault policy before or during the first semester or term in which the student is enrolled at the institution.

Senate Bill 24
Effective: 1-1-16

Senate Author: Zaffirini et al.
House Sponsor: Zerwas

Senate Bill 24 amends the Education Code to require the Texas Higher Education Coordinating Board to develop an intensive short orientation course for appointed members of the governing boards of public institutions of higher education and, among other things, provides for the manner by which the course is offered, the instruction to be included in the course, and course attendance by a member.

Senate Bill 42
Effective: 5-23-15

Senate Author: Zaffirini
House Sponsor: Sheffield

Senate Bill 42 amends the Education Code to prohibit the governor from appointing a student member of the board of regents of a state university or a state university system who did not submit an application to the student government of the applicable institution or medical and dental unit in the system.

Higher Education

Senate Bill 685
Effective: 9-1-15

Senate Author: Seliger
House Sponsor: Raney

Senate Bill 685 amends the Education Code to subject the education research center advisory board to the state open meetings and public information laws.

Junior Colleges

House Bill 382
Effective: 9-1-15

House Author: Canales et al.
Senate Sponsor: Lucio

House Bill 382 amends the Education Code to require the board of trustees of the South Texas Community College District, beginning with the 2019–2020 academic year, to adopt and implement a plan to expand opportunity for instructional programs consisting of postsecondary courses leading to an associate degree offered in a classroom setting within the corporate limits of the municipality of Edcouch or Elsa and subjects such instructional programs to statutory provisions relating to branch campuses of a public junior college district.

House Bill 1583
Effective: 6-3-15

House Author: Clardy
Senate Sponsor: Zaffirini

House Bill 1583 amends the Education Code to require a public junior college to establish a block schedule curriculum from among certain allied health, nursing, and career and technology associate degree or certificate programs not previously offered as a block schedule curriculum by the junior college. The bill requires each public junior college to publish, in advance of each semester, the available block schedule curricula for each such associate degree or certificate program offered by the college for that semester. The Texas Higher Education Coordinating Board must, among other duties, adopt rules for the administration of these provisions.

House Bill 3348
Effective: 6-19-15

House Author: Clardy et al.
Senate Sponsor: Eltife

House Bill 3348 amends the Education Code to require the Texas Higher Education Coordinating Board to establish a pilot project to examine the feasibility and effectiveness of authorizing dental hygiene bachelor's degree programs at certain public junior colleges, including Tyler Junior College. The bill, among other provisions, requires the coordinating board, in its recommendations to the legislature relating to state funding for public junior colleges, to recommend that junior-level and senior-level courses offered in a dental hygiene bachelor's degree program by a public junior college receive the same state support as other courses offered by the college.

Senate Bill 386
Effective: 9-1-15

Senate Author: Taylor, Van et al.
House Sponsor: Villalba

Senate Bill 386 amends the Education Code to authorize the governing board of a public junior college certified by the Texas Higher Education Coordinating Board to appoint one or more school marshals and authorizes the governing board to select as an applicant for appointment as school marshal an employee who has completed the Texas Commission on Law Enforcement (TCOLE) training program and has been issued a license to carry a concealed handgun by TCOLE. The bill authorizes such an appointed school marshal to carry or possess a handgun on the physical premises of such a public junior college campus in the manner provided by written regulations adopted by the governing board and at a campus specified by the governing board

and sets out requirements for the governing board's written regulations. The bill authorizes a school marshal to access a handgun only under circumstances that would justify the use of deadly force under specified Penal Code provisions. Among other provisions, the bill specifies that the school marshal's identity is confidential, with certain exceptions, and not subject to a request under state public information law but requires the governing board of the public junior college to provide the parent or guardian of a student enrolled at the college, if the parent or guardian inquires in writing, a written notice of whether any employee of the public junior college is currently appointed a school marshal. In addition, the bill amends the Code of Criminal Procedure and the Occupations Code to make conforming changes.

Senate Bill 495
Effective: 6-16-15

Senate Author: Watson et al.
House Sponsor: Miller, Doug

Senate Bill 495 amends the Education Code to transfer the territory within Gillespie County from the Austin Community College District service area to the Central Texas College District service area and to transfer the territory within the part of the Nixon-Smiley Consolidated Independent School District located in Gonzales County from the Austin Community College District service area to The Victoria College District service area.

Senate Bill 1189
Effective: 6-19-15

Senate Author: Seliger
House Sponsor: Zerwas

Senate Bill 1189 amends the Education Code to require the governing board of each public junior college district to establish at each junior college in the district a multidisciplinary studies associate degree program and sets out requirements for the program, among them a requirement that a student, after successful completion of 30 or more semester credit hours in such a program, meet with an academic advisor to complete a degree plan that accounts for all remaining credit hours required to complete the degree program, emphasizes the student's transition to a four-year college or university, and emphasizes preparations for the student's intended field of study or major at the four-year college or university.

Specific Institutions

House Bill 658
Effective: 5-23-15

House Author: Zerwas et al.
Senate Sponsor: Kolkhorst

House Bill 658 amends the Education Code to create a campus of the Texas State Technical College System in Fort Bend County. In addition, the bill includes Fort Bend County among the counties in which Texas Higher Education Coordinating Board approval of certain technical-vocational programs offered by a campus or extension center is not required.

House Bill 671
Effective: 6-1-15

House Author: Clardy
Senate Sponsor: Nichols

House Bill 671 amends the Education Code to authorize the board of regents of Stephen F. Austin State University to charge each student enrolled at the university an intercollegiate athletics fee, contingent on the fee's approval by a majority vote of the students participating in a general student election held for that purpose. The bill caps the initial fee at a specified amount and provides for a fee increase under certain conditions.

Higher Education

House Bill 796
Effective: 6-16-15

House Author: Geren et al.
Senate Sponsor: Eltife

House Bill 796 amends the Labor Code to exempt the Texas State University System and a component institution of that system from the prohibition in the Texas Workers' Compensation Act against a state agency purchasing certain insurance coverage without the approval of the board of the State Office of Risk Management. The bill instead requires the system and the component institution to perform risk management services related to insurance coverage purchased by the system or institution without the board's approval.

House Bill 1051
Effective: 5-21-15

House Author: Wray et al.
Senate Sponsor: Birdwell

House Bill 1051 amends the Education Code to designate the Texas State Technical College System's extension center located in Ellis County as a campus located in the city of Red Oak in Ellis County.

House Bill 2472
Effective: 6-17-15

House Author: Zerwas
Senate Sponsor: Watson

Current law authorizes The University of Texas at Austin to limit automatic admissions to the university under the top 10 percent rule if automatic admission enrollment exceeds 75 percent of the university's enrollment capacity. House Bill 2472 repeals the Education Code provision prohibiting the university from limiting such admissions after the 2017-2018 academic year.

House Bill 2568
Effective: 6-17-15

House Author: Morrison
Senate Sponsor: Kolkhorst

House Bill 2568 amends the Education Code to authorize the board of regents of the University of Houston-Victoria to impose a student center fee on each student enrolled at the university, contingent on the fee's approval by a majority vote of the students participating in a general student election held for that purpose. The bill caps the fee at specified amounts and provides for a fee increase under certain conditions.

House Bill 2621
Effective: 9-1-15

House Author: Raney et al.
Senate Sponsor: Schwertner

House Bill 2621 amends the Education Code to provide for the appointment of additional trustees of the Blinn Junior College District's board of trustees. The bill requires the commissioners court of each county in which a district branch campus with a student enrollment greater than 10,000 is located to appoint two members to serve on the district's board of trustees. The bill provides for the members' terms and appointments and specifies that, if an advisory committee for a branch campus has been previously established, the members must be selected from the membership of that advisory committee. The bill authorizes members of the board of trustees so appointed to participate in the decision-making of the board to the same extent as any other member of the board but specifies that members appointed by the commissioners court of a county located outside of the Blinn Junior College District are prohibited from participating in matters related to the imposition of a tax or the distribution of revenue raised from a tax and are prohibited from serving as an officer of the board.

House Bill 2921
Effective: 6-17-15

House Author: Paul
Senate Sponsor: Taylor, Larry

House Bill 2921 amends the Education Code to authorize the board of regents of the University of Houston System to charge each student enrolled at the University of Houston-Clear Lake a recreation and wellness facility fee, contingent on the fee's approval by a majority vote of the students participating in a general student election held for that purpose. The bill caps the amount of the fee at specified amounts and provides for a fee increase under certain conditions.

Senate Bill 317
Effective: 5-23-15

Senate Author: Hinojosa et al.
House Sponsor: Muñoz, Jr.

Previous law created a university in South Texas within The University of Texas System, but that legislation did not designate a name for the university. Senate Bill 317 amends the Education Code to specify that the university is The University of Texas Rio Grande Valley.

Senate Bill 596
Effective: 5-28-15

Senate Author: Estes
House Sponsor: Crownover

Senate Bill 596 amends the Education Code to raise the cap on the regular, fixed student centers fee levied on students by the board of regents of Texas Woman's University. In addition, the bill provides for the temporary increase of the regular, fixed student centers fee by the board, caps the temporary increased fee at a specified amount, and makes the temporary fee increase contingent on the approval by a majority vote of the students participating in a general election called for that purpose.

Previous law required the board to keep the collected student centers fees in an account apart from the educational and general funds of the university. The bill instead requires revenue from the fees to be deposited to a fee account under the control of the university's student fee advisory committee and requires the committee to annually submit to the university president recommendations for any change to the amount of the fee and a budget for and a report regarding the student center.

Senate Bill 907
Effective: 6-19-15

Senate Author: Perry
House Sponsor: Frullo

Senate Bill 907 amends the Education Code and the Labor Code to update and clarify certain provisions relating to the powers and duties of the board of regents of the Texas Tech University System and to entitle an eligible employee of the Texas Tech University System Administration or the Texas Tech Health Sciences Center at El Paso to participate in the workers' compensation program for state employees. Among other provisions, the bill authorizes the board to purchase a house or to purchase land and construct a house for a chancellor of the system or a president of a component university, clarifies the board's power of eminent domain, revises provisions regarding the board's authority to establish a certain type of museum, and updates and revises provisions relating to the management of university land and mineral development in university land.

The bill updates and revises provisions relating to the Texas Tech University Health Sciences Center. The bill removes the requirement that the board of regents act separately and independently on all matters affecting the center as a separate institution to instead establish that the board of regents has the same powers of governance, control, jurisdiction, and management over the center as it exercises over the Texas Tech University System and its components.

Student Financial Aid; Tuition and Fee Exemptions

House Bill 700
Effective: 9-1-15

House Author: Giddings et al.
Senate Sponsor: Seliger

House Bill 700 repeals and amends Education Code provisions related to the Texas B-On-time student loan program and establishes that the Texas B-On-time student loan account is continued in effect as an account in the general revenue fund for certain academic years. The bill prohibits the Texas Higher Education Coordinating Board, beginning with the 2015 fall semester, from awarding an initial loan under the program but allows the coordinating board, for a semester or term occurring before the 2020 fall semester, to award a subsequent loan to an eligible student who received an initial loan before the 2015–2016 academic year.

The bill provides for the repayment of bonds issued to fund such loans, sets out the sources of funding for the student loan account, and limits use of money in the account to paying the costs of the coordinating board related to such loans awarded. The bill abolishes the account on September 1, 2020, and limits appropriation of any money remaining in the account to eligible institutions at which the program was underutilized, as described by the bill. Any appropriation must be made in accordance with a formula adopted by the coordinating board that the coordinating board determines fairly allocates the appropriated amount to such institutions.

Beginning with the 2015 fall semester, the bill's repeal of tuition set-asides for the program applies and the bill reduces the amount of tuition the governing board of each institution of higher education is required to set aside to provide financial assistance to resident undergraduate students enrolled in the institution. Among other provisions, the bill revises the conditions under which a student is eligible for a rebate of a portion of the student's undergraduate tuition.

House Bill 2396
Effective: 6-20-15

House Author: Howard et al.
Senate Sponsor: Seliger

House Bill 2396 repeals Education Code provisions requiring the governing boards of each public school of law and each medical unit of an institution of higher education to set aside a specified percentage of tuition charges for each student enrolled in law school or registered in a medical branch, school, or college, respectively, and to transfer the amount set aside to the comptroller of public accounts for the repayment of education loans for attorneys and physicians. The bill includes as funding options for the loan repayment program, for repayment of certain education loans owed by certain state attorneys, legislative appropriations for the program and money budgeted for the program by the attorney general's office from appropriations made to that office.

House Bill 3245
Effective: 6-10-15

House Author: Crownover
Senate Sponsor: Hancock

House Bill 3245 amends the Education Code relating to the authorization of a qualified nonprofit corporation to issue revenue bonds or other borrowings for or on behalf of two or more cities under the Higher Education Loan Authority Act. The bill authorizes a qualified nonprofit corporation that has agreed to issue revenue bonds or borrow money to purchase or to make guaranteed student loans or alternative education loans for and on behalf of two or more cities to withdraw from acting for and on behalf of any of those cities if the governing body of the applicable city consents to the withdrawal and rescinds its request that the nonprofit corporation act for and on the city's behalf. Among other provisions, the bill specifies that a nonprofit corporation that completes such a withdrawal continues to act for and on behalf of the remaining city or cities.

Senate Bill 239
Effective: 9-1-15

Senate Author: Schwertner et al.
House Sponsor: Zerwas et al.

Senate Bill 239 amends the Education Code to require the Texas Higher Education Coordinating Board to establish a loan repayment assistance program for certain mental health professionals if the legislature appropriates funds for the program. The bill establishes eligibility requirements for, and the terms and amounts of, the repayment assistance.

Senate Bill 686
Effective: 9-1-15

Senate Author: Seliger et al.
House Sponsor: Clardy

Senate Bill 686 amends Education Code provisions relating to the math and science scholars loan repayment program and the math and science teacher investment fund. The bill includes amounts appropriated by the legislature as a source of money for the fund. The bill changes the eligibility requirements for math and science scholars loan repayment assistance provided by the Texas Higher Education Coordinating Board by replacing the requirement that a person be enrolled in an educator certification program accredited by the State Board for Educator Certification with a requirement that a person be teaching under a probationary teaching certificate.

Among other provisions, the bill removes as a condition for continued loan repayment assistance that a person continue to teach in a public school and not be in default on any other education loan and instead conditions such eligibility on a person continuing to teach in a public school that receives Title 1 funding.

Senate Bill 1066
Effective: 9-1-15

Senate Author: Zaffirini et al.
House Sponsor: Clardy

Under current law, to maintain eligibility to participate in the Texas Science, Technology, Engineering, and Mathematics (T-STEM) Challenge Scholarship program, certain public institutions of higher education must demonstrate to the Texas Higher Education Coordinating Board that at least 70 percent of the institution's T-STEM Challenge Scholarship graduates are employed by a business in a STEM field or are enrolled in upper-division courses leading to a bachelor's degree in a STEM field within three months after graduation, beginning with the second year following implementation of a T-STEM Challenge Scholarship program.

Senate Bill 1066 amends the Education Code to revise the eligibility requirements to instead require that such public institutions of higher education demonstrate to the coordinating board that at least 70 percent of the institution's T-STEM Challenge Scholarship recipients are employed or enrolled in courses leading to a certificate, associate, or bachelor's degree in a STEM field within 12 months of receipt of a scholarship, beginning with the third year following implementation of a T-STEM Challenge Scholarship program.

Senate Bill 1351
Effective: 6-16-15

Senate Author: Hinojosa
House Sponsor: Zerwas

Senate Bill 1351 amends the Education Code to transfer the administration of the Jobs and Education for Texans (JET) Grant Program from the comptroller of public accounts to the Texas Workforce Commission and, among other provisions, revises the composition of the advisory board of education and workforce stakeholders created to assist in program administration.

Higher Education

The summaries for the following bills are in the listed chapters:

House Bill 26—Economic Development

House Bill 3842—Parks and Wildlife

Senate Bill 11—Public Safety

Senate Bill 955—Public Education

Senate Bill 1004—Public Education

Senate Bill 1191—Appropriations and State Finance

Insurance

This chapter covers legislation generally relating to the regulation of the business of insurance in Texas, including legislation relating to coverages provided by certain insurance plans and the regulation of companies and individuals licensed to sell insurance or annuities. In addition, this chapter covers legislation relating to the functions and operations of the Texas Department of Insurance, the Automobile Burglary and Theft Prevention Authority, the Texas Automobile Insurance Plan Association, the Texas FAIR Plan Association, and the Texas Windstorm Insurance Association. This chapter also includes legislation relating to premium payment assistance under the state hemophilia assistance program and to an identification card or other similar document issued to an enrollee of a qualified health plan purchased through a health benefit exchange. Legislation relating to workers' compensation insurance is in the **Labor and Employment** chapter, and legislation relating to certain public health benefit plans is in the **Public Retirement Systems** chapter. Related legislation that is summarized in other chapters is listed at the end of this chapter.

General

House Bill 2145
Effective: 9-1-15

House Author: Smithee et al.
Senate Sponsor: Creighton

House Bill 2145 amends the Insurance Code to authorize the Texas Department of Insurance (TDI) to issue a provisional permit to an applicant for certain insurance agent licenses who is being considered for appointment as an insurance agent by another insurance agent, an insurer, or a health maintenance organization. The bill authorizes a qualified applicant to proceed to act as an agent if a provisional permit is not received from TDI within eight days after the applicant submits the applications, fees, and supporting documentation required by the bill, provided TDI has not delivered notification that the permit application is incomplete or is or may be denied. The bill applies to an applicant for a general property and casualty insurance agent license; county mutual insurance agent license; general life, accident, and health insurance agent license; funeral prearrangement life insurance agent license; or license to act as a life insurance agent who writes policies that do not exceed \$25,000 on any one life.

House Bill 3031
Effective: 5-21-15

House Author: Thompson, Senfronia
Senate Sponsor: Hancock

House Bill 3031 amends the Insurance Code to authorize the comptroller of public accounts to decertify a certified capital company under the Texas Certified Capital Company program on written request if the company has invested 100 percent of the company's certified capital in qualified investments.

Senate Bill 655
Effective: 5-19-15

Senate Author: Eltife
House Sponsor: Smithee

Senate Bill 655 amends the Insurance Code to establish requirements for a domestic insurer's maintenance of a risk management framework and for the regular completion of an own risk and solvency assessment by a domestic insurer or the insurance group of which the insurer is a member. The bill also provides guidance and instructions for a domestic insurer's filing of an own risk and solvency assessment summary report with the commissioner of insurance and

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subjects an insurer that, without good cause, fails to timely file a required summary report to an administrative penalty. The bill establishes certain exemptions from its requirements and provides for the confidentiality of own risk and solvency assessment-related information and the commissioner's sharing and use of such information.

Senate Bill 667

Effective: 6-15-15

Senate Author: Eltife

House Sponsor: Smithee

Senate Bill 667 amends the Insurance Code to authorize a captive insurance company to accept risks from, cede risks to, or take credit for reserves on risks ceded to a captive reinsurance pool or an affiliated captive insurance company, subject to the approval of the commissioner of insurance. The bill authorizes the commissioner to require a captive insurance company seeking to participate in a captive reinsurance pool to provide evidence that the pool is composed only of other captive insurance companies and that the pool will be able to meet its financial obligations. The bill also authorizes a captive insurance company, with the commissioner's approval, to issue dividends or distributions to the holders of an equity interest in the captive insurance company.

Senate Bill 782

Effective: 9-1-15

Senate Author: Eltife

House Sponsor: Smithee

Senate Bill 782 amends the Insurance Code to clarify the commissioner of insurance's authority to investigate insurance fraud and to aid in enforcing laws relating to fraudulent insurance acts.

Senate Bill 783

Effective: 9-1-15

Senate Author: Eltife

House Sponsor: Frullo

Senate Bill 783 amends the Insurance Code to require the commissioner of insurance, through the insurance fraud unit of the Texas Department of Insurance, to develop fraud prevention educational programs and disseminate materials necessary to educate the public regarding antifraud programs. The bill also authorizes the insurance fraud unit to accept gifts, grants, and donations to enable the fraud unit to perform its duties, subject to certain restrictions.

Senate Bill 784

Effective: 9-1-15

Senate Author: Eltife

House Sponsor: Frullo

Senate Bill 784 amends the Insurance Code to eliminate, or reduce the frequency of, certain insurance data calls and reporting requirements for the Texas Department of Insurance. The bill also authorizes, instead of requires, the commissioner of insurance to conduct a public hearing each biennium to review rates to be charged for workers' compensation insurance.

Senate Bill 876

Effective: 9-1-15

Senate Author: Eltife

House Sponsor: Frullo

Senate Bill 876 amends the Insurance Code to revise provisions relating to the licensing of insurance agents, adjusters, and other insurance professionals. Among other provisions, the bill authorizes the commissioner of insurance to adopt standards for an agent, insurer, or health maintenance organization to appoint more than 500 temporary license holders during a calendar year, aligns individual license expiration dates so that a license expires on the license holder's birthday every other year, and authorizes a nonresident agent who has moved to Texas to apply to the Texas Department of Insurance for a comparable resident agent license. The bill reduces the number of continuing education hours required for certain license holders, makes completion of continuing education a condition of licensure, and prohibits the renewal of a

license held by an individual who fails to timely complete continuing education requirements or pay a fine related to that failure. The bill expands the list of entities exempt from examination requirements applicable to a risk manager's license and makes certain of those entities also eligible for an exemption from continuing education requirements.

Senate Bill 1060
Effective: 9-1-15

Senate Author: Hinojosa et al.
House Sponsor: Thompson, Ed

Senate Bill 1060 amends Insurance Code provisions relating to the regulation of public insurance adjusters. The bill prohibits a public insurance adjuster from entering into a contract with an insured and collecting a commission without the intent to perform public insurance adjuster services, clarifies certain conflict of interest restrictions, and prohibits certain conduct with respect to soliciting employment for or acting on behalf of an attorney. The bill prohibits a public insurance adjuster from accepting a referral payment and also prohibits a public insurance adjuster from providing payment for the referral of an insured to the public insurance adjuster for any purpose, regardless of the payment amount. In addition, the bill eliminates temporary certification for public insurance adjuster trainees.

Senate Bill 1093
Effective: 9-1-15

Senate Author: Creighton
House Sponsor: Sheets

Senate Bill 1093 amends the Insurance Code to remove the criteria that securities be readily marketable over a national exchange and have a maturity date of not later than one year to be acceptable as security for the payment of reinsurance obligations for life, health, and accident insurance companies and related entities or for property and casualty insurers.

Senate Bill 1427
Effective: 9-1-15

Senate Author: Lucio
House Sponsor: Smithee

Senate Bill 1427 amends the Insurance Code to authorize a domestic insurer to deposit with the Texas Department of Insurance money or other assets required for the security of an insurer's policyholders or creditors, including a deposit required by another state, subject to certain restrictions and exceptions.

Automobile

House Bill 1733
Effective: 1-1-16

House Author: Smithee
Senate Sponsor: Watson et al.

House Bill 1733 amends the Insurance Code to establish automobile insurance requirements for a transportation network company (TNC) driver that provide for coverage while the driver is engaged in prearranged rides and while the driver is logged on to the TNC's digital network in between prearranged rides. The coverage required by the bill must be maintained by the driver or by the TNC on the driver's behalf, but the bill requires a TNC to provide the required coverage beginning with the first dollar of a claim against a driver if an insurance policy maintained by the driver has lapsed or provides insufficient coverage. Among other provisions relating to those insurance requirements, the bill requires a TNC to disclose certain information about insurance coverage to a TNC driver and authorizes an insurer to exclude a loss or injury from coverage under a personal automobile insurance policy if the loss or injury occurs while a TNC driver using the vehicle is logged on to a TNC digital network or is engaged in a prearranged ride.

Insurance

House Bill 2424
Effective: 9-1-15

House Author: Thompson, Senfronia
Senate Sponsor: Eltife

House Bill 2424 amends the law relating to the Automobile Burglary and Theft Prevention Authority to extend the deadline for an insurer writing motor vehicle insurance in Texas to request a refund of fees paid to the authority from not later than six months after the date the fees were paid to not later than four years after the date of payment. The bill provides for the refiling of certain refund requests that were denied solely on the basis of the six-month deadline.

Senate Bill 189
Effective: 9-1-15

Senate Author: Watson et al.
House Sponsor: Muñoz, Jr.

Senate Bill 189 amends the Insurance Code to prohibit an insurer from making underwriting, rating, declination, nonrenewal, or cancellation decisions regarding a personal automobile insurance policy on the basis of a consumer inquiry. The bill also prohibits a rating plan regarding the writing of personal automobile insurance from assigning a rate consequence solely to, or otherwise causing premiums for personal automobile insurance to be increased solely because of, a consumer inquiry made by an applicant or insured or a claim filed by an insured under a personal automobile insurance policy that is not paid or payable under the policy.

Senate Bill 1554
Effective: 9-1-15

Senate Author: Eltife
House Sponsor: Meyer

Senate Bill 1554 amends the Insurance Code to eliminate the requirement that the commissioner of insurance compute and publish a standard rate index for personal automobile insurance issued by a county mutual insurance company and to subject a county mutual insurance company to statutory provisions relating to the Texas Automobile Insurance Plan Association, which serves to require a county mutual insurance company to be a member of the association as a condition of the company's authority to write automobile liability insurance in Texas.

Life and Health

House Bill 574
Effective: 9-1-15

House Author: Bonnen, Greg et al.
Senate Sponsor: Campbell

House Bill 574 amends the Insurance Code to prohibit health maintenance organizations and insurers who provide preferred provider benefit plans from engaging in certain conduct intended to limit the use of or access to out-of-network providers.

House Bill 1038
Effective: 6-17-15

House Author: Sheffield et al.
Senate Sponsor: Watson

House Bill 1038 amends the Health and Safety Code to authorize the Department of State Health Services to assist an eligible person under the hemophilia assistance program in obtaining insurance by providing premium payment assistance.

House Bill 1514
Effective: 9-1-15

House Author: Sheffield
Senate Sponsor: Creighton

House Bill 1514 amends the Insurance Code to require an identification card or other similar document issued by a qualified health plan issuer to an enrollee of a qualified health plan purchased through a health benefit exchange to display the acronym "QHP."

House Bill 1621
Effective: 9-1-15

House Author: Bonnen, Greg
Senate Sponsor: Seliger

House Bill 1621 amends the Insurance Code to require a utilization review agent to provide notice of an adverse determination for a concurrent review of the provision of prescription drugs or intravenous infusions for which the patient is receiving health benefits under a health insurance policy not later than the 30th day before the date on which the provision of prescription drugs or intravenous infusions will be discontinued. The bill provides for an expedited appeal of such an adverse determination, entitles the enrollee to an immediate appeal of the determination to an independent review organization, and shortens the amount of time an independent review organization has to make a determination in a case involving the provision of prescription drugs or intravenous infusions.

House Bill 1624
Effective: 9-1-15

House Author: Smithee
Senate Sponsor: Seliger

House Bill 1624 amends the Insurance Code to provide for transparency of certain information regarding health benefit plan coverage. The bill requires certain health benefit plan issuers to display prescription drug formulary information on a public Internet website, requires the commissioner of insurance to develop and adopt formulary disclosure requirements to facilitate comparison shopping among health benefit plans, and authorizes a health benefit plan issuer to make formulary information related to cost-sharing available through a toll-free telephone number. The bill also requires certain health benefit plan issuers that offer coverage for health care services through preferred providers, exclusive providers, or a network of physicians or health care providers to develop and maintain a physician and health care provider directory that is updated at least once each month, to display the directory on a public Internet website, and to respond timely to reports of inaccurate directory information.

House Bill 2813
Effective: 9-1-15

House Author: King, Ken et al.
Senate Sponsor: Eltife et al.

House Bill 2813 amends the Insurance Code to require a health benefit plan that covers diagnostic medical procedures to provide coverage for expenses for an annual diagnostic examination for the early detection of ovarian cancer, which at a minimum includes a CA 125 blood test.

House Bill 3024
Effective: 9-1-15

House Author: Guerra
Senate Sponsor: Hinojosa

House Bill 3024 amends the Insurance Code to provide for the coordination of dental benefits between primary and secondary insurers and to prohibit the inclusion of certain coordination of benefits provisions in insurance policies that provide benefits for dental expenses.

House Bill 3028
Effective: 9-1-15

House Author: Frullo
Senate Sponsor: Watson

House Bill 3028 amends the Insurance Code to designate certain conduct by a discount health care program operator concerning network participation requirements and methods of promotions as an unfair method of competition or an unfair or deceptive act or practice in the business of discount health care programs. The bill also prohibits a pharmacy benefit manager from requiring a pharmacist or pharmacy to accept or process a claim for prescription drugs under a discount health care program unless agreed upon in writing; to participate in a specified

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provider network as a condition of processing a claim for prescription drugs under a discount health care program; or to participate in, or process claims under, a discount health care program as a condition of participation in a provider network.

Senate Bill 94
Effective: 9-1-15

Senate Author: Hinojosa et al.
House Sponsor: Guerra

Senate Bill 94 amends the Insurance Code to prohibit a health benefit plan issuer or a pharmacy benefit manager from directly or indirectly charging or holding a pharmacist or pharmacy responsible for a fee for any step of or component or mechanism related to the pharmacy benefit claim adjudication process.

Senate Bill 332
Effective: 1-1-16

Senate Author: Schwertner et al.
House Sponsor: Hunter

Senate Bill 332 amends the Insurance Code to establish criteria for a health benefit plan issuer's or pharmacy benefit manager's inclusion of a drug on a maximum allowable cost list. The bill also sets restrictions on the formulation of maximum allowable cost prices by a health benefit plan issuer or pharmacy benefit manager and requires the sources of the pricing data used in formulating maximum allowable cost prices to be disclosed to a pharmacist or pharmacy under contract with the health benefit plan issuer or pharmacy benefit manager. Among other provisions, the bill requires maximum allowable cost price information to be updated weekly to reflect price changes, requires a contracted pharmacist or pharmacy to be provided access to maximum allowable cost lists, sets out provisions governing a pharmacy's or pharmacist's appeal of a maximum allowable cost price determination, and provides for the confidentiality of a maximum allowable cost list.

Senate Bill 481
Effective: 9-1-15

Senate Author: Hancock et al.
House Sponsor: Smithee

Senate Bill 481 amends the Health and Safety Code and the Insurance Code to extend the applicability of out-of-network claim dispute mediation and disclosure requirements concerning facility-based physicians to assistant surgeons and to lower the balance-due threshold that makes an out-of-network health benefit claim eligible for mediation after the patient's copayments, deductibles, and coinsurance have been paid.

Senate Bill 684
Effective: 9-1-15

Senate Author: Taylor, Larry et al.
House Sponsor: Bonnen, Greg

Senate Bill 684 amends the Insurance Code to prohibit an insurer from withholding the designation of preferred provider to a licensed optometrist, therapeutic optometrist, or ophthalmologist who joins the professional practice of a contracted preferred provider and meets the appropriate eligibility criteria. The bill also prohibits a managed care plan that provides or arranges for benefits for vision or medical eye care services or procedures that are within the scope of an optometrist's or therapeutic optometrist's license from engaging in certain conduct in order to prevent such a managed care plan from controlling or attempting to control the professional judgment, manner of practice, or practice of an optometrist or therapeutic optometrist. In addition, the bill requires an optometrist or therapeutic optometrist to disclose to a patient any business interest the optometrist or therapeutic optometrist has in an out-of-network supplier or manufacturer to which the optometrist or therapeutic optometrist refers the patient.

Senate Bill 979
Effective: 5-15-15

Senate Author: Creighton
House Sponsor: Meyer

Senate Bill 979 amends the Insurance Code to clarify the types of indemnity coverage for which the commissioner of insurance is required to adopt rules establishing minimum benefit standards for individual accident and health insurance policies.

Senate Bill 1008
Effective: 9-1-15

Senate Author: Eltife
House Sponsor: Frullo

Senate Bill 1008 amends the Insurance Code to authorize certain domestic capital stock life, health, and accident insurance companies with more than \$10 billion in admitted assets to invest in a mezzanine real estate loan, subject to the conditions prescribed by the bill.

Senate Bill 1107
Effective: 6-9-15

Senate Author: Eltife
House Sponsor: Smithee

Senate Bill 1107 amends the Insurance Code to authorize the commissioner of insurance to adopt reasonable standards for contingent deferred annuity contracts. The bill exempts a contingent deferred annuity contract from statutory provisions governing standard nonforfeiture law for certain life insurance annuities.

Senate Bill 1196
Effective: 9-1-15

Senate Author: Eltife
House Sponsor: Frullo

Senate Bill 1196 amends the Insurance Code to establish the Act for the Regulation of Funding Agreements, Guaranteed Investment Contracts, and Synthetic Guaranteed Investment Contracts. The bill codifies the definitions of "funding agreement," "guaranteed investment contract," and "synthetic guaranteed investment contract"; clarifies that those products are types of annuity contracts; and exempts such a product from certain insurance regulations if the product has no mortality or morbidity contingencies. The bill authorizes a life insurer to issue a funding agreement or guaranteed investment contract for specified purposes and restricts the entities to which a life insurer may issue a funding agreement.

Senate Bill 1196 also designates claims under annuity contracts, including funding agreements, guaranteed investment contracts, and synthetic guaranteed investment contracts, as Class 2 claims for the purpose of the priority of payment of distributions on unsecured claims under the Insurer Receivership Act.

Senate Bill 1654
Effective: 9-1-15

Senate Author: Hancock et al.
House Sponsor: Sheets

Senate Bill 1654 amends the Standard Valuation Law and the Standard Nonforfeiture Law for Life Insurance under the Insurance Code to require the commissioner of insurance to adopt a manual for the valuation of life insurance policies, accident and health insurance policies, and certain deposit-type contracts that is substantially similar to the valuation manual approved by the National Association of Insurance Commissioners (NAIC).

Senate Bill 1654 makes the standard of valuation prescribed by the manual the minimum standard of valuation for policies issued on or after the manual's operative date with respect to a company's submission of an actuarial opinion of reserves and the commissioner's annual valuation of reserves. For policies and contracts specified by the manual, the bill requires a company to establish reserves using a principle-based valuation. The bill requires a company to submit mortality, morbidity, policyholder behavior, or expense experience and other data as prescribed in the valuation manual for policies in force on or after the valuation manual's

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operative date. The bill also provides for the confidentiality of certain information relating to the valuation of policies issued before, on, or after the operative date of the manual and provides for the commissioner's sharing and use of such information.

Senate Bill 1654 sets out provisions relating to the adoption of a substitute standard ordinary mortality table and standard industrial mortality table. The bill prohibits a nonforfeiture interest for a policy issued before the manual's operative date from being less than four percent and establishes that the annual nonforfeiture interest for any policy issued on or after the operative date is provided by the manual.

Property and Casualty

House Bill 2439
Effective: 9-1-15

House Author: Smith
Senate Sponsor: Eltife

House Bill 2439 amends Insurance Code provisions relating to inspections and other activities conducted by engineers in connection with the issuance of windstorm and hail insurance under the Texas Windstorm Insurance Association Act. The bill revises the inspection and certificate of compliance requirements established under the act by, among other provisions, establishing distinct procedures and requirements for the issuance of a certificate of compliance for a completed improvement and for the issuance of a certificate of compliance for an ongoing improvement, with inspection by a qualified inspector required only for ongoing improvements, and by revising the role of professional engineers in connection with that process. In addition, the bill makes any licensed professional engineer eligible to be a qualified inspector and prohibits the commissioner of insurance from adopting or enforcing a rule that requires a licensed engineer to affix the engineer's seal to an inspection form for TWIA coverage.

House Bill 2491
Effective: 9-1-15

House Author: Pickett
Senate Sponsor: Eltife

Previous law required a title insurance agent or direct operation employing an escrow officer to apply for the escrow officer's license with the Texas Department of Insurance (TDI). House Bill 2491 amends the Texas Title Insurance Act under the Insurance Code to remove that requirement and instead require an individual wishing to act as an escrow officer to apply for an escrow officer's license directly with TDI. In addition, the bill requires any title insurance agent or direct operation employing the escrow officer to file an appointment of the escrow officer with TDI.

Among other provisions, House Bill 2491 establishes a procedure for renewing an unexpired escrow officer license, requires continuing education programs for escrow officers to be certified, and authorizes an escrow officer to be appointed by more than one title insurance agent or direct operation. The bill also requires TDI to make certain information relating to escrow officer license holders available to the public and to provide information about an enforcement action against an escrow officer to each title insurance agent or direct operation for which the escrow officer holds appointment.

House Bill 2776
Effective: 9-1-15

House Author: Murphy
Senate Sponsor: Estes

House Bill 2776 amends the Insurance Code to authorize the commissioner of insurance to approve an actuarially justified rating program for certain residential property insurance policies if the rating program is based on claim or loss experience and is not an optional or actuarially justified premium discount authorized for such policies under current law.

Senate Bill 188
Effective: 9-1-15

Senate Author: Watson et al.
House Sponsor: Muñoz, Jr.

Senate Bill 188 amends the Insurance Code to apply the prohibition against an insurer making underwriting and rating decisions on a standard fire, homeowners, or farm and ranch owners insurance policy based on a consumer inquiry to such policies written by a farm mutual insurance company, a county mutual insurance company, a Lloyd's plan, and a reciprocal or interinsurance exchange.

Senate Bill 494
Effective: 9-1-15

Senate Author: Watson
House Sponsor: Muñoz, Jr.

Senate Bill 494 amends the Insurance Code to authorize the office of public insurance counsel to post a property and casualty insurer's specimen policy—a standardized form used by the insurer to write personal automobile, commercial automobile, inland marine, or residential property insurance in Texas—on the office's website.

Senate Bill 498
Effective: 5-28-15

Senate Author: Taylor, Larry et al.
House Sponsor: Bonnen, Dennis

Under previous law, the Texas Windstorm Insurance Association (TWIA) waiver program that allows certain residential structures to qualify for TWIA coverage without obtaining a certificate of compliance was set to expire December 31, 2015. Senate Bill 498 amends the Insurance Code to continue the waiver program indefinitely.

Senate Bill 572
Effective: 9-1-15

Senate Author: Eltife
House Sponsor: Sheets

Senate Bill 572 amends the Texas Title Insurance Act under the Insurance Code to change the maximum title insurance policy liability to 50 percent of the sum of a title insurance company's surplus as regards policyholders and the company's statutory premium reserves. The bill removes the condition that a title insurance company give written notice to the Texas Department of Insurance before acquiring reinsurance from a title insurance company that is not authorized to engage in the business of title insurance in Texas. The bill also removes TDI's authorization to permit a title insurance company, under specified conditions, to acquire reinsurance from a non-admitted title insurer that does not satisfy applicable requirements or to retain an additional potential liability of not more than 40 percent of the company's capital stock and surplus.

Senate Bill 900
Effective: 9-1-15

Senate Author: Taylor, Larry et al.
House Sponsor: Bonnen, Greg

Senate Bill 900 amends the Insurance Code to address issues relating to the operations, governance, and financial structure of the Texas Windstorm Insurance Association (TWIA).

With respect to TWIA's financial structure, Senate Bill 900 introduces Class 1, Class 2, and Class 3 member assessments to the prescribed sequence for paying TWIA's losses in excess of premium and other TWIA revenue so that the assessments are made after the issuance of Class 1, Class 2, and Class 3 public securities, respectively. The bill also lowers the caps on amounts of public security issuances and provides for the payment of public securities through catastrophe area premium surcharges assessed on TWIA policyholders if net premium and other revenue are not sufficient to pay the securities. The bill also provides for the assessment of premium surcharges on policyholders of property and casualty insurance policies that cover insured property located in a catastrophe area, but only under limited circumstances as a contingent source of payment for Class 2 and Class 3 public securities.

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In addition, Senate Bill 900 authorizes use of the catastrophe reserve trust fund (CRTF) for purchasing reinsurance or using alternative risk financing mechanisms, provides for the investment of CRTF balances, and requires TWIA to maintain total available loss funding in an amount sufficient to cover the probable maximum loss for a catastrophe year with a probability of one in 100. If necessary, the required funding level must be achieved through the purchase of reinsurance or the use of alternative financing mechanisms, or both, to operate in addition to or in concert with the CRTF, public securities, financial instruments, and assessments.

Among other provisions, Senate Bill 900 also requires the Texas Department of Insurance to biennially conduct a study of market incentives to promote participation in the voluntary windstorm and hail insurance market in the seacoast territory; authorizes the commissioner of insurance to contract with an administrator to manage TWIA and administer TWIA's plan of operation; authorizes TWIA to temporarily insure certain structures while an applicant seeks to secure a certificate of compliance for the structure; requires TWIA to administer, subject to commissioner approval, a depopulation program that encourages the transfer of TWIA policies to insurers through the voluntary market or assumption reinsurance; and revises the composition of TWIA's board of directors. Effective October 1, 2015, the bill abolishes TWIA's sitting board of directors and requires the commissioner to appoint a new board in accordance with the revised composition.

Senate Bill 956
Effective: 9-1-15

Senate Author: Eltife
House Sponsor: Muñoz, Jr.

Senate Bill 956 amends the Insurance Code to establish deadlines for the delivery of insurance policies by an insurer writing personal automobile or residential property insurance in Texas, the Texas Windstorm Insurance Association, the FAIR Plan Association, and the Texas Automobile Insurance Plan Association.

Senate Bill 1081
Effective: 1-1-16

Senate Author: Creighton
House Sponsor: Huberty

Senate Bill 1081 amends the Insurance Code to require a principal who procures an insurance policy under a consolidated insurance program and a contractor who participates in a consolidated insurance program to disclose certain information about the consolidated insurance program before entering into a construction contract with a person if the construction contract requires the person to enroll in the consolidated insurance program. The bill prohibits a person from being required to enter into a construction contract that requires enrollment in a consolidated insurance program unless the person is provided with the required information, authorizes a person who does not receive the information by the prescribed deadline to elect not to enroll in the consolidated insurance program, and requires a person that elects not to enroll in the consolidated insurance program to obtain insurance coverage for the person's work on the construction project. The principal or contractor must compensate the person for the actual cost of that insurance coverage.

Senate Bill 1081 authorizes a contractor to request from the principal, or from a party with which the contractor has a direct contractual relationship, a complete copy of the insurance policy that provides coverage for the contractor under a consolidated insurance program. The bill establishes that it is a material breach of a contractor's construction contract if a complete copy of the requested insurance policy is not provided within a specified time frame.

Senate Bill 1227
Effective: 6-19-15

Senate Author: Seliger
House Sponsor: Workman

Senate Bill 1227 amends the Insurance Code to establish that a person has a covered claim under the Texas Property and Casualty Insurance Guaranty Act if the person holds a valid assignment of a covered claim for unearned premiums.

The summaries for the following bills are in the listed chapters:

House Bill 744—Public Education
Senate Bill 978—Labor and Employment
Senate Bill 1174—Family Law

Juvenile Justice

This chapter covers legislation relating to juvenile justice generally, truancy, juvenile records, and juvenile court proceedings, as well as the functions and duties of the Texas Juvenile Justice Department (TJJD), the Texas Juvenile Justice Board, and the independent ombudsman with TJJD. Legislation relating to family law, including child custody and support, adoption, foster care, and family violence, is in the **Family Law** chapter. Related legislation that is summarized in other chapters is listed at the end of this chapter.

House Bill 263
Effective: 9-1-15

House Author: Miles et al.
Senate Sponsor: Huffman

House Bill 263 amends the Family Code to remove the requirement that an application be filed before a juvenile court may seal a person's juvenile records. The bill removes the requirement that a court hold a hearing before sealing the records and instead requires the court to give the prosecuting attorney notice before the records become eligible for sealing and authorizes the court to hold the hearing if requested by the prosecuting attorney.

House Bill 431
Effective: 5-28-15

House Author: White, James et al.
Senate Sponsor: Rodríguez

House Bill 431 requires the Texas Juvenile Justice Board to appoint the Juvenile Records Advisory Committee to develop a plan for studying, reorganizing, and comprehensively revising laws pertaining to juvenile records and provides for a report to the board and the legislature.

House Bill 642
Effective: 9-1-15

House Author: Canales
Senate Sponsor: Hinojosa

House Bill 642 amends the Alcoholic Beverage Code, Code of Criminal Procedure, Family Code, and Transportation Code to expand the situations in which a court may order a minor who commits certain alcohol-related offenses to attend an alcohol awareness program and to additionally provide for a court-ordered drug education program for a minor who commits certain drug-related offenses. The bill establishes requirements for the payment of program costs and Department of State Health Services duties relating to a drug education program.

House Bill 1144
Effective: 6-17-15

House Author: Dukes
Senate Sponsor: Hinojosa

House Bill 1144 establishes the Task Force on Improving Outcomes for Juveniles Adjudicated of Sexual Offenses to study issues related to improving outcomes for juvenile sex offenders and to make related policy recommendations.

House Bill 1311
Effective: 6-16-15

House Author: McClendon
Senate Sponsor: Menéndez

Previous law established the confidentiality of certain personal identifying information of a certified juvenile probation, supervision, or detention officer and of a juvenile justice program or facility employee. House Bill 1311 amends the Government Code to extend this confidentiality to a former officer and a former employee and to make the information confidential for a current or former officer or employee regardless of whether the person fails to indicate the desire for such information to be disclosed or to remain confidential.

House Bill 1311 amends the Tax Code to establish the confidentiality of home address information contained in the appraisal records of a current or former Texas Juvenile Justice Department employee, a current or former certified juvenile probation or supervision officer, and a current or former employee of a juvenile justice program or facility.

House Bill 1491
Effective: 9-1-15

House Author: McClendon
Senate Sponsor: Menéndez

House Bill 1491 amends the Business & Commerce Code to prohibit a business entity from publishing confidential juvenile record information or confidential criminal record information of a child, with certain exceptions, and to provide a civil penalty for a business entity that unlawfully publishes such information.

House Bill 2372
Effective: 9-1-15

House Author: Dutton
Senate Sponsor: Whitmire

House Bill 2372 amends the Human Resources Code to set the minimum amount of competency-based training that each juvenile correctional officer employed by the Texas Juvenile Justice Department must complete in the officer's first year of employment and to decrease the minimum amount of training the officer must complete before the officer commences the officer's duties.

House Bill 2398
Effective: 9-1-15

House Author: White, James et al.
Senate Sponsor: Whitmire et al.

House Bill 2398 amends Code of Criminal Procedure, Education Code, Family Code, Government Code, and Local Government Code provisions relating to truancy. Among other provisions, the bill repeals the offense of failure to attend school, removes school absences from the conduct considered conduct indicating a need for supervision under the juvenile justice code, and establishes a range of fines for the offense of parent contributing to a student's nonattendance. The bill establishes truancy court procedures for a child who is required to attend school and who is alleged to have failed to attend school on 10 or more days or parts of days within a six-month period in the same school year. The bill provides for the dismissal of parent contributing to nonattendance charges and the expunction of failure to attend school records. The bill changes the types of counties that must adopt a uniform truancy policy. The bill revises a school district's duty to impose truancy prevention measures, refer a truant student to court, or file a complaint against the student's parent. The bill provides for the establishment of local judicial donation trust funds to benefit children or families who appear before a court for a truancy or curfew violation or for a misdemeanor offense before the court.

House Bill 2945
Effective: 6-17-15

House Author: Alonzo
Senate Sponsor: Hancock

House Bill 2945 amends the Code of Criminal Procedure to authorize a juvenile case manager, if there is money in a juvenile case manager fund after certain necessary expenses are paid and on approval by the employing court, to direct the remaining money to be used to implement programs directly related to the duties of the juvenile case manager and designed to prevent or reduce the number of juvenile referrals to the court.

House Bill 4003
Effective: 9-1-15

House Author: Laubenberg
Senate Sponsor: Taylor, Van

House Bill 4003 amends the Family Code to require the custodian of a juvenile court record or file to redact any personally identifiable information about a victim of a child's delinquent conduct who was under 18 years of age on the date the conduct occurred, except for information necessary for an agency to provide services to the victim, necessary for law enforcement purposes, or shared within the statewide juvenile information and case management system.

Senate Bill 108
Effective: 9-1-15

Senate Author: Whitmire et al.
House Sponsor: Thompson, Senfronia

Senate Bill 108 amends the Code of Criminal Procedure and Education Code to expand the conditions under which the records of a person under 17 years of age may be expunged and to expand eligibility for teen court program participation. The bill redefines "child" for purposes of the criminal procedure applicable to school offenses and expands the types of officers prohibited from issuing a citation to a child who is alleged to have committed a school offense. The bill authorizes a complaint alleging the commission of a school offense to include a school employee's recommendation that the child attend a teen court program.

Senate Bill 409
Effective: 9-1-15

Senate Author: Rodríguez
House Sponsor: White, James

Senate Bill 409 amends the Family Code to revise the authorized recipients of information contained in the juvenile justice information system and to establish the conditions under which the Department of Public Safety may disseminate such information to certain noncriminal justice agencies or entities.

Senate Bill 888
Effective: 9-1-15

Senate Author: Hinojosa
House Sponsor: Turner, Sylvester

Senate Bill 888 amends Code of Criminal Procedure and Family Code provisions relating to the appeal of a juvenile court order transferring a child to criminal court for prosecution. The bill authorizes such an appeal to be taken by or on behalf of a child, requires the Supreme Court of Texas to adopt rules accelerating the disposition of such an appeal, and establishes the precedence of such an appeal over other cases.

Senate Bill 1149
Effective: See below

Senate Author: Watson
House Sponsor: Workman

Senate Bill 1149 amends Family Code, Government Code, and Human Resources Code provisions relating to a post-adjudication secure correctional facility operated by or under contract with the Travis County juvenile board or juvenile probation department. Among other provisions, the bill establishes requirements for the discharge of a person who was committed to the facility under a determinate sentence and, if applicable, for the transfer of the person to the Texas Department of Criminal Justice (TDCJ). The bill establishes the duties of TDCJ and the board or department regarding a person transferred to TDCJ for release on parole supervision. The bill provides for the identification of children with a mental illness or intellectual disability who are committed to the facility and, if applicable, for the discharge of such a child or the transfer of the child for mental health services. The bill establishes the actions the board or department must take after a child who was committed to the facility without a determinate sentence has completed the child's minimum length of stay and revises procedures applicable to the board's or department's revocation of a child's release to supervision.

Senate Bill 1149 requires the independent ombudsman with the Texas Juvenile Justice Department (TJJD) to perform the ombudsman's required duties with respect to children committed to TJJD and children committed to the Travis County facility, but the bill, effective January 1, 2019, limits the ombudsman's powers to secure facilities operated and related services provided by TJJD. The bill clarifies the applicability of certain juvenile justice code provisions to a child committed to the Travis County facility, including provisions governing the conduct for which a child may be considered a repeat and habitual offender, the required hearings for a child who is to be transferred to TDCJ, and the information that a juvenile court judge must post regarding the children the judge commits to the facility. Except as otherwise provided, the bill takes effect September 1, 2015.

Senate Bill 1630
Effective: 9-1-15

Senate Author: Whitmire
House Sponsor: Turner, Sylvester et al.

Senate Bill 1630 amends the Family Code and Human Resources Code to condition the authority of a juvenile court or jury to commit a child who is found to have engaged in delinquent conduct that constitutes a felony offense to the Texas Juvenile Justice Department (TJJD) without a determinate sentence on the court or jury making a special commitment finding that the child has behavioral health or other special needs that cannot be met with the resources available in the community. The bill postpones the date on which TJJD is abolished, unless it is continued in existence as provided by the Texas Sunset Act. The bill establishes requirements for a TJJD regionalization plan to keep children closer to home in lieu of commitment to the secure facilities operated by TJJD, including the creation of a new division of TJJD responsible for administering the plan and monitoring program quality and accountability, and provides for funding to implement the plan. The bill establishes requirements for specialized programs and possible alternative placements for children with a determinate sentence and children committed to TJJD for special commitment without a determinate sentence. The bill revises the method for determining the amount of state aid TJJD must allocate to juvenile boards and expands the duties and powers of the independent ombudsman with TJJD.

Senate Bill 1707
Effective: 9-1-15

Senate Author: Huffman
House Sponsor: Miles

Senate Bill 1707 amends the Family Code to remove the requirement that an application be filed before a juvenile court may seal a person's juvenile records. The bill removes the requirement that a court hold a hearing before sealing the records and instead requires the court to give the prosecuting attorney notice before the records become eligible for sealing and authorizes the court to hold the hearing if requested by the prosecuting attorney.

The summaries for the following bills are in the listed chapters:

House Bill 1549—State Government
Senate Bill 183—Criminal Justice

Labor and Employment

This chapter covers legislation on workers and employers, including legislation on unemployment benefits, workers' compensation, and workforce development. Legislation on job creation is in the **Economic Development** chapter, and legislation on public employees is in the **Public Officials and Employees** chapter. Related legislation that is summarized in other chapters is listed at the end of this chapter.

General

House Bill 1151

Effective: 9-1-15

House Author: Thompson, Senfronia et al.

Senate Sponsor: Garcia

House Bill 1151 amends the Labor Code to establish an unlawful employment practice relating to the failure of an employer, or the employer's agents or supervisors, to take immediate and appropriate corrective action regarding sexual harassment of an unpaid intern.

Senate Bill 374

Effective: 9-1-15

Senate Author: Schwertner et al.

House Sponsor: Dale

Senate Bill 374 amends the Government Code to require state agencies to register and participate in the federal E-verify program to verify information of all new employees.

Senate Bill 652

Effective: 9-1-15

Senate Author: Schwertner

House Sponsor: Farney et al.

Senate Bill 652 amends the Labor Code to provide for the exclusion of a franchisor as an employer of a franchisee or a franchisee's employees for purposes of certain employment laws.

Unemployment Benefits

House Bill 931

Effective: 9-1-15

House Author: Murphy

Senate Sponsor: Bettencourt et al.

House Bill 931 amends the Labor Code to revise the conditions under which an individual is eligible to receive unemployment compensation benefits on the individual's waiting period claim.

House Bill 1251

Effective: 9-1-15

House Author: Alvarado et al.

Senate Sponsor: West et al.

House Bill 1251 amends the Labor Code to revise the process for obtaining a partial transfer of compensation experience under the Texas Unemployment Compensation Act following a partial acquisition of an organization, trade, or business of an employing unit.

House Bill 1657

Effective: 6-16-15

House Author: Vo

Senate Sponsor: Lucio

House Bill 1657 amends the Labor Code to clarify a date in connection with the determination of an experience-rated employer's eligibility to receive a surplus credit rate under the Texas Unemployment Compensation Act.

Labor and Employment

House Bill 2732
Effective: 9-1-15

House Author: Metcalf et al.
Senate Sponsor: Zaffirini

House Bill 2732 amends the Labor Code to authorize the Texas Workforce Commission to collect certain covered unemployment compensation debt through participation in the federal Treasury Offset Program and sets out requirements for the commission's participation in the program.

House Bill 3150
Effective: 9-1-15

House Author: Huberty et al.
Senate Sponsor: Creighton

House Bill 3150 amends the Labor Code to provide for a change to the manner in which taxable wages paid to an employee by a professional employer organization are calculated in the calendar year during which the employee becomes a covered employee of the organization for purposes of the Texas Unemployment Compensation Act.

House Bill 3373
Effective: 9-1-15

House Author: Miller, Doug et al.
Senate Sponsor: Hancock

House Bill 3373 amends the Labor Code to clarify certain exceptions to the liability of a reimbursing employer for unemployment compensation benefits paid to an individual.

House Bill 3685
Effective: 1-1-16

House Author: Anderson, Charles "Doc"
Senate Sponsor: Lucio

House Bill 3685 amends the Labor Code to clarify the employment status of individuals engaged in rehabilitative work-training programs for purposes of the Texas Unemployment Compensation Act.

Senate Bill 529
Effective: 5-19-15

Senate Author: Hancock
House Sponsor: King, Phil

Senate Bill 529 amends the Labor Code to clarify the definition of "landman" for purposes of the Texas Unemployment Compensation Act and to revise the conditions under which service performed by a landman is not considered employment under that act.

Workers' Compensation

House Bill 1094
Effective: 9-1-15

House Author: Geren et al.
Senate Sponsor: Eltife

House Bill 1094 amends the Labor Code to establish that an eligible spouse who remarried is eligible for workers' compensation death benefits for life if the employee was a first responder who suffered death in the course and scope of employment or while providing services as a volunteer.

House Bill 2466
Effective: Vetoed

House Author: Collier et al.
Senate Sponsor: Eltife

House Bill 2466 amends the Labor Code to require the commissioner of workers' compensation to establish a safety reimbursement program designed to assist eligible employers in the creation of safe and healthy workplaces for employees of Texas.

Governor's Reason for Veto: "One way for government to grow is by the addition of large, high-profile new state programs. That kind of government growth is easy to spot and relatively simple to guard against. Perhaps more often, however, government growth takes place through the accumulation over time of many small additions to the bureaucratic state. Each one may seem like a benign, low-cost effort to address discrete problems thought to be facing society. But when viewed together, they amount to a massive expansion of the size, scope, and cost of government. Once in place, these programs tend only to get bigger and more costly. Many people come to rely on or become financially interested in the program's continued existence, which makes it difficult to reduce in size, much less eliminate.

"House Bill 2466 creates just such a program. Texas has been doing pretty well without a safety reimbursement program run by the Department of Insurance. To stay strong, we should resist the needless growth of government even in small ways."

House Bill 2771
Effective: 9-1-15

House Author: Martinez et al.
Senate Sponsor: Taylor, Larry

House Bill 2771 amends the Labor Code to establish that the travel of a firefighter or emergency medical personnel en route to an emergency call is considered to be in the course and scope of the firefighter's or emergency medical personnel's employment for purposes of the Texas Workers' Compensation Act.

Senate Bill 653
Effective: 9-1-15

Senate Author: Eltife
House Sponsor: Oliveira

Senate Bill 653 amends the Labor Code to increase the maximum amount of burial benefits an insurance carrier is required to pay if the death of an employee results from a compensable injury under the Texas Workers' Compensation Act and if that amount is less than the actual costs incurred for reasonable burial expenses.

Senate Bill 901
Effective: 9-1-15

Senate Author: Eltife
House Sponsor: Collier et al.

Senate Bill 901 amends the Labor Code to raise the maximum wage threshold under which an injured employee is entitled to a temporary income benefit under the Texas Workers' Compensation Act, for the first 26 weeks after the injury, in an amount equal to 75 percent of the amount computed by subtracting the employee's weekly earnings after the injury from the employee's average weekly wage.

Senate Bill 978
Effective: 9-1-15

Senate Author: Creighton
House Sponsor: Sheets

Current law establishes that workers' compensation insurance rate filings are open to public inspection. Senate Bill 978 amends the Insurance Code to subject such rate filings to state public information law, including any applicable exception from required disclosure under that law. The bill also requires the Texas Department of Insurance (TDI) to annually make available to the public information concerning TDI's general process and methodology for reviewing workers' compensation insurance rates.

Workforce Development

House Bill 3062

Effective: 6-10-15

House Author: Clardy

Senate Sponsor: West

House Bill 3062 amends the Education Code to transfer the administration of the Jobs and Education for Texans (JET) Grant Program from the comptroller of public accounts to the Texas Workforce Commission (TWC) and, among other provisions, revises the composition of the advisory board of education and workforce stakeholders created to assist in program administration.

In addition, the bill includes an independent school district that has entered into a partnership with a public junior college or public technical institute for the purpose of promoting career and technical education or offering dual credit courses to the district's students among the institutions to which the TWC is authorized to award JET grants.

The summaries for the following bills are in the listed chapters:

House Bill 426—State Government

House Bill 445—Military Forces and Veterans

House Bill 3547—Military Forces and Veterans

Senate Bill 664—Military Forces and Veterans

Senate Bill 805—Military Forces and Veterans

Local Government

This chapter covers legislation relating to the powers and duties of counties, municipalities, and other political subdivisions, including political subdivisions located along the Texas-Mexico border. Legislation on certain powers and duties of local governments relating to alcoholic beverages, courts, criminal justice, elections, energy resources, environment, government purchasing, health and human services, property interests and housing, public safety, transportation, and utilities is in chapters regarding those subjects. Related legislation that is summarized in other chapters is listed at the end of this chapter.

General

House Bill 114
Effective: 9-1-15

House Author: Flynn et al.
Senate Sponsor: Hinojosa et al.

House Bill 114 amends the Government Code to restrict the issuance of capital appreciation bonds (CABs) by political subdivisions under the Public Security Procedures Act. 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 exempts refunding bonds and CABs issued for transportation project financing from such restrictions. The bill also prohibits the use of CAB proceeds to purchase certain maintenance or transportation-related items, restricts the use of unspent CAB proceeds, caps the total amount of issued CABs at 25 percent of a political subdivision's total outstanding bonded indebtedness, and prohibits a political subdivision from extending the maturity date of an issued CAB except under certain circumstances.

House Bill 274
Effective: 9-1-15

House Author: Miles et al.
Senate Sponsor: Lucio et al.

House Bill 274 amends the Code of Criminal Procedure, Government Code, and Local Government Code to raise the cap on a fine or penalty for the violation of a municipal rule, ordinance, or police regulation that governs the dumping of refuse.

House Bill 905
Effective: 9-1-15

House Author: Frullo et al.
Senate Sponsor: Schwertner

House Bill 905 amends the Local Government Code to prohibit a county or municipality from adopting or enforcing a regulation relating to the transfer, private ownership, keeping, transportation, licensing, or registration of knives. The bill does not impact the authority of a municipality to regulate, with certain exceptions and for the protection of public health and safety, the use of knives in the case of insurrection, riot, or natural disaster.

House Bill 1378
Effective: 1-1-16

House Author: Flynn et al.
Senate Sponsor: Bettencourt et al.

House Bill 1378 amends the Local Government Code to require a political subdivision to annually compile and report specified debt obligation information. The bill provides for the posting of the annual financial report online by the political subdivision and establishes reporting alternatives under which a political subdivision may choose to instead provide the appropriate information to the comptroller of public accounts for posting on the comptroller's website. The bill also revises the Certificate of Obligation Act of 1971 to prohibit the governing body of

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a municipality, county, or hospital district from authorizing a certificate of obligation to pay a contractual obligation if a bond proposition to authorize the issuance of bonds for the same purpose was submitted to the voters during the preceding three years and failed to be approved, except under certain circumstances.

House Bill 1740
Effective: 5-21-15

House Author: Thompson, Senfronia
Senate Sponsor: Menéndez

House Bill 1740 amends the Health and Safety Code to establish that a veterinarian who is employed by a county or municipality and who administers or supervises the administration of rabies vaccine as part of a local rabies control program established under the Rabies Control Act of 1981 is not required to establish a veterinarian-client-patient relationship before administering rabies vaccine or supervising the administration of rabies vaccine.

House Bill 1794
Effective: 9-1-15

House Author: Geren et al.
Senate Sponsor: Hancock

House Bill 1794 amends the Water Code to revise the division of a civil penalty recovered in a suit brought by a local government for a violation of certain laws under the jurisdiction of the Texas Commission on Environmental Quality (TCEQ). The bill establishes factors to be considered in determining the amount of a civil penalty to be assessed in certain suits regarding a violation of certain laws under the jurisdiction of TCEQ and establishes the limitations on such a suit.

House Bill 2679
Effective: 6-16-15

House Author: Flynn
Senate Sponsor: Estes

House Bill 2679 amends the Public Facility Corporation Act under the Local Government Code to clarify and update certain provisions relating to the powers of a public facility corporation and to the taxation of a public facility owned by a public facility corporation.

House Bill 2828
Effective: 9-1-15

House Author: Phillips
Senate Sponsor: Burton

House Bill 2828 amends the Government Code to expand the list of persons for whom a county or municipality, as applicable, is entitled to obtain criminal history record information from the Department of Public Safety to include an employee, a volunteer or an applicant for such a position, or a contract employee or an applicant for such a position.

Senate Bill 267
Effective: 9-1-15

Senate Author: Perry et al.
House Sponsor: Huberty et al.

Senate Bill 267 amends the Local Government Code to prohibit a municipality or county from adopting or enforcing an ordinance or regulation that prohibits an owner, lessee, sublessee, assignee, managing agent, or other person having the right to lease, sublease, or rent a housing accommodation from refusing to lease or rent the housing accommodation to a person because the person's lawful source of income to pay rent includes funding from a federal housing assistance program.

Senate Bill 394
Effective: 6-19-15

Senate Author: Perry
House Sponsor: King, Phil et al.

Senate Bill 394 amends the Water Code to require the Texas Commission on Environmental Quality, under certain conditions, to approve a supplemental environmental project that is necessary to bring a local government that is a respondent in an enforcement action into compliance with environmental laws or that is necessary to remediate environmental harm caused by the local government's alleged violation.

County Government

House Bill 885
Effective: 9-1-15

House Author: Paddie et al.
Senate Sponsor: Eltife

House Bill 885 amends the Occupations Code to increase from less than 50,000 to less than 150,000 the population threshold of a county to which the requirement that a county bail bond board meet at least four times each year applies and to require a board in such counties to meet at other times at the call of the presiding officer. If such a board tables a bail bond surety license holder's application for renewal or otherwise does not take action to approve or deny the application, the bill continues in effect the applicant's current license until the next board meeting.

House Bill 995
Effective: 6-10-15

House Author: González
Senate Sponsor: Rodríguez

House Bill 995 amends the Local Government Code to establish a stormwater control and recapture planning authority in El Paso County, as well as in other large counties that receive less than a certain amount of average annual rainfall based on a certain period, and to make such an authority a political subdivision of the state. An authority's territory includes all of the territory in the affected county in which the authority is located except any territory within the boundaries or extraterritorial jurisdiction of that county's largest municipality, provided that the municipality has a plan in place for the control of stormwater on the date the authority is established.

House Bill 995 requires an authority to coordinate and adopt a long-range master plan to facilitate the development and management of integrated stormwater control and recapture projects and facilities within the authority's territory; apply for, accept, and receive gifts, grants, loans, and other money available from any source to perform its purposes; and assist certain entities represented on the authority's board of directors in carrying out an objective included in the master plan. The bill prohibits an authority from imposing a tax, issuing bonds, or regulating the structures or facilities of an electric utility.

House Bill 1062
Effective: 9-1-15

House Author: Lucio III
Senate Sponsor: Lucio

House Bill 1062 amends the Government Code and the Local Government Code to authorize the Cameron County Commissioners Court to adopt a records technology and infrastructure fee as part of the county's annual budget, which must be paid at the time a person pays an applicable records management and preservation fee, county clerk's records archive fee, or probate matters fee.

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House Bill 1150
Effective: 9-1-15

House Author: White, James et al.
Senate Sponsor: Nichols

House Bill 1150 amends the Local Government Code and Occupations Code to authorize the commissioners court of a county by order to allow a retail fireworks permit holder to sell fireworks to the public in that county during specified periods for the fireworks seasons of Texas Independence Day, San Jacinto Day, and Memorial Day and establishes the dates by which the commissioners court must adopt an order prohibiting or restricting the sale or use of fireworks due to the existence of drought conditions. The Texas A&M Forest Service is required to make its services available each day during those seasons to respond to the request of any county for a determination of whether drought conditions exist on average.

House Bill 1643
Effective: 6-15-15

House Author: Riddle
Senate Sponsor: Creighton

Under current law, a public nuisance exists if, among other conduct, premises are maintained in a manner that creates an unsanitary condition likely to attract or harbor mosquitoes, rodents, vermin, or other disease-carrying pests and if weeds are allowed to grow on premises in a neighborhood if the weeds are located within 300 feet of another residence or commercial establishment. House Bill 1643 amends the Health and Safety Code to establish that, with regard to certain unincorporated areas of Harris County, the classification of such conduct as a public nuisance applies only to undeveloped land in the county for which a condition on that land has been found to cause a public nuisance due to such conduct in the preceding year and a finding of public nuisance could have been applied to that condition when the condition first occurred.

House Bill 1681
Effective: 6-19-15

House Author: Bohac
Senate Sponsor: Bettencourt

House Bill 1681 amends the Local Government Code to authorize a county clerk in Harris County to require a person presenting a document in person for filing in the county's real property records to present a photo identification to the clerk.

House Bill 1709
Effective: 6-16-15

House Author: Harless
Senate Sponsor: Zaffirini

House Bill 1709 amends the Transportation Code to authorize a county commissioners court that closes, abandons, and vacates a public road or a portion of a public road at the request of an owner of property that abuts that portion of the road to require an owner to pay all reasonable administrative costs incurred and to reimburse the county for the market value of any property interest conveyed to the owner. The bill revises the procedures for a commissioners court issuing an order relating to a public road or portion of a public road that is closed, abandoned, and vacated to the center line of the road for a public utility or common carrier that has the right of eminent domain and is using the property being conveyed for a right-of-way or easement purpose.

House Bill 1879
Effective: 6-17-15

House Author: Smith
Senate Sponsor: Bettencourt

Current law exempts a county commissioner serving in Harris, Dallas, Tarrant, or Bexar County from continuing education requirements if, in addition to satisfying other criteria, the commissioner has served continuously for 12 years or more. As an alternative to the continuous service criteria, House Bill 1879 amends the Local Government Code to exempt a commissioner who is an attorney licensed to practice law in Texas for 12 years or more and has completed a minimum number of approved continuing education hours.

House Bill 1929
Effective: 9-1-15

House Author: Rose
Senate Sponsor: West

Current law authorizes the Harris County Commissioners Court to pay out of the county general funds costs and expenses for the transportation of senior citizens for civic, community, educational, and recreational activities within and outside the county. House Bill 1929 amends the Local Government Code to grant this authority to the Dallas County Commissioners Court. The bill additionally allows the commissioners courts of both counties to pay for the transportation of the senior citizens' caregivers for such activities and conditions the courts' authorization to pay for a senior citizen's and a caregiver's transportation costs on a majority of the costs and expenses being paid for the transportation of senior citizens.

House Bill 2002
Effective: 5-28-15

House Author: Keffer
Senate Sponsor: Perry

House Bill 2002 amends the Local Government Code to authorize the disposal of a county's surplus or salvage property that is unable to be sold by competitive bid or auction to be accomplished through a recycling program, as an alternative to being destroyed or otherwise disposed of as worthless, under which the property is collected, separated, or processed and returned to use in the form of raw materials in the production of new products.

House Bill 2033
Effective: 9-1-15

House Author: Raymond
Senate Sponsor: Zaffirini

House Bill 2033 amends the Local Government Code to authorize a commissioners court to require a subdivision plat application submitted for approval to include a digital map that is compatible with other mapping systems used by the county and that georeferences the subdivision plat and related public infrastructure using the Texas Coordinate Systems. Such a requirement must provide for an exemption if the owner of the tract submits with the plat application an acknowledged statement indicating that the digital mapping technology necessary to submit a compatible map was not reasonably accessible.

House Bill 2193
Effective: 6-9-15

House Author: Smithee
Senate Sponsor: Seliger

House Bill 2193 repeals provisions of the Code of Criminal Procedure relating to a public defender in Randall County.

House Bill 2272
Effective: 5-28-15

House Author: Raney
Senate Sponsor: Schwertner

House Bill 2272 amends the Local Government Code to authorize a sheriff who appoints more than one reserve deputy sheriff to execute a blanket surety bond to cover those deputy sheriffs. A county may also self-insure against losses that would have been covered by an individual bond executed by a reserve deputy sheriff or a blanket bond executed by the sheriff to cover reserve deputy sheriffs.

House Bill 2583
Effective: 9-1-15

House Author: Bell
Senate Sponsor: Kolkhorst

House Bill 2583 amends the Government Code to expand the persons entitled to obtain criminal history record information maintained by the Department of Public Safety relating to an applicant for employment or membership with or an employee or member of a fire department or an emergency medical services provider for an unincorporated area to include a county sheriff.

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House Bill 2599
Effective: 6-15-15

House Author: Reynolds
Senate Sponsor: Kolkhorst

House Bill 2599 amends the Local Government Code to authorize the governing body of a county assistance district created by Fort Bend County to include in the district by order a portion of a road, including associated drainage areas, that is located in a municipality located in Fort Bend County if the municipality consents to the inclusion and to use money available to the district to perform maintenance or improvement on such a road or drainage area.

House Bill 2830
Effective: Vetoed

House Author: Martinez et al.
Senate Sponsor: Hinojosa

House Bill 2830 amends the Local Government Code to establish that a county is not required to refund an amount overpaid or otherwise paid in error to the county clerk or district clerk by a person if that amount is \$2 or less unless the person requests the refund in writing.

Governor's Reason for Veto: "House Bill 2830 allows counties to refuse to refund to taxpayers amounts less than two dollars unless the person owed the refund requests it in writing. Placing this burden on the person owed the money will cause the vast majority of small refunds never to be paid. That is unacceptable. Citizens are legally entitled to any money owed them by the government, no matter how small the amount."

House Bill 2894
Effective: 9-1-15

House Author: Lozano
Senate Sponsor: Hinojosa

House Bill 2894 amends the Occupations Code to require a county bail bond board to annually hold a secret ballot election to elect the board member who serves as the representative of criminal defense attorneys. The bill entitles each attorney who has a principal place of business in the county and who is not legally prohibited from representing criminal defendants in the county to cast one vote to elect that board member. The bill additionally entitles each elected justice of the peace in a county who is not legally prohibited from voting to elect the board member who is a justice of the peace to cast one vote to elect that member.

House Bill 3002
Effective: 9-1-15

House Author: Martinez et al.
Senate Sponsor: Hinojosa

Previous law authorized the commissioners court of a county that has any of its territory located near the international boundary to order the county or another public or private entity with which the county contracts to collect a fee for the establishment of street lights along a county road located in a subdivision. House Bill 3002 amends the Transportation Code to instead provide for the fee collection by the county tax assessor-collector as a separate item included in the property tax bill for each landowner whose real property benefits from the street lights for which the fee is imposed. The bill establishes the authority and procedures for the commissioners court to obtain a lien against real property benefiting from the street lights to secure payment of the fee.

House Bill 3067
Effective: 6-10-15

House Author: Coleman
Senate Sponsor: Taylor, Larry et al.

House Bill 3067 amends the Local Government Code to raise the cap on the total amount the commissioners courts of Harris, Dallas, Tarrant, Bexar, and Travis Counties may donate by contract to crime stoppers or crime prevention organizations in a calendar year.

Senate Bill 408
Effective: Vetoed

Senate Author: Rodríguez et al.
House Sponsor: Blanco

Senate Bill 408 amends the Local Government Code to extend to a county the authority granted to a municipality to consider the location of a bidder's principal place of business when entering into a contract for certain purchases of real property, personal property that is not affixed to real property, or services.

Governor's Reason for Veto: "Government has an obligation to spend no more of the taxpayers' money than necessary. All government contracts should be competitively bid, and the vendor who offers the best value to the taxpayers should be chosen every time. Senate Bill 408 would authorize counties to reject the best bid and instead spend 5 percent extra in order to select an in-county vendor. The needs of taxpayers should come before the needs of government or vendors. County governments should focus on protecting the public fisc — not steering business to local vendors who are not offering the value the taxpayers deserve."

Senate Bill 435
Effective: 9-1-15

Senate Author: Lucio et al.
House Sponsor: Coleman

Senate Bill 435 amends the Government Code and the Local Government Code to include a county treasurer among the persons authorized to administer an oath made in Texas and give a certificate of the fact and to change the date by which a county treasurer is required to successfully complete an introductory course of instruction in the performance of the duties of county treasurer.

Senate Bill 871
Effective: 5-29-15

Senate Author: Zaffirini
House Sponsor: Cyrier

Senate Bill 871 amends the Local Government Code to extend to Caldwell County the applicability of a provision authorizing the compensation and allowances of a county auditor to be set in an amount that exceeds the statutorily prescribed limit if the compensation and allowances are approved by the commissioners court of the county.

Senate Bill 917
Effective: 9-1-15

Senate Author: Seliger
House Sponsor: King, Ken

Senate Bill 917 amends the Health and Safety Code to make the Texas Mass Gatherings Act applicable to certain horse and greyhound races.

Senate Bill 1510
Effective: 9-1-15

Senate Author: Hancock
House Sponsor: Zedler

Senate Bill 1510 amends the Local Government Code to grant the county auditor continual access to examine the books, accounts, reports, vouchers, and any other records of a special district if the district's budget requires the approval of the commissioners court and any subsidiary of such a district that is supported wholly or partly by public funds. The bill authorizes the county auditor, at the county auditor's discretion, to examine such records and, with the approval of the commissioners court, to audit the records if the county auditor determines an audit is necessary after conducting the examination.

Senate Bill 1964
Effective: 6-19-15

Senate Author: Hinojosa
House Sponsor: Martinez

Senate Bill 1964 amends the Government Code and the Local Government Code to authorize the collection of an additional filing fee for civil cases in a district court, statutory probate court, or county court at law in Hidalgo County and Cameron County to be used for court facilities

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improvement projects. The bill also provides for the collection of an optional real property records filing fee by the county clerk of Hidalgo County and the county clerk of Cameron County for court facilities improvement projects.

Municipal Government

House Bill 239

Effective: 6-10-15

House Author: Springer et al.

Senate Sponsor: Perry

House Bill 239 amends the Health and Safety Code to remove the restriction on tank size from the authorization to store gasoline, diesel fuel, or kerosene in an aboveground storage tank at a retail service station located in an unincorporated area or in certain small municipalities. The bill authorizes the Harris County Commissioners Court by order to limit the maximum volume of an aboveground storage tank in an unincorporated area of the county in accordance with the county fire code.

House Bill 1148

Effective: 9-1-15

House Author: Kacal

Senate Sponsor: Schwertner

House Bill 1148 amends the Government Code to exempt the treasurer, the chief financial officer if the treasurer is not the chief financial officer, and the investment officer of a municipality from certain investment training requirements if the municipality does not invest municipal funds or only deposits municipal funds in interest-bearing deposit accounts or authorized certificates of deposit.

House Bill 1186

Effective: 6-16-15

House Author: Craddick

Senate Sponsor: Seliger

House Bill 1186 validates, ratifies, and confirms, with regard to an action taken for a municipally owned and operated international airport that has obtained the appropriate Federal Aviation Administration license or other authorization necessary to operate a spaceport, launch site, or commercial space launch site, all governmental and proprietary actions and proceedings of a municipality, the municipality's planning and zoning commission, the municipality's airport zoning commission, and the municipality's board of adjustment that were taken before the bill's effective date relating to the adoption or enforcement of airport zoning regulations under the Airport Zoning Act in the municipality or the municipality's extraterritorial jurisdiction, excluding certain matters in litigation or invalidated by a final court judgment.

House Bill 1246

Effective: 9-1-15

House Author: Koop et al.

Senate Sponsor: Hall

House Bill 1246 amends the Local Government Code to change the requirement for delivering the financial statement form filed by a municipal officer or a candidate for municipal office applicable to certain large municipalities. The bill requires the clerk or secretary of a municipality to deliver at least one copy of the form by one or more methods of delivery as chosen by the clerk or secretary instead of mailing two copies of the form to each applicable municipal officer or person appointed to a municipal office and one copy to each applicable candidate for a municipal office.

House Bill 1277
Effective: 6-17-15

House Author: Ashby et al.
Senate Sponsor: Bettencourt

House Bill 1277 amends the Local Government Code to provide that a general-law municipality may annex an area in which 50 percent or more of the property in the area to be annexed is primarily used for a commercial or industrial purpose only if, among other prescribed requirements, the municipality obtains the written consent of the owners of a majority of the property in the area to be annexed.

House Bill 1289
Effective: 6-17-15

House Author: Giddings
Senate Sponsor: West

House Bill 1289 amends the Local Government Code to authorize an urban land bank under the Urban Land Bank Demonstration Program Act to acquire and sell to a developer property intended for commercial use.

House Bill 1415
Effective: 6-1-15

House Author: Kuempel
Senate Sponsor: Uresti et al.

Previous law established a deadline, now expired, by which a person was authorized to file a written application with certain municipalities that do not have a cemetery, other than a family cemetery, within their boundaries to establish or use a cemetery located inside the boundaries of those municipalities. House Bill 1415 amends the Health and Safety Code to continue the authorization for a person to file such an application.

House Bill 1662
Effective: 5-28-15

House Author: Sheets
Senate Sponsor: Perry

House Bill 1662 amends the Local Government Code to authorize a municipality to exempt property used for cemetery purposes from municipal drainage service charges if the cemetery is closed to new interments and does not accept new burials. The bill also revises a provision exempting property owned by tax-exempt religious organizations from drainage charges to provide that all or a portion of such charges may be exempted.

House Bill 1949
Effective: 9-1-15

House Author: Springer et al.
Senate Sponsor: Taylor, Van

Current law provides that a municipality may annex certain sparsely occupied areas, on petition of area landowners, if the area is of a certain width and if the area is contiguous to the annexing municipality. House Bill 1949 amends the Local Government Code to authorize the annexation of those sparsely occupied areas that are not contiguous to the annexing municipality on the condition that a municipally designated public right-of-way exists that is located entirely in the extraterritorial jurisdiction of the municipality and, when added to the area, would cause the area to be contiguous to the municipality. The bill includes the public right-of-way that makes the area eligible for annexation in the annexation to the municipality without regard to whether the owners of the public right-of-way sought annexation.

Previous law required a municipality that proposes to annex any portion of a paved county road to also annex the entire width of a county road and the adjacent right-of-way. The bill revises that requirement to make it applicable regardless of whether the road is paved and to also make it applicable to a proposal to annex any territory that abuts a county road. The bill clarifies that the annexation is required for the adjacent right-of-way on both sides of the county road and further clarifies that, if the annexed road is a gravel road, the county retains control of granting access to the road and its right-of-way from property that is not located in the boundaries of the annexing municipality and that is adjacent to the road and right-of-way.

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House Bill 2162
Effective: 9-1-15

House Author: Simmons
Senate Sponsor: Campbell

House Bill 2162 amends the Local Government Code to restrict the application of existing law governing the municipal regulation of burglar alarm systems to certain small municipalities wholly located in a county with a population of less than 500,000. The bill establishes regulations governing the use of burglar alarm systems by certain large municipalities and by municipalities wholly or partly located in large counties, including regulations relating to permits, false alarms, fees and penalties, an exception of a municipality from an alarm system response, and a property owner's option to exclude the municipality from receiving an alarm signal by a system located on the person's property.

House Bill 2296
Effective: 9-1-15

House Author: Smith
Senate Sponsor: Seliger

House Bill 2296 amends the Alcoholic Beverage Code to replace the authority of the governing body of a municipality to petition the Texas Alcoholic Beverage Commission for the adoption of an order that prohibits the possession of an open container or the public consumption of alcoholic beverages in the central business district of the municipality with the authority to prohibit such conduct by charter or ordinance.

House Bill 2515
Effective: 6-9-15

House Author: Muñoz, Jr.
Senate Sponsor: Lucio

House Bill 2515 amends the Business & Commerce Code to authorize the City of Pharr, or a corporation organized under Texas laws and designated by the City of Pharr, to apply for and accept a grant of authority to establish, operate, and maintain a foreign trade zone at or adjacent to the Pharr port of entry and other subzones.

House Bill 2735
Effective: 6-15-15

House Author: Capriglione et al.
Senate Sponsor: Hancock

House Bill 2735 amends the Alcoholic Beverage Code to authorize the governing body of a municipality whose local option status allows for the legal sale of beer and wine for off-premise consumption as a result of a local option election held on or after January 1, 1985, to adopt an ordinance authorizing such sales in an area annexed by the municipality after that election, provided the annexed area meets certain criteria.

House Bill 3060
Effective: Vetoed

House Author: Anchia
Senate Sponsor: West

House Bill 3060 amends the Local Government Code to authorize the commission panel of a municipal building and standards commission to order action to be taken as necessary to remedy, alleviate, or abate a violation of an ordinance relating to animal care and control or a water conservation measure, including a water restriction.

Governor's Reason for Veto: "Local governments generally should have flexibility to respond to local concerns, including the need to conserve water. House Bill 3060 goes too far, however, by granting broad authority to local enforcement commissions to interfere with private property rights. Lawn-watering restrictions can already be enforced by fines. The additional enforcement authority provided by this bill would allow the government to insert itself too deeply into what a private property owner chooses to do on his or her own land. Local governments already have sufficient tools at their disposal to encourage their residents to use less water."

House Bill 3193
Effective: Vetoed

House Author: Bernal
Senate Sponsor: Menéndez

House Bill 3193 amends the Local Government Code to authorize the City of San Antonio, in making an authorized purchase of any personal property that is not affixed to real property or services other than professional services, to consider an offeror's principal place of business as a percentage of the evaluation factors established by the bill unless the contract is for construction services that exceed a specified amount.

Governor's Reason for Veto: "I previously vetoed Senate Bill 408, explaining that government has an obligation to spend no more of the taxpayers' money than necessary. The practice of competitive bidding forces government officials to put the taxpayers' interests ahead of any temptation to steer the people's business to favored vendors. House Bill 3193 would allow the City of San Antonio, and only that City, to reject the best bid and instead spend more money on a San Antonio-based vendor. Like Senate Bill 408 before it, House Bill 3193 improperly relieves government officials of their duty to seek the best possible value for the taxpayers. The bill is made worse because it creates different rules for different cities without any legitimate reason to do so."

House Bill 3244
Effective: 6-19-15

House Author: Burkett
Senate Sponsor: Hall

Under current law, the governing body of a home-rule municipality is authorized to contract with a broker to sell a tract of real property that the municipality owns. House Bill 3244 amends the Local Government Code to expand this authority to include a tract of real property that the municipality holds in trust and has the authority to sell.

House Bill 4059
Effective: 6-18-15

House Author: Oliveira
Senate Sponsor: Lucio

House Bill 4059 amends the Local Government Code to establish that Brownsville's extraterritorial jurisdiction terminates two miles from the extraterritorial jurisdiction of a neighboring municipality if extension of the extraterritorial jurisdiction beyond that limit would completely surround the corporate boundaries or extraterritorial jurisdiction of the neighboring municipality and limit the growth of the neighboring municipality by precluding the expansion of the neighboring municipality's extraterritorial jurisdiction. The bill additionally provides for continuing electrical service to the released area of extraterritorial jurisdiction and prohibits annexation by Brownsville that would cause another municipality to be entirely surrounded by Brownsville's corporate limits or extraterritorial jurisdiction.

Senate Bill 631
Effective: 6-19-15

Senate Author: Campbell
House Sponsor: Larson

Current law authorizes the City of Houston and another municipality contiguous to the City of Houston to enter into an agreement providing concurrent jurisdiction for the municipal courts of either jurisdiction for all criminal cases arising from offenses under state law that are committed on the boundary of those municipalities or within a certain distance of the boundary and that are punishable by fine only. Senate Bill 631 amends the Code of Criminal Procedure and the Government Code to make this authorization additionally applicable to the Cities of San Antonio and Dallas.

Local Government

Senate Bill 680
Effective: 9-1-15

Senate Author: Nelson
House Sponsor: Capriglione

Senate Bill 680 amends the Alcoholic Beverage Code to establish that an area annexed to or an area contiguous to and owned by the City of Grapevine assumes the wet or dry status of the city.

Senate Bill 1593
Effective: 9-1-15

Senate Author: Lucio et al.
House Sponsor: Lucio III

Senate Bill 1593 amends the Local Government Code to prohibit a Type A general-law municipality from defining and prohibiting as a nuisance the sale of a firework or similar material outside the limits of the municipality.

Senate Bill 1716
Effective: 9-1-15

Senate Author: Ellis
House Sponsor: Miles

Current law requires municipalities to appoint at least one or two commissioners, as applicable, to the municipal housing authority who are tenants of a public housing project over which the authority has jurisdiction. Senate Bill 1716 amends the Local Government Code to include as a person who may be appointed as a commissioner of the Houston Housing Authority a person who is a recipient of housing assistance administered through the authority's housing choice voucher program.

The summaries for the following bills and joint resolution are in the listed chapters:

House Bill 40—Energy Resources
House Bill 281—Environment
House Bill 530—Criminal Justice
House Bill 601—Alcoholic Beverages
House Bill 2280—Health and Human Services
House Bill 2381—Elections
House Bill 2521—Transportation
House Bill 2809—Health and Human Services
House Bill 2878—Property Interests and Housing
House Bill 2913—Health and Human Services
House Bill 3089—Public Safety
House Bill 3175—Health and Human Services
House Bill 3185—Health and Human Services
House Bill 3311—Property Interests and Housing
Senate Bill 789—Utilities
Senate Bill 912—Environment
Senate Bill 1281—Government Purchasing
Senate Bill 1353—Courts
Senate Bill 1387—Health and Human Services
Senate Bill 1587—Health and Human Services
Senate Joint Resolution 17—Transportation

Military Forces and Veterans

This chapter covers legislation on issues relating to the Texas Military Department and the Texas Veterans Commission as well as issues relating to current and former military personnel, including benefits, services, and special recognitions. Legislation on certain benefits and services relating to corrections, government purchasing, higher education, public education, public safety, taxes and tax administration, and transportation is in chapters regarding those subjects. Related legislation that is summarized in other chapters is listed at the end of this chapter.

General

House Bill 906

Effective: 6-17-15

House Author: Paddie et al.

Senate Sponsor: Nichols

House Bill 906 amends the Government Code to authorize the appointment of the spouse of a retired veteran who served a minimum of 20 years on active duty as a veterans county service officer or assistant veterans county service officer by a commissioners court of a county that maintains and operates a veterans county service office.

House Bill 1133

Effective: 9-1-15

House Author: Miller, Rick

Senate Sponsor: Taylor, Van et al.

House Bill 1133 amends the Government Code to include the adjutant general among the ex officio members of the Texas Military Preparedness Commission.

House Bill 1598

Effective: 9-1-15

House Author: Miller, Doug

Senate Sponsor: Menéndez

House Bill 1598 amends the Government Code to include a person who volunteers for the Texas military forces among those required to take and subscribe to the Texas military forces oath of affirmation, specifies the content of the oath, and clarifies that the requirement to take and subscribe to the oath does not apply to a person appointed, enlisted, or drafted in or who volunteers for the Texas National Guard.

House Bill 1640

Effective: 9-1-15

House Author: Farias et al.

Senate Sponsor: Campbell

House Bill 1640 amends the Local Government Code to require an applicable defense community, as described by the bill, that has not adopted airport zoning regulations under the Airport Zoning Act and that receives an application for a proposed structure that would be located in a controlled compatible land use area or that proposes to adopt or amend an ordinance, rule, or plan that would be applicable in such an area and that may impact base operations to notify the base or facility authorities concerning the compatibility of the proposed ordinance, rule, plan, or structure, as applicable, with base operations. The bill authorizes such defense communities to enter into a memorandum of agreement with the base or facility to establish a smaller area in the controlled compatible land use area for which such notification would be required. After the defense community provides the required notice, the community must enter into a memorandum of agreement with the base or facility to establish provisions to maintain the compatibility of the proposed ordinance, rule, plan, or structure, as applicable, with base operations.

Military Forces and Veterans

House Bill 2152
Effective: 9-1-15

House Author: Fletcher
Senate Sponsor: Estes

House Bill 2152 amends the Government Code to establish that the military personnel information of a service member in the Texas military forces is confidential and not subject to disclosure under state public information law.

House Bill 2232
Effective: 9-1-15

House Author: Kuempel et al.
Senate Sponsor: Campbell

House Bill 2232 amends the Local Government Code to revise provisions relating to the regional military sustainability commissions established in certain populous areas and to update those provisions to specify that they apply to a county with a population of more than 1.7 million in which three or more locations of a joint military base are located, to a county adjacent to the described county, and to a municipality located in either type of county. Among other provisions, including provisions regarding the territory of a commission established for a military installation engaged in flight training, the bill specifies that one or more applicable municipalities with extraterritorial jurisdiction located within five miles of the boundary line of a military installation and one or more applicable counties with unincorporated area located within five miles of the boundary of a military installation may agree to establish and fund a regional military sustainability commission with respect to the military installation.

House Bill 2965
Effective: 6-19-15

House Author: Gonzales et al.
Senate Sponsor: Menéndez

House Bill 2965 amends the Government Code to authorize the adjutant general to hire service members of the Texas military forces to fill state military positions with the Texas Military Department as authorized by the General Appropriations Act. The bill, among other provisions, establishes that such a hired service member is considered to be on extended state active duty service and entitles the service member to the benefits and paid leave generally provided to state employees.

Senate Bill 318
Effective: 6-17-15

Senate Author: Hinojosa et al.
House Sponsor: King, Susan

Senate Bill 318 amends the Government Code to authorize the Texas Military Preparedness Commission to make a grant to an eligible local governmental entity to construct infrastructure and other projects necessary to prevent the reduction or closing of a defense facility and to accommodate a retained military mission at a military base. The bill increases the cap on a grant awarded by the commission and authorizes an eligible local governmental entity to use the proceeds of a grant to purchase or lease equipment to train workers to support the mission at military installations or defense facilities.

Senate Bill 389
Effective: 9-1-15

Senate Author: Rodríguez et al.
House Sponsor: Blanco

Senate Bill 389 amends the Government Code, for purposes of the Position Classification Act, to require the classification officer, each state fiscal biennium, to research and identify the military occupational specialty code for each branch of the U.S. armed forces that corresponds to each position contained in the state's position classification plan. In addition, the bill requires a state agency to include on all forms and notices related to a state agency employment opening the applicable military occupational specialty code and requires a job information form prescribed by the Texas Workforce Commission to include a space for a state agency to list a military occupational specialty code.

Senate Bill 503
Effective: 5-22-15

Senate Author: Perry et al.
House Sponsor: Rodriguez, Eddie

Senate Bill 503 amends the Government Code to include the construction of infrastructure and other projects necessary to prevent the reduction or closing of a defense facility as a purpose for which a grant may be awarded by the Texas Military Preparedness Commission to certain eligible local governmental entities that may be affected by an anticipated, planned, announced, or implemented action of the U.S. Department of Defense to realign defense worker jobs or facilities. The bill authorizes a defense base development authority to use the proceeds from such a grant to purchase or lease equipment to train defense workers whose jobs have been threatened or lost as a result of such actions, authorizes grant proceeds to be used for the training of workers to support military installations or defense facilities, and increases from \$2 million to \$5 million an alternative cap amount for such a grant. Current law authorizes the Texas Economic Development and Tourism Office to provide financial assistance loans for certain types of projects to defense communities affected by a base realignment process that occurs during 2005 or later. The bill changes that period to 1995 or later.

Senate Bill 664
Effective: 9-1-15

Senate Author: Taylor, Van et al.
House Sponsor: Sheets

Senate Bill 664 enacts the Stolen Valor Act and amends the Labor Code to authorize an employer to discharge an employee if the employer determines, based on a reasonable factual basis, that the employee falsified or misrepresented any information regarding the employee's military record in a manner that would constitute a fraudulent or fictitious military record offense under the Penal Code. The bill authorizes an employee hired under an employment contract who believes the employee was wrongfully terminated to bring suit against the employer in a district court for appropriate relief, including rehiring or reinstatement, payment of back wages, and reestablishment of benefits.

Senate Bill 832
Effective: 9-1-15

Senate Author: Campbell et al.
House Sponsor: King, Susan

Previous law authorized the Texas Coordinating Council for Veterans Services to establish a coordinating workgroup focusing on either health issues or mental health issues affecting veterans and service members and their families. Senate Bill 832 amends the Government Code to specify that separate coordinating workgroups may be established for each of those issues.

Senate Bill 850
Effective: 5-28-15

Senate Author: Taylor, Van et al.
House Sponsor: Flynn

Senate Bill 850 amends the Government Code to make the public duty justification for the use of force applicable to the conduct of a Texas military forces service member ordered into service of the state by proper authority that is performed in the service member's official capacity.

Senate Bill 1358
Effective: 9-1-15

Senate Author: Campbell
House Sponsor: King, Susan

Senate Bill 1358 amends the Government Code to attach the Texas Military Preparedness Commission to the office of the governor for administrative purposes and removes the requirement that the commission report to the executive director of the Texas Economic Development and Tourism Office (TEDTO). The bill transfers certain functions and duties of TEDTO and its executive director to the commission, including the provision and administration

Military Forces and Veterans

of loans of financial assistance to defense communities for certain projects, and requires the commission to assist defense communities in obtaining financing for certain economic development projects. The bill increases the cap on grants that the commission may make to an eligible local governmental entity.

Among other provisions, the bill requires the commission director to hire at least one full-time employee who is knowledgeable about or has experience with military installations and authorizes the director to hire other staff within the guidelines established by the commission.

Senate Bill 1580
Effective: 6-18-15

Senate Author: Garcia et al.
House Sponsor: Turner, Sylvester et al.

Senate Bill 1580 amends the Government Code to require the Texas Department of Housing and Community Affairs, in conjunction with other members of the Texas Interagency Council for the Homeless, to conduct a study and prepare a report to the legislature on homeless veterans.

Benefits and Services

House Bill 19
Effective: 6-4-15

House Author: King, Susan et al.
Senate Sponsor: Campbell et al.

House Bill 19 amends the Government Code to require the Texas Veterans Commission and Department of State Health Services (DSHS) to provide statewide coordination for the administration of the state's mental health intervention program for veterans. The bill establishes requirements relating to such coordination, including requirements that the commission develop and implement methods for providing volunteer coordinator certification training and that the commission manage and coordinate the peer training program. In addition, the commission and DSHS must include a community collaboration initiative to encourage local communities to conduct cross-sector collaboration to synchronize locally accessible resources available for veterans and military service members.

House Bill 19 amends the Human Resources Code to establish a preventive services program, developed and implemented by the Department of Family and Protective Services (DFPS), to serve veterans and military families who have committed or experienced or who are at a high risk of family violence, abuse, or neglect. The program must initially be established as a pilot program, and the bill requires DFPS to evaluate program outcomes and ensure that the program is producing positive results before statewide implementation. The bill sets out additional preventive services program requirements, including a requirement that the program coordinate with the veterans mental health program community collaboration initiative developed under the bill's provisions.

House Bill 168
Effective: 9-1-15

House Author: Larson et al.
Senate Sponsor: Campbell

House Bill 168 amends the Transportation Code to exempt a vehicle displaying a specialty license plate issued for a recipient of the Distinguished Flying Cross Medal from the payment of a parking fee collected through a parking meter charged by a governmental authority other than a branch of the federal government when the vehicle is being operated by or for the transportation of the person who registered the vehicle.

House Bill 437
Effective: 9-1-15

House Author: Raney et al.
Senate Sponsor: Campbell

House Bill 437 amends the Insurance Code to provide that a state employee or an employee of The University of Texas System or The Texas A&M University System who is reemployed following military service is eligible to participate in the uniform health benefit programs under the Texas Employees Group Benefits Act and the State University Employees Uniform Insurance Benefits Act beginning on the first day of reemployment on which the employee performs services for the agency or university system, as applicable.

House Bill 445
Effective: 9-1-15

House Author: Raney et al.
Senate Sponsor: Lucio

House Bill 445 amends the Government Code to require the state, a municipality, a county, or another political subdivision of the state to provide written notice regarding the availability of paid leave for military service to a person who is an officer or employee of such an entity and who is a member of the Texas military forces, a reserve component of the armed forces, or a member of a state or federally authorized urban search and rescue team. The notice must state the number of workdays and paid leave the officer or employee is entitled to each fiscal year and, if applicable, the number of workdays of paid leave the officer or employee is entitled to carry forward from one fiscal year to the next.

House Bill 577
Effective: 9-1-15

House Author: Flynn
Senate Sponsor: Campbell

House Bill 577 amends the Government Code to require claims of discrimination by service members on state active duty to be processed in accordance with military regulations and procedures established for the Texas military forces, exempts such claims from the jurisdiction of the Texas Workforce Commission civil rights division, and subjects a member of the Texas military forces called to state active duty to the regulations established for continued membership in the specific component.

House Bill 721
Effective: 9-1-15

House Author: Farias et al.
Senate Sponsor: Campbell

House Bill 721 amends the Parks and Wildlife Code to lower the minimum threshold of the disability rating required for a veteran with a service-connected disability who is receiving compensation from the United States for the disability to qualify for a resident hunting license fee waiver.

House Bill 867
Effective: 6-4-15

House Author: Hernandez et al.
Senate Sponsor: Garcia et al.

House Bill 867 amends the Government Code to establish the Texas Women Veterans Program in the Texas Veterans Commission with a mission of ensuring that women veterans of Texas have equitable access to federal and state veterans' benefits and services. The bill requires the commission to designate a women veterans coordinator and sets out provisions relating to, among other things, general program duties, advocacy and public awareness, research and education activities, and collaboration with federal, state, county, municipal, and private agencies that provide services to women veterans. In addition, the commission may accept and spend funds and provide matching grants on behalf of the program.

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House Bill 1762
Effective: 6-16-15

House Author: Otto et al.
Senate Sponsor: Lucio

House Bill 1762 amends the Government Code to require the Texas Veterans Commission to establish and implement a health care advocacy program to assist veterans in gaining access to U.S. Department of Veterans Affairs health care facilities.

House Bill 2123
Effective: 1-1-16

House Author: King, Phil et al.
Senate Sponsor: Perry

Previous law established that a volunteer in the Texas State Guard who was not a full-time or part-time state employee and who had not been on state active duty, on state training, or on other duty for more than 90 days was eligible to participate in the state employees group benefits program. House Bill 2123 amends the Government Code to extend such eligibility to any member of the state military forces who is not a full-time or part-time state employee and who has been on state active duty, on state training, or on other duty for more than 60 days. Among other provisions, the bill provides for payment of state contribution costs to the Texas Military Department, reimbursement by the department to the Employees Retirement System of Texas (ERS), and the adoption of a memorandum of understanding by the adjutant general and ERS regarding the method of reimbursement.

House Bill 3404
Effective: 9-1-15

House Author: Thompson, Senfronia
Senate Sponsor: Lucio

House Bill 3404 requires the Health and Human Services Commission to report on a study on the benefits of providing integrated care to veterans with post-traumatic stress disorder.

House Bill 3547
Effective: 9-1-15

House Author: Larson et al.
Senate Sponsor: Campbell

House Bill 3547 amends the Labor Code to authorize a private employer to adopt a policy under which the employer may give a preference in employment decisions to a veteran.

Senate Bill 55
Effective: 6-4-15

Senate Author: Nelson et al.
House Sponsor: King, Susan

Senate Bill 55 amends the Government Code to establish a grant program to support community mental health programs providing services and treatment to veterans and their families. The bill requires the Health and Human Services Commission (HHSC) to enter into an agreement with a qualified nonprofit or private entity to serve as the administrator of the grant program, provides for the selection of a qualified nonprofit or private entity to administer a pilot program, and sets out the duties of the administrator in fulfilling HHSC's responsibilities with respect to the grant program.

The bill requires all grants awarded under the program to be used only to support community programs that provide mental health care services and treatment to veterans and their families and that coordinate mental health care services for veterans and their families with other transition support services. The bill sets out the duties of the executive commissioner of HHSC in developing criteria for evaluating grant recipient applications or proposals.

Senate Bill 169
Effective: 6-15-15

Senate Author: Uresti et al.
House Sponsor: King, Susan

Senate Bill 169 amends the Government Code to require the executive commissioner of the Health and Human Services Commission (HHSC), if a military member who has declared and maintains Texas as the member's state of legal residence or the member's spouse or dependent child or the spouse or dependent child of such a member who was killed in action or died while in service cannot receive benefits under an assistance program provided by HHSC or another health and human services agency because that member temporarily resides out of state as a result of military service, to require the commission or other agency to maintain the member's position on the waiting list for the assistance program for a specified period. If the person returns to reside in Texas, HHSC must offer benefits to the person according to the person's position on the list that was attained while the person resided out of state.

Senate Bill 660
Effective: 5-22-15

Senate Author: Rodríguez et al.
House Sponsor: Blanco

Senate Bill 660 amends the Government Code to require the veteran entrepreneur program to establish regional coordinators in major centers of economic growth to provide program services. The program is also required to consult with the U.S. Department of Veterans Affairs and the U.S. Small Business Administration in developing procedures to ensure that program services do not duplicate the services provided by either federal agency.

Senate Bill 805
Effective: 9-1-15

Senate Author: Campbell et al.
House Sponsor: Raney et al.

Senate Bill 805 amends the Government Code and Labor Code to enact the Military Veterans' Full Employment Act by revising the veteran's employment preference for public employers and adding a voluntary veteran's employment preference for private employers. The bill requires a state agency to follow the order of priority set by the bill for providing a veteran's employment preference to eligible individuals and to take the following actions: establish the minimum veteran employment goal set by the bill; designate a veteran's liaison if the state agency has at least 500 full-time equivalent positions; and interview a specified minimum number of individuals qualified for a veteran's employment preference for each announced open position at the state agency. Among other provisions, the bill authorizes a state agency to designate an open position as a veteran's position and to hire or appoint an individual entitled to a veteran's employment preference without announcing or advertising the position under certain conditions.

Senate Bill 807
Effective: 9-1-15

Senate Author: Campbell et al.
House Sponsor: Sheets

Senate Bill 807 amends the Occupations Code to require a state agency that issues an occupational license to a military service member or military veteran to waive the license application and examination fees if the applicant's military service, training, or education substantially meets all of the requirements for the license. The bill also requires a state agency to waive such fees for a military service member, veteran, or military spouse who holds a current license issued by another jurisdiction that has substantially equivalent licensing requirements.

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Senate Bill 1304
Effective: 6-19-15

Senate Author: Menéndez et al.
House Sponsor: Minjarez

Senate Bill 1304 amends the Health and Safety Code to require the Department of State Health Services to develop a women veterans mental health initiative as part of the department's mental health intervention program for veterans.

Senate Bill 1305
Effective: 6-19-15

Senate Author: Menéndez et al.
House Sponsor: Minjarez

Senate Bill 1305 amends the Health and Safety Code to require the Department of State Health Services to develop a rural veterans mental health initiative as part of the department's mental health intervention program for veterans.

Senate Bill 1307
Effective: 9-1-15

Senate Author: Menéndez et al.
House Sponsor: King, Susan

Senate Bill 1307 amends Occupations Code provisions relating to the occupational licensing of military service members, military veterans, and military spouses to make applicable to military service members and military veterans certain alternative and expedited licensing procedures applicable to military spouses. The bill also requires a state agency that issues an occupational license to post a notice on the agency's website describing licensing provisions applicable to military service members, military veterans, and military spouses.

Previous law qualified a military service member who held an occupational license for exemption from a penalty for failing to renew the license in a timely manner because the individual was serving outside Texas. The bill removes that condition and provides that a military service member is entitled to a two-year extension of a license renewal deadline, rather than an extension based on the amount of time the service member serves on active duty.

Senate Bill 1308
Effective: 9-1-15

Senate Author: Menéndez
House Sponsor: King, Susan

Senate Bill 1308 amends the Transportation Code to require the Department of Public Safety (DPS) and the Texas Veterans Commission to jointly develop for veterans who receive a driver's license or personal identification certificate with a veteran's designation a one-page informational paper about state veterans services. DPS must provide the informational paper to such recipients at the time the license or certificate is issued.

Senate Bill 1463
Effective: 6-16-15

Senate Author: Lucio et al.
House Sponsor: Lucio III et al.

Senate Bill 1463 amends the Government Code to authorize the governor or the governor's designee to negotiate with the United States Department of Veterans Affairs and any other appropriate federal agency on matters relating to improving the delivery of health care services to veterans in Texas. The bill requires the Department of State Health Services (DSHS), the Health and Human Services Commission, the Texas Veterans Commission, and any other state agency, department, or office to provide assistance to the governor on the governor's request.

Current law requires the Texas Veterans Commission and DSHS to work with the United States Department of Veterans Affairs and any other appropriate federal agency regarding the establishment of a veterans hospital in the Rio Grande Valley region. The bill requires those state agencies to work in collaboration with the office of the governor for that purpose.

Senate Bill 1879
Effective: 9-1-15

Senate Author: Zaffirini et al.
House Sponsor: Farias

Senate Bill 1879 amends the Government Code to require the Texas Veterans Commission to conduct a needs assessment every four years to identify specific high-priority needs of veterans and services available to address those needs, to determine the grant categories that correspond to those needs, and to identify any discrepancy between those needs and the services available to address them. The bill requires the commission, on completion of the needs assessment, to incorporate the results into the commission's process for awarding grants from the fund for veterans' assistance.

Special Recognitions

House Bill 115
Effective: 5-28-15

House Author: Dale et al.
Senate Sponsor: Fraser et al.

House Bill 115 amends the Government Code to include a member of the armed forces who was wounded or killed at Fort Hood on November 5, 2009, among the service members to be awarded the Texas Purple Heart Medal.

House Bill 127
Effective: 1-1-16

House Author: McClendon
Senate Sponsor: Ellis

House Bill 127 amends the Transportation Code to require the Texas Department of Motor Vehicles to issue specialty license plates for recipients of the Commendation Medal for each branch of the military and for joint service.

House Bill 194
Effective: 6-16-15

House Author: Price et al.
Senate Sponsor: Hinojosa et al.

House Bill 194 amends the Government Code to designate the last Sunday in September of each year as Gold Star Mother's Day in recognition of mothers whose sons and daughters died while serving in the U.S. armed forces.

House Bill 789
Effective: 1-1-16

House Author: Miller, Rick et al.
Senate Sponsor: Taylor, Van

House Bill 789 amends the Transportation Code to remove as an eligibility requirement for the issuance of a specialty license plate to a retired member of the U.S. military or of the Texas National Guard or Texas State Guard that the retired member completed 20 or more years of satisfactory federal service. The bill also establishes that an identification card issued by the applicable military branch or department indicating that the member is retired is an alternative means of demonstrating eligibility.

House Bill 923
Effective: 1-1-16

House Author: Flynn et al.
Senate Sponsor: Taylor, Van

House Bill 923 amends the Transportation Code to require the Texas Military Department to issue specialty license plates for persons who have served in the 36th Infantry Division of the Texas Army National Guard and to issue, on request, a souvenir version of the license plate.

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House Bill 1128

Effective: 1-1-16

House Author: Fletcher

Senate Sponsor: Taylor, Van et al.

House Bill 1128 amends the Transportation Code to provide for the issuance of specialty license plates for recipients of the Combat Action Badge, the Combat Action Medal, and the Combat Action Ribbon.

House Bill 1187

Effective: 9-1-15

House Author: Wray et al.

Senate Sponsor: Birdwell et al.

House Bill 1187 amends the Transportation Code to designate a segment of U.S. Highway 287 in Midlothian as the Chris Kyle Memorial Highway.

House Bill 1237

Effective: 9-1-15

House Author: Tinderholt et al.

Senate Sponsor: Burton

House Bill 1237 amends the Transportation Code to designate a portion of U.S. Highway 290 in Hays and Travis Counties as the Lieutenant Clay Crabb Memorial Highway.

House Bill 1273

Effective: 9-1-15

House Author: Farias et al.

Senate Sponsor: Uresti

House Bill 1273 amends the Transportation Code to include emblems from the Korea Veteran, Vietnam Veteran, Desert Shield/Storm/Provide Comfort, Operation Iraqi Freedom, Enduring Freedom, and Woman Veteran specialty license plates among the alternative emblems a disabled veteran may request to be displayed on the veteran's specialty license plate.

The bill revises the dates of service for the issuance of specialty license plates to Korea veterans, Vietnam veterans, and Operation Desert Shield or Desert Storm veterans and provides for the issuance of a specialty license plate for recipients of the Prisoner of War Medal.

House Bill 1364

Effective: 1-1-16

House Author: Miller, Rick

Senate Sponsor: Taylor, Van

House Bill 1364 amends the Transportation Code to provide for the issuance of specialty license plates for recipients of the Defense Meritorious Service Medal and the Meritorious Service Medal.

House Bill 1702

Effective: 1-1-16

House Author: Blanco et al.

Senate Sponsor: Rodríguez

House Bill 1702 repeals a provision of the Transportation Code to eliminate the fee for the Gold Star mother, father, spouse, or family member specialty license plate.

House Bill 2108

Effective: 9-1-15

House Author: Galindo et al.

Senate Sponsor: Garcia

House Bill 2108 amends the Government Code to include a member of the U.S. military forces among the service members who may be awarded the Cold War Medal and provides that such a recipient must be a resident of Texas at the time the member entered military service. Such a service member may not be awarded a Cold War Medal if a federal Cold War Medal or an equivalent federal medal is available.

Senate Bill 193
Effective: 9-1-15

Senate Author: Creighton et al.
House Sponsor: González

Senate Bill 193 amends the Transportation Code to provide for the issuance of specialty license plates for recipients of the Soldier's Medal, the Navy and Marine Corps Medal, the Coast Guard Medal, and the Airman's Medal.

Senate Bill 961
Effective: 9-1-15

Senate Author: Rodríguez et al.
House Sponsor: Guillen

Senate Bill 961 amends the Government Code to designate February 19 as Iwo Jima Day.

Senate Bill 1737
Effective: 6-16-15

Senate Author: Hinojosa
House Sponsor: Guerra et al.

Senate Bill 1737 amends the Transportation Code to designate a segment of State Highway 83 in Hidalgo County as the World War II Veterans 349th Regt. 88th Inf. Div. Memorial Highway.

Senate Bill 1824
Effective: 6-18-15

Senate Author: Campbell et al.
House Sponsor: King, Susan

Senate Bill 1824 requires the standing committees of both houses of the legislature with primary jurisdiction over military and veterans affairs to report on a joint study on the nomination and selection process for the award of the Texas Legislative Medal of Honor.

The summaries for the following bills are in the listed chapters:

House Bill 875—Corrections
House Bill 1584—Parks and Wildlife
House Bill 2014—Public Education
Senate Bill 806—Higher Education

Occupational Regulation

This chapter covers legislation on issues relating to the regulation of certain occupations, professions, and industries, including license and permit requirements and fees, performance standards and restrictions, and penalties for violations. Legislation relating to occupations in the financial, insurance, and health care sectors is in the **Business and Commerce**, **Insurance**, and **Health and Medical Occupations** chapters, respectively. Legislation relating to wages, unemployment compensation, workers' compensation, and workforce development is in the **Labor and Employment** chapter. Legislation relating to the licensing in the field of law enforcement is in the **Public Safety** chapter. Legislation relating to the licensing of individuals with certain military experience and crediting such experience toward licensing requirements is in the **Military Forces and Veterans** chapter. Related legislation that is summarized in other chapters is listed at the end of this chapter.

General

House Bill 104
Effective: 9-1-15

House Author: White, James et al.
Senate Sponsor: Eltife

House Bill 104 amends the Occupations Code to authorize a person holding a license, certificate, or permit associated with the barbering or cosmetology profession to perform a service within the scope of the license, certificate, or permit at a location other than a licensed facility for a client in preparation for and at the location of a special event, including a wedding.

House Bill 804
Effective: 9-1-15

House Author: Geren
Senate Sponsor: Seliger

House Bill 804 amends the Occupations Code to add a cash payment to and remove a payment made with an electronic check from the forms of payment each of which an operator of a vehicle storage facility is required to accept for any charge associated with delivery or storage of a vehicle.

House Bill 833
Effective: 6-16-15

House Author: Clardy
Senate Sponsor: Nichols

House Bill 833 amends the Occupations Code to authorize a person who on June 7, 1995, held both a motor home manufacturer's license and a motor home dealer's license to hold a motor home manufacturer's license, a dealer general distinguishing number issued by the Texas Department of Motor Vehicles, and not more than two franchised dealer's licenses for purposes of the authority to operate as both a manufacturer and dealer of motor homes.

House Bill 930
Effective: 9-1-15

House Author: Miller, Doug
Senate Sponsor: Perry

House Bill 930 amends the Occupations Code to require the Texas Commission of Licensing and Regulation to establish an apprentice water well driller program and an apprentice water well pump installer program.

House Bill 1049
Effective: 6-16-15

House Author: Rodriguez, Eddie et al.
Senate Sponsor: Rodríguez et al.

House Bill 1049 amends the Occupations Code to classify a massage therapy program at a licensed massage school as a postsecondary education program.

Occupational Regulation

House Bill 1077
Effective: 9-1-15

House Author: Kuempel
Senate Sponsor: Campbell

House Bill 1077 amends the Occupations Code to provide for the inclusion of one master sign electrician member on the Electrical Safety and Licensing Advisory Board.

House Bill 2187
Effective: 9-1-15

House Author: Smith et al.
Senate Sponsor: Taylor, Larry et al.

House Bill 2187 amends the Occupations Code to include lead material as a regulated material for purposes of regulating metal recycling entities, restrict the methods of payment for a metal recycling entity's purchase of regulated materials, expand the information required in a metal recycling entity's record of purchase of regulated material, provide for an administrative penalty for the failure to furnish the required electronic transaction report to the Department of Public Safety (DPS) following the purchase or other acquisition of a regulated material, and increase the membership of the DPS advisory committee on matters related to the regulation of metal recycling entities.

House Bill 2213
Effective: 5-23-15

House Author: Metcalf
Senate Sponsor: Creighton

House Bill 2213 amends the Occupations Code to include the Montgomery County Sheriff's Office among those authorized to maintain a tow rotation list for nonconsent tows of motor vehicles in the county's unincorporated area that are initiated by a peace officer investigating a traffic accident or a traffic incident.

House Bill 2255
Effective: 9-1-15

House Author: Larson et al.
Senate Sponsor: Creighton et al.

House Bill 2255 amends the Occupations Code to revise certain eligibility requirements under the Plumbing License Law, establish eligibility requirements for plumbing examiners, and increase the maximum number of work experience hours the Texas State Board of Plumbing Examiners may credit a plumber's apprentice applying for a journeyman plumber license or tradesman-plumber limited license.

House Bill 2464
Effective: 9-1-15

House Author: Smith
Senate Sponsor: Taylor, Larry

House Bill 2464 amends the Occupations Code to provide for the transfer of an unexpired plumber's license that has been held continuously for at least 50 consecutive years to another person who is related within the second degree by consanguinity to the plumber on the plumber's retirement or death.

House Bill 2481
Effective: 9-1-15

House Author: Smith
Senate Sponsor: Eltife

House Bill 2481 amends the Occupations Code to exempt an auction of property through the Internet from auctioneer regulations, address certain issues concerning the sale of motor vehicles at auction, reinstate the associate auctioneer license, and make changes regarding the auctioneer education advisory board, among other provisions relating to the licensing and regulation of auctioneers.

House Bill 2717
Effective: 6-10-15

House Author: Goldman et al.
Senate Sponsor: West et al.

House Bill 2717 amends the Occupations Code to provide for the deregulation of hair braiding services.

House Bill 3043
Effective: Vetoed

House Author: Thompson, Senfronia
Senate Sponsor: Garcia

House Bill 3043 amends the Occupations Code to expand the type of electrical work that falls under the scope of a journeyman lineman license and to require the Texas Department of Licensing and Regulation to accept, develop, or contract for a journeyman lineman examination that meets specified criteria.

Governor's Reason for Veto: "State licensure of occupations in many cases impedes free market competition and drives up the costs of services for consumers. Texas law currently allows for the licensure of journeymen linemen. Only 33 individuals have applied for the license since it was authorized in 2013. Current law does not require a license in order to conduct journeyman lineman work, nor should it. The license serves no imperative public purpose, requires unnecessary government bureaucracy, and creates the potential for unionized workers to artificially increase prices for consumers.

"House Bill 3043 is an attempt to increase the number of applicants seeking to be licensed and regulated by the state for conducting lineman work. This would only increase the potential for the license to be used in an anti-competitive manner. Raising the barriers to entry into an occupation should be avoided whenever possible."

House Bill 3091
Effective: 6-16-15

House Author: Miles
Senate Sponsor: Eltife

House Bill 3091 amends the Health and Safety Code to authorize the Texas Commission of Licensing and Regulation to adopt standards for an inspection agency to be authorized by the Texas Department of Licensing and Regulation to provide boiler inspections.

House Bill 3741
Effective: 6-10-15

House Author: Smith
Senate Sponsor: Eltife

House Bill 3741 amends the Health and Safety Code to require the Texas Commission of Licensing and Regulation to adopt standards for the removal from service of elevators, escalators, and related equipment used by the public in certain public buildings. The bill authorizes the executive director of the Texas Department of Licensing and Regulation to charge a reasonable fee for applying to remove such equipment from service and exempts equipment that has been removed from service from the annual inspection requirement.

House Bill 3742
Effective: 9-1-15

House Author: Smith
Senate Sponsor: Eltife

House Bill 3742 amends the Occupations Code, Government Code, and Health and Safety Code to provide for the adoption of alternative means of determining or verifying a person's eligibility for a license issued by the Texas Department of Licensing and Regulation.

Senate Bill 534
Effective: 5-15-15

Senate Author: Watson et al.
House Sponsor: Smithee

Senate Bill 534 amends the Government Code to include in the attorney oath of office a statement that the person will conduct oneself with integrity and civility in dealing and communicating with the court and all parties.

Occupational Regulation

Senate Bill 699

Effective: See below

Senate Author: Eltife et al.

House Sponsor: Kuempel

Senate Bill 699 amends the Occupations Code to update and clarify provisions of The Real Estate License Act, including provisions relating to licensing and certification, education, the real estate recovery trust account, and the Texas Real Estate Commission's members, employees, and complaint, investigation, and enforcement procedures. The bill takes effect January 1, 2016, except for the increase of the additional fee for the issuance or renewal of a broker license collected for the Texas Real Estate Research Center, which takes effect September 1, 2015.

Senate Bill 1820

Effective: 5-23-15

Senate Author: Taylor, Van

House Sponsor: Kuempel

Senate Bill 1820 amends the Occupations Code to exempt a truck-trailer combination and a car hauler that meet specified criteria from towing regulations under the Texas Towing and Booting Act.

Senate Bill 1982

Effective: 6-19-15

Senate Author: Kolkhorst

House Sponsor: Goldman

Senate Bill 1982 amends the Occupations Code to exempt certain sales of motor vehicles at auction from statutory provisions governing auctioneers and to authorize a licensed auctioneer to conduct an auction to sell motor vehicles for a person who holds a wholesale motor vehicle auction general distinguishing number or a salvage vehicle dealer or salvage vehicle agent license.

Amusements, Gaming, and Sports

House Bill 975

Effective: See below

House Author: Geren et al.

Senate Sponsor: Fraser et al.

House Bill 975 amends the Occupations Code and Penal Code to establish the Professional Sports Team Charitable Foundation Raffle Enabling Act. The bill authorizes a qualified professional sports team charitable foundation to conduct a charitable raffle during each preseason, regular season, and postseason game hosted at the home venue of the professional sports team associated with the foundation to provide revenue for the foundation's charitable purposes. The bill sets out certain prohibited conduct related to such raffles that constitutes a Class C misdemeanor offense and authorizes injunctive action against unauthorized raffles. The bill takes effect January 1, 2016, contingent on voter approval of the constitutional amendment proposed by House Joint Resolution 73.

House Bill 3315

Effective: 9-1-15

House Author: Gutierrez

Senate Sponsor: Eltife

House Bill 3315 amends the Occupations Code to change the name of the medical advisory committee appointed by the presiding officer of the Texas Commission of Licensing and Regulation to the combative sports advisory board and to expand the issues on which the board is to provide advice.

House Joint Resolution 73
For Election: 11-3-15

House Author: Geren et al.
Senate Sponsor: Fraser et al.

House Joint Resolution 73 proposes an amendment to the state constitution to authorize the legislature to permit professional sports team charitable foundations to conduct charitable raffles.

Senate Bill 866
Effective: 9-1-15

Senate Author: Taylor, Larry
House Sponsor: Bonnen, Greg et al.

Senate Bill 866 amends the Local Government Code to extend the authority to regulate game rooms to Brazoria, Chambers, Galveston, and Webb Counties and to broaden the definition of “game room.”

Senate Bill 1210
Effective: 9-1-15

Senate Author: Kolkhorst
House Sponsor: Miller, Rick

Senate Bill 1210 amends the Local Government Code to provide for the regulation of game rooms in Fort Bend County.

The summaries for the following bills are in the listed chapters:

- House Bill 1740—Local Government
- House Bill 2439—Insurance
- Senate Bill 367—Alcoholic Beverages
- Senate Bill 807—Military Forces and Veterans
- Senate Bill 808—Alcoholic Beverages
- Senate Bill 858—Alcoholic Beverages
- Senate Bill 1228—Alcoholic Beverages
- Senate Bill 1287—Public Safety
- Senate Bill 1307—Military Forces and Veterans
- Senate Bill 1766—Agriculture

Open Government and Privacy

This chapter covers legislation on issues relating to public access to governmentally held information, including state public information law, state open meetings law, confidentiality, disclosure, and personal privacy. Legislation relating to government contracting and procurement is in the **Government Purchasing** chapter. Legislation relating to the use and availability of electronic information in state government is in the **State Government** chapter. Related legislation that is summarized in other chapters is listed at the end of this chapter.

House Bill 283
Effective: 1-1-16

House Author: Fallon et al.
Senate Sponsor: Creighton

House Bill 283 amends the Government Code to require the governmental body of a transit authority or department, school district, home-rule municipality, or county, as those entities are described by the bill, to make audio and video recordings of open meetings available on the Internet. Among other provisions, the bill sets a deadline by which the recordings must be made available.

House Bill 685
Effective: 9-1-15

House Author: Sheets
Senate Sponsor: Hancock

House Bill 685 amends the Government Code and Utilities Code to provide a political subdivision with an additional method of producing public information under the state's public information law and to clarify the authority of a governmental body under that law to withhold personal information in a utility customer's account record.

House Bill 1832
Effective: 6-19-15

House Author: Pickett
Senate Sponsor: Taylor, Larry

House Bill 1832 amends the Labor Code to establish the confidentiality of certain information related to the agency-level continuity of operations plan that each state agency develops with the State Office of Risk Management to outline procedures for continuing essential agency operations in case of disruptions to such operations.

House Bill 2134
Effective: 9-1-15

House Author: Burkett
Senate Sponsor: Hall

House Bill 2134 amends the Government Code to provide for a governmental body's clarification of a request for public information sent by electronic mail.

House Bill 2633
Effective: 6-18-15

House Author: Hernandez et al.
Senate Sponsor: Perry

Previous law required the Texas Department of Transportation (TxDOT) or another governmental entity holding certain accident report information to release that information to a person, among others, who provided two or more items of the following information: the date or place of the accident or the name of any person involved in the accident. House Bill 2633 amends the Transportation Code to require that the accident information be released on written request and payment of fees to any person directly concerned in the accident or having a proper interest therein, including, among others, a licensed radio or television station and certain regularly published newspapers. TxDOT or the governmental entity that receives

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the accident report information is required to create an accident report, redacted of certain identifying information, that can be released to any person on request. The redacted report is not considered to be “personal information” for purposes of the Motor Vehicle Records Disclosure Act.

House Bill 3357
Effective: 9-1-15

House Author: Lucio III
Senate Sponsor: Eltife

House Bill 3357 amends the Government Code to authorize the governing body of a political subdivision to post meeting notices on the political subdivision’s Internet website.

House Bill 3680
Effective: 9-1-15

House Author: Geren
Senate Sponsor: Zaffirini

House Bill 3680 amends the Government Code to provide for the confidentiality of electronic report and financial statement data that is stored temporarily by the Texas Ethics Commission before the report or statement is filed with the commission.

Senate Bill 27
Effective: 9-1-15

Senate Author: Zaffirini
House Sponsor: Howard

Senate Bill 27 amends the Government Code to require the broadcast over the Internet of each part of a telephone conference call meeting held by the governing board of an institution of higher education, the Board for Lease of University Lands, or the Texas Higher Education Coordinating Board that is required to be open to the public. The bill specifies that the recordings of such meetings are to be made available to the public in an online archive located on the website of the entity holding the meeting.

Senate Bill 57
Effective: 6-19-15

Senate Author: Nelson
House Sponsor: Simmons

Senate Bill 57 amends the Transportation Code to exempt certain information collected by a regional tollway authority, regional mobility authority, metropolitan rapid transit authority, regional transportation authority, or coordinated county transportation authority from disclosure under state public information law.

Senate Bill 679
Effective: 5-23-15

Senate Author: Nelson
House Sponsor: Burkett

Senate Bill 679 amends Government Code provisions relating to open meetings to establish posting requirements for a joint airport board.

Senate Bill 1213
Effective: 9-1-15

Senate Author: Kolkhorst
House Sponsor: Oliveira

Senate Bill 1213 amends the Business & Commerce Code to make it a Class A misdemeanor to reidentify or attempt to reidentify personal identifying information about an individual who is the subject of deidentified information released by a state agency or a hospital that is maintained or operated by the state or to knowingly disclose or release information that was reidentified in violation of this prohibition. The bill makes a person who commits such a violation liable to the individual who is the subject of the information for statutory damages and liable to the state for a civil penalty. The bill provides for a person to whom deidentified information subject to the bill’s provisions is released, sold, transferred, or disclosed to be given written notification that the information is deidentified information.

Senate Bill 1237
Effective: 9-1-15

Senate Author: Taylor, Van et al.
House Sponsor: Sanford

Senate Bill 1237 amends the Transportation Code to require a metropolitan planning organization (MPO) that serves one or more counties with a population of 350,000 or more to broadcast over the Internet live video and audio of each open meeting held by the MPO's policy board. The bill also requires such an MPO to make archived video and audio for each meeting for which live video and audio was provided available through the MPO's website.

Senate Bill 1697
Effective: 9-1-15

Senate Author: Huffman
House Sponsor: Smithee et al.

Senate Bill 1697 amends the Government Code and Code of Criminal Procedure to make confidential and except from disclosure under state public information law identifying information regarding any person who participates in an execution procedure and any person or entity that manufactures, transports, tests, procures, compounds, prescribes, dispenses, or provides a substance or supplies used in an execution.

The summaries for the following bills are in the listed chapters:

House Bill 1311—Juvenile Justice

House Bill 2152—Military Forces and Veterans

Senate Bill 1812—Property Interests and Housing

Parks and Wildlife

This chapter covers legislation on issues relating to parks and wildlife generally, including hunting and fishing, as well as legislation relating to the functions and duties of the Parks and Wildlife Department. Related legislation that is summarized in other chapters is listed at the end of this chapter.

General

House Bill 801
Effective: 6-9-15

House Author: King, Ken
Senate Sponsor: Eltife

House Bill 801 amends the Parks and Wildlife Code to provide for the adoption and implementation by the Parks and Wildlife Commission and the Parks and Wildlife Department (TPWD) of a general plan for the use of beneficial prescribed burns on state land that is managed by TPWD, to require the Prescribed Burning Board within the Department of Agriculture to review the general plan, and to require the completion and approval of a site-specific plan for a particular prescribed burn that is tailored to a designated area. The bill requires TPWD to provide adequate advance notice of a prescribed burn to each neighboring landowner and to appropriate local officials in the vicinity of the designated burn area and specifies the contents of the landowner's notice.

The bill requires TPWD to purchase liability insurance or establish a self-insurance fund for liability coverage to protect TPWD and its employees against claims resulting from bodily injury or death resulting from a prescribed burn or from injury to or destruction of property resulting from a prescribed burn. Among other provisions, the bill waives and abolishes sovereign immunity to suit to the extent of liability created under the bill's provisions.

House Bill 1466
Effective: 9-1-15

House Author: Bonnen, Dennis
Senate Sponsor: Huffman

House Bill 1466 amends the Parks and Wildlife Code to require the recorded owner of a vessel or outboard motor to notify the Parks and Wildlife Department (TPWD) within a specified period after the date of the transfer by sale, donation, gift, or other means of all or any part of the owner's interest in the vessel or outboard motor or of the permanent removal of the vessel or outboard motor from Texas to another state or country. The notification of a transfer of interest or move to another state or country must be on a form prescribed by TPWD and include the name and address of the new owner and, as applicable, the vessel's certificate of number and the serial number of the outboard motor. The bill requires the recorded owner, if a vessel or outboard motor for which TPWD has issued a certificate of title is destroyed or disposed of in a manner other than by transfer or permanent removal from Texas, to notify TPWD of the destruction or disposal and to surrender to TPWD the certificate of title. On receipt of a notice by the recorded owner, TPWD must cancel the title and enter the cancellation in TPWD's records. The bill creates a criminal offense for a recorded owner's failure to file a change in ownership interest with TPWD and subjects the owner to penalties under the Water Safety Act and to certain removal costs and penalties under the Oil Spill Prevention and Response Act of 1991. Among other provisions, the bill prohibits TPWD, an authorized agent, or a county tax assessor-collector from issuing a renewal certificate of number unless the tax due on the vessel is paid.

House Bill 1919
Effective: 6-19-15

House Author: Phillips
Senate Sponsor: Estes

Current law prohibits the importation, possession, sale, or placement into the public water of Texas of certain exotic harmful or potentially harmful fish, shellfish, or aquatic plants except as authorized by a rule of the Texas Parks and Wildlife Commission or by a permit issued by the Parks and Wildlife Department (TPWD). House Bill 1919 amends the Parks and Wildlife Code to prohibit TPWD from requiring such a permit for a water transfer that is undertaken by a utility owned by a political subdivision, that is transferred through a water supply system, and that meets certain other described criteria and conditions.

House Bill 1925
Effective: 6-10-15

House Author: Geren
Senate Sponsor: Kolkhorst

House Bill 1925 transfers Natural Resources Code provisions relating to the administration of the Texas farm and ranch lands conservation program by the General Land Office to the Parks and Wildlife Code to provide for the administration of that program by the Parks and Wildlife Department. The bill, among other provisions, changes the composition of the Texas Farm and Ranch Lands Conservation Council and revises the criteria the council must consider for awarding grants.

House Bill 3618
Effective: 9-1-15

House Author: Isaac
Senate Sponsor: Campbell

House Bill 3618 amends the Parks and Wildlife Code to prohibit a person from camping or building a fire in a dry riverbed of a section of the Blanco River that is not located in a county adjacent to a county with a municipality with a population greater than 1.5 million and creates a misdemeanor offense for a violation of the prohibition.

House Bill 3842
Effective: 9-1-15

House Author: Smithee
Senate Sponsor: Seliger

House Bill 3842 amends the Parks and Wildlife Code to authorize the Parks and Wildlife Commission to enter into a joint agreement with the governing board of a public institution of higher education to finance and build a conference center and other appropriate related facilities in or near a state park. The bill requires such a facility to be operated cooperatively to provide benefits to the Parks and Wildlife Department and the institution of higher education in accomplishing their respective purposes.

Senate Bill 1132
Effective: 6-19-15

Senate Author: Perry
House Sponsor: Murr

Senate Bill 1132 amends the Parks and Wildlife Code to authorize the Parks and Wildlife Department (TPWD) to apply for, register, secure, hold, and protect, under any law, a patent, copyright, trademark, service mark, collective mark, certification mark, or other evidence of protection or exclusivity issued in or for the protection and use of intellectual property. Among other provisions, the bill authorizes TPWD to enter into a contract with an individual or company for the sale, lease, marketing, or other distribution of its intellectual property and to obtain under such a contract a royalty, license right, or other appropriate means of securing appropriate compensation for the development or purchase of the intellectual property. The bill requires the Texas Parks and Wildlife Commission to institute policies regarding intellectual property and provides for the deposit of money paid to TPWD under the bill's provisions to the credit of the game, fish, and water safety account or the state parks account, as appropriate.

The bill excepts intellectual property for which TPWD has applied for or received a patent, copyright, trademark, or other evidence of protection or exclusivity from required disclosure under state public information law and establishes that it is not a violation of Government Code provisions relating to personal financial disclosure, standards of conduct, and conflict of interest for a TPWD employee who conceives, creates, discovers, invents, or develops intellectual property to own or be awarded any amount of equity interest or participation in the research, development, licensing, or exploitation of that intellectual property with the Parks and Wildlife Commission's approval.

Hunting and Fishing

House Bill 821
Effective: 9-1-15

House Author: Sheets et al.
Senate Sponsor: Creighton

Current law requires, for purposes of assisting in the administration of the laws regarding child support enforcement and services, each state licensing authority to request and each applicant for a state license to provide, with certain exceptions, the applicant's social security number. House Bill 821 amends the Family Code and the Parks and Wildlife Code to specify that an applicant for a fishing or hunting license who is 13 years of age or younger is not required to provide the applicant's social security number, the Parks and Wildlife Department is not required to request the number, and the Parks and Wildlife Commission is prohibited from adopting rules requiring such an applicant to provide the number.

House Bill 1579
Effective: 7-1-16

House Author: Lucio III et al.
Senate Sponsor: Lucio

House Bill 1579 amends the Parks and Wildlife Code to make it a Parks and Wildlife Code misdemeanor for a person to buy or offer to buy, sell or offer to sell, possess for the purpose of sale, transport, or ship for the purpose of selling, bartering, or exchanging a shark fin, regardless of where the shark was taken or caught. Among other provisions, the bill establishes the conditions under which a person may possess a shark fin and authorizes the Parks and Wildlife Department to issue a permit for the possession, transport, sale, or purchase of shark fins for a bona fide scientific research purpose.

House Bill 1584
Effective: 9-1-15

House Author: Farias et al.
Senate Sponsor: Zaffirini et al.

House Bill 1584 amends the Government Code and the Parks and Wildlife Code to authorize a person applying for a hunting or fishing license of any type to make a voluntary contribution of money in specified amounts to the fund for veterans' assistance administered by the Texas Veterans Commission and authorizes the Parks and Wildlife Department to consult with the Department of Public Safety for assistance in developing procedures to implement this provision.

House Bill 3390
Effective: Vetoed

House Author: Larson
Senate Sponsor: Perry

Current law prescribes the contents of a written agreement between a property owner and a person engaging in hunting or recreational shooting that allows the person to discharge a firearm on, over, or across the owner's property or property line and that acts as a defense to prosecution for the offense of discharging a firearm across a property line. House Bill 3390 amends the Parks and Wildlife Code to include among the required contents the telephone number and mailing address of the person allowed to hunt or engage in recreational shooting.

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Governor's Reason for Veto: "Under current law, it is already a crime for hunters to fire across a property line unless the hunter owns both plots of land or has a written agreement with the property owner on either side of the property line. House Bill 3390 would require expanded agreements that contain more of the hunter's personal information. These new requirements could result in increased prosecution of hunters who are attempting to comply with the law but are not aware the law has changed. There are already severe criminal and civil penalties for the dangerous discharge of a firearm. Increased regulation of hunters is not necessary."

Senate Bill 1978
Effective: 6-19-15

Senate Author: Lucio et al.
House Sponsor: Cyrier

Senate Bill 1978 amends the Parks and Wildlife Code to authorize a person applying for a hunting license to contribute money to a nonprofit organization, as designated by the Parks and Wildlife Commission, that administers a statewide program that provides hunters a way to donate legally harvested deer to local food assistance providers. The bill requires the Department of Parks and Wildlife to provide space on each application for a hunting license for a person to indicate the contribution amount and to also provide an opportunity for a person to contribute during the online application process.

Senate Joint Resolution 22
For Election: 11-3-15

Senate Author: Creighton et al.
House Sponsor: Ashby et al.

Senate Joint Resolution 22 proposes an amendment to the state constitution to establish that the people have the right to hunt, fish, and harvest wildlife, including by the use of traditional methods, subject to laws or regulations to conserve and manage wildlife and preserve the future of hunting and fishing and to establish that hunting and fishing are preferred methods of managing and controlling wildlife.

The summaries for the following bills are in the listed chapters:

House Bill 158—Appropriations and State Finance

House Bill 721—Military Forces and Veterans

Senate Bill 381—Civil Remedies and Procedures

Senate Bill 1366—Appropriations and State Finance

Probate and Guardianship

This chapter covers legislation on probate and guardianship proceedings and appointments, transfers of certain property, durable power of attorney, and the management and administration of a guardianship or trust. Related legislation that is summarized in another chapter is listed at the end of this chapter.

General

House Bill 705
Effective: 9-1-15

House Author: Farrar
Senate Sponsor: Ellis

House Bill 705 amends the Estates Code to authorize a court, under certain conditions and on application of an interested person having a property right in or claim against a decedent's estate, to issue an order requiring a financial institution to release to the person named in the order information concerning the balance of certain accounts that are maintained at the financial institution of a decedent who dies intestate.

House Bill 1560
Effective: 9-1-15

House Author: Hernandez
Senate Sponsor: Ellis

House Bill 1560 amends the Property Code to expand the investment options for money recovered by the plaintiff in a suit in which a minor or incapacitated person who has no legal guardian is represented by a next friend or appointed guardian ad litem and not otherwise managed to include investment in the Texas tomorrow fund II or a higher education savings plan administered by the Prepaid Higher Education Tuition Board.

House Bill 2665
Effective: 6-19-15

House Author: Moody
Senate Sponsor: Zaffirini

House Bill 2665 amends the Estates Code to authorize an adult ward's spouse, parent, sibling, or child to file an application with the probate court requesting access to the ward. The court is required to schedule a hearing on the application and the guardian of the ward must personally be cited to appear at the hearing. The court is required to issue an order after the hearing that may prohibit the guardian from preventing access by an applicant to the ward and specify the terms of access. An adult ward's guardian is required to notify an adult ward's spouse, parent, sibling, or child about certain health and residence information, including, in the case of death, information regarding any funeral arrangements for the ward and the location of the ward's final resting place, although a relative entitled to receive notice about such information may elect not to receive the notice. The court under certain circumstances may relieve the guardian of the duty to notify those relatives about such information.

House Bill 3136
Effective: 9-1-15

House Author: Naishtat
Senate Sponsor: Zaffirini

Currently, the distributees of the estate of a decedent who dies intestate are entitled, under certain circumstances, to the decedent's estate without waiting for the appointment of a personal representative of the estate. House Bill 3136 amends the Estates Code, in such an intestate estate, to require a list of all known estate assets and liabilities in an application for a small estate affidavit to indicate which assets the applicant claims are exempt property.

House Bill 3160
Effective: 9-1-15

House Author: Alonzo et al.
Senate Sponsor: West et al.

House Bill 3160 amends the Estates Code to exempt an application for letters testamentary or of administration of an estate from the application filing deadline if administration is deemed necessary to prevent real property in a decedent's estate from becoming a danger to the health, safety, or welfare of the general public and the applicant is a home-rule municipality that is a creditor of the estate.

House Bill 3190
Effective: 6-19-15

House Author: Villalba
Senate Sponsor: Huffines

House Bill 3190 amends the Property Code to establish that a protector of a non-charitable trust has all the power and authority granted to the protector by the trust terms and that, if the terms of a non-charitable trust give a person the authority to direct, consent to, or disapprove a trustee's actual or proposed investment decisions, distribution decisions, or other decisions, the person is considered to be an advisor and a fiduciary when exercising that authority. The bill also addresses the liability of a trustee who must act in accordance with the direction of an advisor under the trust terms.

House Bill 3316
Effective: 9-1-15

House Author: Miller, Doug
Senate Sponsor: Hancock

House Bill 3316 amends the Estates Code to require a durable power of attorney for a real property transaction to be recorded in the office of the county clerk not later than the 30th day after the date the instrument is filed for recording.

Senate Bill 462
Effective: 9-1-15

Senate Author: Huffman et al.
House Sponsor: Farrar

Senate Bill 462 amends the Estates Code to establish the Texas Real Property Transfer on Death Act authorizing an individual to transfer the individual's interest in real property to one or more beneficiaries effective at the transferor's death by a transfer on death deed. The bill sets out provisions relating to the authorization, execution, and revocation of a transfer on death deed; the effect of a transfer on death deed both during the transferor's life and at the transferor's death; the effect on a transfer on death deed of a subsequent conveyance of real property by the transferor during the transferor's lifetime; and the liability for transferred property for creditors' claims.

Senate Bill 512
Effective: 9-1-15

Senate Author: Zaffirini
House Sponsor: Thompson, Senfronia

Senate Bill 512 amends the Government Code to require the Supreme Court of Texas to promulgate forms for use by individuals representing themselves in certain probate matters, including forms for use in a small estate affidavit proceeding and the probate of a will as a muniment of title; to promulgate certain simple will forms based on an individual's marital status and whether the individual has adult or minor children; and to promulgate instructions for the proper use of each form or set of forms. The bill requires a probate court to accept such a form unless the form has been completed in a manner that causes a substantive defect that cannot be cured. The forms and instructions must meet certain content and language requirements and include a statement explaining that a Spanish language translated form is to be used only for assisting a person in understanding the form and may not be submitted to the court.

Senate Bill 1202
Effective: 9-1-15

Senate Author: Rodríguez
House Sponsor: Wray

Senate Bill 1202 amends the Property Code to increase the value of property that may be transferred on behalf of a minor to a custodian by certain fiduciaries without authorization by the court and that, under certain circumstances, may be transferred on behalf of a minor to an adult member of the minor's family or to a trust company by an obligor under the Texas Uniform Transfers to Minors Act.

Senate Bill 1791
Effective: 9-1-15

Senate Author: Ellis
House Sponsor: Farrar

Senate Bill 1791 amends provisions of the Estates Code governing multiple-party accounts with payable-on-death (P.O.D.) designations by establishing requirements for disclosure by a financial institution to a customer on selecting or modifying such an account. Among other provisions, the bill requires a customer of a financial institution other than a credit union to initial each page of the uniform account form. The bill establishes provisions governing the use of the uniform account form by a credit union and disclosure of the required information to a customer of a credit union.

Guardianship and Trusts

House Bill 39
Effective: 9-1-15

House Author: Smithee et al.
Senate Sponsor: Zaffirini et al.

House Bill 39 amends Estates Code provisions relating to guardianships for incapacitated persons and to substitutes for guardianships for certain disabled adults. Among other provisions, the bill requires the exploration of alternatives to guardianship that would avoid the need for the appointment of a guardian and provides for the review of a ward's capacity to determine the ability of the ward to make certain decisions and the need to continue guardianship.

House Bill 39 enacts the Supported Decision-Making Agreement Act to authorize an adult with a disability to voluntarily enter into a supported decision-making agreement with a supporter as a less restrictive substitute for adults who are not considered incapacitated persons for purposes of establishing a guardianship.

House Bill 1438
Effective: 9-1-15

House Author: Thompson, Senfronia
Senate Sponsor: Zaffirini

House Bill 1438 amends the Estates Code, Finance Code, and Government Code to update statutes relating to probate matters, including guardianship and other matters related to incapacitated persons. Among other things, the bill revises the requirements for setting a guardian's bond, allows for the payment of fees and costs from any management trust for the person under guardianship, facilitates the ability of a person without a guardian of estate to sell property, and expands the proposed guardians for whom the procurement of criminal history record information is required to include a family member.

Probate and Guardianship

House Bill 2419
Effective: 5-28-15

House Author: Wray
Senate Sponsor: Rodríguez

House Bill 2419 amends the Estates Code to establish that the Estates Code and the Texas Probate Code, as amended, are considered one continuous statute and, for the purposes of any instrument that refers to the Texas Probate Code, the Estates Code is considered an amendment to the Texas Probate Code.

House Bill 3424
Effective: 9-1-15

House Author: Smithee
Senate Sponsor: Zaffirini

House Bill 3424 requires the Office of Court Administration of the Texas Judicial System to conduct a study on the establishment of a central database containing information about incapacitated persons under guardianship. The director of the office is required to report the study's results to the governor, lieutenant governor, speaker of the house, and appropriate legislative committees not later than December 1, 2016.

Senate Bill 995
Effective: 9-1-15

Senate Author: Rodríguez
House Sponsor: Wray

Senate Bill 995 amends provisions of the Estates Code relating to decedents' estates. Among other provisions, including provisions intended only to clarify existing law, the bill revises provisions relating to the effect of the dissolution of a marriage on a will and on certain nontestamentary transfers and sets out provisions governing the effect of the dissolution of a marriage on certain multiple-party accounts. The bill revises provisions relating to matters affecting inheritance, a determination of heirship, fundamental requirements of a will, changing or revoking a will, the validity of certain provisions in and contracts relating to a will, and the construction and interpretation of a will and sets out provisions regarding class gift membership and the judicial modification or reformation of a will. The bill revises provisions governing the probate of a will and of a will as muniment of title; the appointment of a personal representative and the administration of an estate, including the independent and temporary administration of an estate; and the ancillary probate of a foreign will. The bill establishes provisions governing the authority of a personal representative to designate a lawyer on behalf of a deceased lawyer for certain trust or escrow accounts.

Senate Bill 1020
Effective: 5-29-15

Senate Author: Creighton
House Sponsor: Murr

Senate Bill 1020 amends the Estates Code to designate a trustee of an express trust evidenced by writing as a beneficiary of a trust account and as a payable-on-death (P.O.D.) payee of a P.O.D. account.

Senate Bill 1881
Effective: 6-19-15

Senate Author: Zaffirini et al.
House Sponsor: Peña et al.

Senate Bill 1881 amends the Estates Code to establish the Supported Decision-Making Agreement Act under which an adult with a disability may voluntarily, without undue influence or coercion, enter into a supported decision-making agreement with a supporter. The bill, among other provisions, specifies the type of assistance a supporter is authorized to give under the agreement and the conditions under which a supporter is authorized to access certain personal information of an adult with a disability. The bill provides for the reporting of suspected abuse, neglect, or exploitation of an adult with a disability who has entered into an agreement.

Senate Bill 1882
Effective: 6-19-15

Senate Author: Zaffirini
House Sponsor: Thompson, Senfronia

Senate Bill 1882 amends the Estates Code to set out the bill of rights for wards under guardianship. The bill establishes that a ward has all the rights, benefits, responsibilities, and privileges granted by the constitution and laws of Texas and the United States, except where specifically limited by a court-ordered guardianship or where otherwise lawfully restricted.

The summary for the following bill is in the listed chapter:
House Bill 634—Criminal Justice

Property Interests and Housing

This chapter covers legislation on issues relating to property interests, including affordable housing, eminent domain, real property transactions, the landlord-tenant relationship, liens, and property owners' associations. Legislation relating to property taxation is in the **Taxes and Tax Administration** chapter. Related legislation that is summarized in other chapters is listed at the end of this chapter.

General

House Bill 262
Effective: 9-1-15

House Author: Miles et al.
Senate Sponsor: Creighton et al.

House Bill 262 amends the Civil Practice and Remedies Code to limit the liability of the owner, lessee, or occupant of land that gives permission to another person to enter and use the land as a community garden and makes the doctrine of attractive nuisance inapplicable to a claim subject to that limited liability.

House Bill 1190
Effective: 6-19-15

House Author: Guillen
Senate Sponsor: Zaffirini

House Bill 1190 amends the Transportation Code to authorize a law enforcement agency or an attorney representing the state to use excess funds from the auction of certain abandoned vehicles transferred into a municipality's or county's general revenue account to compensate property owners whose property was damaged as a result of a pursuit involving a federal law enforcement agency.

House Bill 1221
Effective: 1-1-16

House Author: Lucio III
Senate Sponsor: Estes

House Bill 1221 amends the Property Code to require a seller's disclosure notice regarding residential real property with a single dwelling unit to indicate whether the seller is aware if any portion of the property is located in a groundwater conservation district or a subsidence district.

House Bill 1454
Effective: 9-1-17

House Author: Raney et al.
Senate Sponsor: Eltife

House Bill 1454 amends escheat provisions of the Property Code to authorize the owner of shares of a mutual fund, the depositor of an account, or the owner of the contents of a safe deposit box to designate a representative for the purpose of receiving notice from the property holder in the event that the property is presumed abandoned. The bill requires the comptroller of public accounts to prescribe a form for designating such a representative and establishes that the running of the applicable period of abandonment ceases immediately if a designated representative informs the property holder that the representative knows the owner's location and that the owner exists and has not abandoned the property.

House Bill 1665
Effective: 9-1-15

House Author: Bonnen, Dennis et al.
Senate Sponsor: Kolkhorst

House Bill 1665 amends the Property Code to require a seller of residential or commercial real property adjoining certain impoundments of water to give to the purchaser of the property a written notice of water level fluctuations.

Property Interests and Housing

House Bill 2076

Effective: See below

House Author: Oliveira et al.

Senate Sponsor: Nichols

House Bill 2076 amends the Property Code to specify the conditions for release of a worker's lien on a motor vehicle, motorboat, vessel, or outboard motor and prohibit a worker's right to possession of such an article from being assigned to a third party in return for payment of any amount due to the possessory lienholder, effective June 19, 2015. Effective September 1, 2015, the bill changes certain deadlines in connection with the sale of a motor vehicle, motorboat, vessel, or outboard motor by a possessory lienholder.

House Bill 2261

Effective: 9-1-15

House Author: Villalba et al.

Senate Sponsor: Hinojosa

House Bill 2261 amends the Property Code to establish disclosure and notice requirements applicable to certain persons who enter into agreements with timeshare interest owners to facilitate the transfer or termination of a timeshare interest and to classify certain conduct in connection with such a transfer or termination as a deceptive trade practice. The bill also establishes a deadline by which a person facilitating the transfer or termination of a timeshare interest must act in good faith to accomplish the transfer or termination.

House Bill 2428

Effective: 9-1-15

House Author: Wray

Senate Sponsor: Rodríguez

House Bill 2428 amends the Business & Commerce Code, Estates Code, Government Code, Insurance Code, and Property Code to enact the Texas Uniform Disclaimer of Property Interests Act that consolidates provisions concerning disclaimers into a single statute. Among other provisions, House Bill 2428 eliminates the state deadline for filing a disclaimer, clarifies the rules for disclaimers by different types of fiduciaries, and specifically addresses different types of property and ownership structures.

House Bill 2486

Effective: 9-1-15

House Author: Keffer et al.

Senate Sponsor: Hinojosa

House Bill 2486 amends the Property Code to authorize a person being denied entry to a current or former residence to apply to a justice court for an order authorizing the person to enter the person's residence or former residence accompanied by a peace officer to retrieve specific items of personal property. Immunities from civil and criminal liability are given to an assisting peace officer and the landlord or landlord's agent who permits or facilitates entry into a residence. The bill makes it a Class B misdemeanor offense for a person to interfere with a person or peace officer entering a residence and retrieving personal property under such a court order and makes the occupant's nonreceipt of notice that the entry was appropriately authorized a defense to prosecution. The bill sets out complaint proceedings for the occupant of the residence that is subject of the order.

House Bill 2706

Effective: 9-1-15

House Author: Wray

Senate Sponsor: Rodríguez

House Bill 2706 amends the Property Code to increase the maximum aggregate value of personal property that may be exempt from garnishment, attachment, execution, or other seizure by a creditor.

House Bill 3901
Effective: 9-1-15

House Author: Miller, Rick
Senate Sponsor: Taylor, Van

House Bill 3901 amends the Property Code to provide for the issuance, on petition by a repossession agent, of a writ of assistance for the repossession of an aircraft, which authorizes a peace officer to assist and protect the repossession agent in gaining possession of the aircraft while the agent secures the aircraft on site or prepares the aircraft for removal from the site to another location.

Senate Bill 450
Effective: 9-1-15

Senate Author: Schwertner
House Sponsor: Sheets

Senate Bill 450 amends the Civil Practice and Remedies Code to expand an exemption from applicability of the Texas Tort Claims Act for certain tort claims relating to land acquired by a municipality following the foreclosure of a tax lien to include such a claim against any political subdivision that acquires land as a result of the foreclosure of a tax lien held by the political subdivision or through a deed in lieu of foreclosure of such a lien.

Senate Bill 569
Effective: 9-1-15

Senate Author: Creighton
House Sponsor: Elkins

Senate Bill 569 amends the Property Code to establish that tangible personal property that is found on county land or in a county park, facility, or right-of-way is presumed abandoned if, for longer than 120 days, the personal property is held by the county, the existence and location of the owner of the personal property is unknown to the county, and a claim to the personal property has not been asserted or an act of ownership of the personal property has not been exercised.

Senate Bill 1021
Effective: 9-1-15

Senate Author: Creighton
House Sponsor: Oliveira

Current law authorizes amounts of unclaimed property or proceeds that individually are less than \$50 to be reported in the aggregate to the comptroller of public accounts by the holder of the property or proceeds without providing certain required identifying information. Senate Bill 1021 amends the Insurance Code and Property Code to decrease that amount to \$25.

Senate Bill 1264
Effective: 9-1-15

Senate Author: Eltife
House Sponsor: Kuempel

Senate Bill 1264 amends the Occupations Code to increase the maximum height of an industrialized home and of an industrialized building.

Eminent Domain and Real Property Transactions

House Bill 311
Effective: 9-1-15

House Author: Canales
Senate Sponsor: Lucio

House Bill 311 amends the Property Code to address certain issues relating to the use of an executory contract for the conveyance of real property and provides a civil penalty for the violation of specified executory contract recording requirements.

Property Interests and Housing

Senate Bill 584
Effective: 9-1-15

Senate Author: Uresti
House Sponsor: Simmons

Senate Bill 584 amends the Local Government Code to include correction instruments among the items to be indexed in a county index to real property records and to require an index entry for a correction instrument to contain the names of the grantors and grantees as stated in the instrument.

Senate Bill 1812
Effective: 6-19-15

Senate Author: Kolkhorst et al.
House Sponsor: Geren

Senate Bill 1812 amends the Government Code to require the comptroller of public accounts to create and make accessible on a website an eminent domain database containing information regarding public and private entities, including common carriers, authorized by the state by a general or special law to exercise the power of eminent domain. The bill requires each applicable entity to report to the comptroller certain information as prescribed by the bill, provides for civil penalties for an entity's noncompliance with that reporting requirement, and authorizes the attorney general to sue to collect a civil penalty.

Housing Assistance

House Bill 74
Effective: 9-1-15

House Author: González
Senate Sponsor: Zaffirini et al.

Current law provides that an area within the boundaries of a primary metropolitan statistical area or a metropolitan statistical area is designated as a rural area, for purposes of the law governing the Texas Department of Housing and Community Affairs (TDHCA), if the statistical area has a population of 25,000 or less and does not share a boundary with an urban area. House Bill 74 amends the Government Code to require the TDHCA to provide for an alternative method by which an area located within the boundaries of a primary metropolitan statistical area or a metropolitan statistical area is designated as a rural area for purposes of receiving housing tax credits administered by the TDHCA under the low income housing tax credit program.

House Bill 1428
Effective: 9-1-15

House Author: Raymond et al.
Senate Sponsor: Zaffirini

House Bill 1428 amends the Government Code to prohibit the Texas Department of Housing and Community Affairs (TDHCA), in administering funds set aside for persons with disabilities through the homebuyer assistance program, from requiring a person to enter into a contract to purchase a home before applying for or reserving program funds. The bill also requires TDHCA to implement a preapproval process under which a person may establish eligibility to receive program funds before those funds are made available and has an adequate period in which to locate a home for purchase using such funds.

House Bill 2878
Effective: 9-1-15

House Author: Márquez
Senate Sponsor: Rodríguez

House Bill 2878 amends the Government Code to authorize an applicant created by certain municipal housing authorities in El Paso County for a qualified residential rental project bond to aggregate more than one qualified residential rental project into a single, combined project as part of the applicable housing authority's participation in the Rental Assistance Demonstration program if the combined project is related to the housing authority's conversion of public housing

units as permitted under that program. The bill requires a nonrefundable fee to accompany the application for such a combined project and provides for the allocation of a portion of the fee to the Bond Review Board and the Texas Department of Housing and Community Affairs.

House Bill 2926
Effective: 9-1-15

House Author: Anchia et al.
Senate Sponsor: Hinojosa

House Bill 2926 amends the Government Code to include as an at-risk development, for purposes of the low income housing tax credit program of the Texas Department of Housing and Community Affairs, a development that proposes to rehabilitate or reconstruct housing units that receive assistance or will receive assistance through the federal Rental Assistance Demonstration program if the application for such assistance is included in the applicable public housing authority's most recently approved annual plan.

House Bill 3311
Effective: 9-1-15

House Author: Alvarado
Senate Sponsor: Nichols

House Bill 3311 amends the Government Code to prohibit the governing board of the Texas Department of Housing and Community Affairs (TDHCA) from allocating to developments reserved for elderly persons and located in an urban subregion of a uniform state service region that contains Harris, Dallas, Tarrant, Bexar, or Travis County a certain percentage of the available low income housing tax credits allocated to developments located in that subregion, unless there are no other applicants in that region. The bill additionally prohibits TDHCA, in scoring applications for low income housing tax credits, from awarding to a proposed project for the general population a number of points for a scoring criterion that is different than the number of points awarded for that criterion to a proposed project reserved for elderly persons if the proposed projects comply with the criterion to the same degree. The bill further revises provisions relating to the scoring criterion regarding the commitment of development funding by local political subdivisions.

House Bill 3535
Effective: 9-1-15

House Author: Collier et al.
Senate Sponsor: Menéndez

House Bill 3535 amends the Government Code to require the governing board of the Texas Department of Housing and Community Affairs, in an urban subregion of a uniform state service region that contains Harris, Dallas, Tarrant, or Bexar County, to allocate low income housing tax credits for an application cycle that begins on or after January 1, 2017, to the highest scoring development, if any, that is part of a concerted plan of revitalization and is located in that urban subregion in certain large municipalities.

House Bill 3576
Effective: 9-1-15

House Author: Alvarado
Senate Sponsor: Menéndez

House Bill 3576 amends the Government Code to revise provisions establishing procedures for the sale of certain low income housing tax credit developments and to limit the applicability of those provisions to a right of first refusal memorialized in a land use restriction agreement. Among other things, the bill requires the Texas Department of Housing and Community Affairs to provide for the amendment of certain land use restriction agreements and establishes that the transfer of ownership of a development supported with an allocation of housing tax credits does not subject the development to a right of first refusal if the transfer is made to an affiliated entity that was formed for the purpose of facilitating the financing for rehabilitating the development using a state financing program.

Property Interests and Housing

Senate Bill 1315
Effective: 9-1-15

Senate Author: Watson et al.
House Sponsor: Anchia

Previous law considered as an at-risk development for purposes of the low income housing tax program a development subject to the condition that the federally insured mortgage on the development be eligible for prepayment or nearing the end of its term. Senate Bill 1315 amends the Government Code to change that condition from the mortgage being a federally insured mortgage to it being a HUD-insured or HUD-held mortgage.

Senate Bill 1316
Effective: 9-1-15

Senate Author: Watson
House Sponsor: Alvarado

Current law sets out, in descending order, certain prioritized criteria that the Texas Department of Housing and Community Affairs (TDHCA) must use in evaluating an application for a low income housing tax credit that has satisfied threshold criteria required by the governing board of the TDHCA. Senate Bill 1316 amends the Government Code to remove from the prioritized criteria the commitment of development funding by local political subdivisions. The bill includes criteria addressing the ability of a proposed project to demonstrate support from local political subdivisions based on the subdivisions' commitment of development funding and to rehabilitate or perform an adaptive reuse of a certified historic structure as part of the development among the criteria that are the basis for the point system the TDHCA uses to score each low income housing tax credit application for the purpose of allocating those credits. The bill additionally provides for a reduction in the required amount of funding for a proposed project to receive the applicable number of points for the criterion related to the commitment of development funding by local political subdivisions.

Senate Bill 1989
Effective: 9-1-15

Senate Author: Menéndez
House Sponsor: Anderson, Rodney

Senate Bill 1989 amends the Government Code to grant to the governing board of the Texas Department of Housing and Community Affairs (TDHCA) the duty and power to adopt underwriting standards for housing tax credits allocated by the TDHCA. The bill also provides for the criteria to be used in determining the feasibility of a multifamily rental housing development receiving certain forms of assistance from the TDHCA at the time of cost certification.

Landlord-Tenant

House Bill 1334
Effective: 1-1-16

House Author: Clardy et al.
Senate Sponsor: Menéndez

House Bill 1334 amends the Property Code to require the justice court, in a residential eviction suit for nonpayment of rent, to state the amount of the appeal bond and to ensure the procurement of the surety's contact information. The bill establishes procedures for contesting such an appeal bond, except for a bond issued by a corporate surety appropriately authorized by the Texas Department of Insurance. A contest of an appeal bond for an eviction for nonpayment of rent does not preclude a party from contesting the bond in the county court after the county court has jurisdiction over the eviction suit.

House Bill 1334 requires a tenant who files an appeal bond for an eviction for nonpayment of rent to pay into the justice court registry the amount of rent to be paid in one rental pay period as determined by the court and, if the tenant fails to timely pay that amount, the plaintiff is authorized to request a writ of possession. The court is required to issue the writ immediately

and without a hearing on request and payment of fees. The plaintiff in the eviction suit for nonpayment of rent, on sworn motion and hearing, is authorized to withdraw money deposited in the court registry before the final determination in the case, dismissal of the appeal, or court order following the final hearing.

House Bill 1510
Effective: 1-1-16

House Author: Thompson, Senfronia
Senate Sponsor: Garcia et al.

House Bill 1510 amends the Property Code to establish that a cause of action does not accrue against a landlord or a landlord's manager or agent solely for leasing a dwelling to a tenant with a criminal record. The bill does not preclude a cause of action for negligence in leasing if the tenant was convicted of certain more serious offenses or is subject to sex offender registration and the landlord, manager, or agent knew or should have known of the conviction or adjudication.

House Bill 1853
Effective: 9-1-15

House Author: Button et al.
Senate Sponsor: Huffines

House Bill 1853 amends the Property Code to authorize a municipality to provide a portable, closed container for personal property removed from a rental unit by an officer or other authorized person under a writ of possession issued in an eviction suit. The bill provides for the disposal of the contents by the municipality if the owner does not recover the property within a reasonable time.

House Bill 2404
Effective: 1-1-16

House Author: Anderson, Rodney
Senate Sponsor: Eltife

House Bill 2404 amends the Property Code to provide for a landlord's authority to deduct from a tenant's security deposit the reasonable cost incurred by the landlord to rekey a security device if the tenant vacates the premises in breach of a written lease. The bill clarifies the types of sliding door security devices a landlord is required to install at a tenant's request and expense and changes one of the grounds on which a landlord's defense to liability for a failure to install or rekey certain security devices is established.

House Bill 3364
Effective: 1-1-16

House Author: Schofield
Senate Sponsor: Bettencourt

Previous law authorized an appeal from a final judgment in an eviction suit for both commercial and residential property. House Bill 3364 amends the Property Code to prohibit a final judgment of a county court in an eviction suit from being appealed on the issue of possession unless the premises in question are being used solely for residential purposes.

Senate Bill 478
Effective: 9-1-15

Senate Author: Zaffirini
House Sponsor: Thompson, Senfronia

Senate Bill 478 amends the Government Code to require the Texas Supreme Court to promulgate forms for use by individuals representing themselves in residential landlord-tenant matters and instructions for the proper use of each form or set of forms. The bill requires a court to accept such a form unless the form has been completed in a manner that causes a substantive defect that cannot be cured. The forms and instructions must meet certain content and language requirements and include a statement explaining that a Spanish language translated form is to be used only for assisting a person in understanding the form and may not be submitted to the court.

Property Interests and Housing

Senate Bill 1367
Effective: 1-1-16

Senate Author: West
House Sponsor: Anchia et al.

Senate Bill 1367 amends Property Code provisions concerning landlord obligations and limitations, including provisions relating to the method of delivery for a notice to vacate, certain landlord liability, the handling of a tenant's security deposit upon cessation of an owner's interest in the premises, and the notification of a tenant regarding a landlord's claim for damages and charges.

Mortgages, Liens, and Foreclosures

House Bill 831
Effective: 9-1-15

House Author: Giddings et al.
Senate Sponsor: West

House Bill 831 amends the Finance Code to require a mortgage servicer to provide the surviving spouse of a mortgagor of a home loan with information that the mortgagor would have received in a standard monthly statement at the request of the surviving spouse, provided that the request is accompanied by proof of the surviving spouse's status.

House Bill 2063
Effective: 9-1-15

House Author: Oliveira
Senate Sponsor: Zaffirini

House Bill 2063 amends the Property Code to provide for the recording of certain documents concerning real property subject to a foreclosure sale that are received by a county clerk and for the effective date of the appointment or authorization of a trustee or substitute trustee made in a notice of the sale of real property under a contract lien.

House Bill 2066
Effective: 9-1-15

House Author: Oliveira et al.
Senate Sponsor: Watson

House Bill 2066 amends the Property Code to establish a process for the rescission of a nonjudicial foreclosure sale of residential real property.

Property Owners' Associations and Restrictive Covenants

House Bill 745
Effective: 6-10-15

House Author: Bohac
Senate Sponsor: Taylor, Van

House Bill 745 amends the Transportation Code to authorize a property owners' association to install a solar-powered LED stop sign on a road, highway, or street in the association's jurisdiction under certain conditions.

House Bill 939
Effective: 6-19-15

House Author: Dale et al.
Senate Sponsor: Taylor, Larry et al.

House Bill 939 amends the Property Code to prohibit a property owners' association from adopting or enforcing a dedicatory instrument provision that prohibits, restricts, or has the effect of prohibiting or restricting an owner from owning, operating, installing, or maintaining a permanently installed standby electric generator. However, the bill prescribes specified dedicatory instrument provisions that a property owners' association is authorized to adopt or enforce to regulate the operation and installation of standby electric generators.

House Bill 1072
Effective: 9-1-15

House Author: Thompson, Senfronia
Senate Sponsor: Ellis

House Bill 1072 amends the Property Code to condition the statutory provision making a property owners' association board member immediately ineligible to serve on, automatically considered removed from, and prohibited from future service on the board for a prior conviction of a felony or crime involving moral turpitude on the conviction occurring not more than 20 years before the date the board is presented with the evidence of the conviction.

House Bill 1455
Effective: 9-1-15

House Author: King, Phil et al.
Senate Sponsor: Creighton et al.

House Bill 1455 amends the Property Code to require a condominium association with eight or more units to obtain an inspection and a written independent third-party report from a licensed professional engineer and receive approval from unit owners holding more than 50 percent of the total allocated votes at a properly called association meeting before the association files suit or initiates an arbitration proceeding to resolve a claim pertaining to the construction or design of a unit or the common elements. The declaration that created a condominium may contain provisions that would require binding arbitration for claims of construction or design defects and provide a process by which the claim is resolved. An amendment to the declaration that modifies or removes the arbitration requirement or the resolution process may not apply retroactively to a claim that occurred before the date of the amendment.

House Bill 2489
Effective: 6-19-15

House Author: Leach
Senate Sponsor: Eltife

House Bill 2489 amends the Property Code to prohibit a property owners' association from adopting or enforcing a provision in a dedicatory instrument that requires a lease or rental applicant or a tenant to be submitted to and approved for tenancy by the association or that requires certain information to be submitted to the association regarding a lease or rental applicant or current tenant.

Senate Bill 862
Effective: 9-1-15

Senate Author: Birdwell
House Sponsor: Keffer

Senate Bill 862 amends the Property Code to specify that a property owners' association is not required to provide an owner with more than one voting method so long as an owner may vote by absentee ballot or proxy.

Senate Bill 864
Effective: 5-29-15

Senate Author: Birdwell
House Sponsor: Keffer

Senate Bill 864 amends the Property Code to authorize a property owners' association subject to the Texas Residential Property Owners Protection Act to adopt rules to allow voting by secret ballot by members of the association.

Senate Bill 1168
Effective: 9-1-15

Senate Author: West
House Sponsor: Villalba

Senate Bill 1168 amends the Property Code to make changes and provide clarity regarding the operation of certain property owners' associations, condominium unit owners' associations, and councils of owners, including with regard to board meetings, voting procedures, notice and curing of property owner violations, the foreclosure process, and payment plans. The bill also provides for the modification or termination of restrictions on the use of an amenity property in certain real estate developments by petition.

Property Interests and Housing

Senate Bill 1626

Effective: 9-1-15

Senate Author: Rodríguez

House Sponsor: Dukes

Senate Bill 1626 amends the Property Code to limit a developer's authority to prohibit or restrict an owner of property in a residential subdivision from installing a solar energy device during the development period to a development with fewer than 51 planned residential units.

Senate Bill 1852

Effective: 6-18-15

Senate Author: Nichols

House Sponsor: White, James

Senate Bill 1852 amends the Property Code to extend the applicability of certain statutory provisions regarding the amendment and enforcement of restrictions in a residential subdivision to a residential real estate subdivision or any unit or parcel of a subdivision all or part of which is located within Polk County, San Jacinto County, or Trinity County. The bill also expands the conditions under which a restriction is subject to those provisions.

The summaries for the following bills are in the listed chapters:

House Bill 2207—Energy Resources

House Bill 3316—Probate and Guardianship

Senate Bill 267—Local Government

Senate Bill 462—Probate and Guardianship

Senate Bill 607—State Government

Senate Bill 1339—Agriculture

Senate Bill 1589—Energy Resources

Senate Bill 1716—Local Government

Public Education

This chapter covers issues relating to the state's public school system, including school district, campus, and charter school operations. The chapter contains legislation affecting the powers and duties of the Texas Education Agency, the State Board of Education, the State Board for Educator Certification, school district boards of trustees, school administrators, teachers, professional staff, and other school employees. In addition, the chapter covers legislation relating to students, school curricula, school finance, school accountability, and standardized testing. Related legislation that is summarized in other chapters is listed at the end of this chapter.

General

House Bill 18
Effective: 6-19-15

House Author: Aycock et al.
Senate Sponsor: Perry et al.

House Bill 18 amends the Education Code and Labor Code to set out measures to support public school student academic achievement and high school, college, and career preparation. These measures include the expansion of participants in the Texas High Performance Schools Consortium; the Texas Education Agency's required development and distribution of public outreach materials to promote awareness of curriculum changes resulting from House Bill 5, 83rd Legislature, Regular Session, 2013; a requirement that each school district provide instruction to students in grade seven or eight in preparing for high school, college, and a career; and a requirement that the Center for Teaching and Learning at The University of Texas at Austin develop and make available postsecondary education and career counseling academies for school counselors and other postsecondary advisors employed by a school district at a middle school, junior high school, or high school.

House Bill 18 prohibits the Texas Higher Education Coordinating Board from adopting a rule that limits the number of dual credit courses or dual credit course semester credit hours in which a high school student may enroll. The bill requires an institution of higher education that administers a test under the Texas Success Initiative to report to each school district from which tested students graduated high school all available information regarding student scores, test performance, and student demographics. The bill also requires a course offered for joint high school and junior college credit to be taught by a qualified instructor approved or selected by the public junior college, sets out the applicable qualifications, and makes a school district eligible for an award from the skills development fund to be used under an agreement with a lower-division institution of higher education.

House Bill 181
Effective: 5-13-15

House Author: Bell et al.
Senate Sponsor: Kolkhorst et al.

House Bill 181 amends the Education Code to remove from the contents of a high school student's diploma the indication that the student earned a distinguished level of achievement under the foundation high school program, an endorsement, or a performance acknowledgment.

Public Education

House Bill 1170
Effective: 6-19-15

House Author: Farney et al.
Senate Sponsor: Lucio

House Bill 1170 amends the Education Code to establish that an open-enrollment charter school is considered either a local government or a political subdivision under certain statutory provisions. The bill also authorizes an open-enrollment charter school to elect to extend workers' compensation benefits to employees of the school through any method available under applicable law to a political subdivision.

House Bill 1171
Effective: 6-18-15

House Author: Farney et al.
Senate Sponsor: Lucio

House Bill 1171 amends the Education Code to expand the immunity from liability of an open-enrollment charter school and its employees and volunteers in matters related to operation of the school to include immunity from certain suits and to extend immunity from both certain liabilities and certain suits to a charter holder and its employees and volunteers. The bill makes an open-enrollment charter school liable in tort claims in the same manner under the law as a school district.

House Bill 1706
Effective: 6-19-15

House Author: VanDeaver et al.
Senate Sponsor: Burton

House Bill 1706 amends the Education Code to require the review conducted by the commissioner of education of written reports and other paperwork required of a school district by the Texas Education Agency (TEA) to include a comparison of the reports and paperwork required by state law and those required by federal law so that the commissioner can eliminate any reports or paperwork required by state law that duplicate the content of reports or paperwork also required by federal law. The bill includes among the duties of a school district superintendent ensuring that a copy of any report required by federal law, rule, or regulation is delivered to TEA.

House Bill 1804
Effective: 9-1-15

House Author: Naishtat
Senate Sponsor: West

House Bill 1804 amends the Education Code to extend to school campuses and open-enrollment charter schools the requirement currently imposed on school districts to provide notice to the educational decision-maker and caseworker of a child in substitute care transitioning from one school to another regarding events that may significantly impact the child's education.

House Bill 1993
Effective: 5-28-15

House Author: Sheffield
Senate Sponsor: Taylor, Van

House Bill 1993 amends the Education Code to authorize a school district that uses an electronic platform for communicating student grade and performance information to parents to permit a parent to electronically sign a notice of a student's academic performance, so long as the district retains a record verifying the parent's acknowledgment of the notice.

House Bill 2610
Effective: 6-19-15

House Author: King, Ken et al.
Senate Sponsor: Taylor, Larry

House Bill 2610 amends the Education Code to change from 180 days to 75,600 minutes the minimum amount of instruction time each school district is required to provide each school year, with certain exceptions. Such instruction time includes intermissions and recesses. The bill authorizes a school district to add additional minutes to the end of the district's normal school

hours as necessary to compensate for minutes of instruction lost due to school closures caused by a calamity if the commissioner of education does not approve reduced instruction time for school closures due to the calamity. The bill prohibits a school district from scheduling the last day of school for students for a school year before May 15, with a certain exception.

House Bill 3106
Effective: 6-19-15

House Author: Huberty et al.
Senate Sponsor: Creighton

House Bill 3106 amends the Education Code to authorize the commissioner of education to extend the authority of a school district's appointed board of managers for a period of up to two additional years if, before the second anniversary of the date the board was appointed, the commissioner determines that insufficient progress has been made toward improving the district's academic or financial performance.

Senate Bill 107
Effective: 6-20-15

Senate Author: Whitmire et al.
House Sponsor: Thompson, Senfronia

Senate Bill 107 amends the Education Code to require the designation of a campus behavior coordinator at each public school campus who is primarily responsible for maintaining student discipline and addressing issues relating to removing a student from class. The campus behavior coordinator's responsibilities include notifying a student's parent or guardian if certain disciplinary measures are taken against the student and considering certain factors before ordering certain measures. The bill requires a school district board of trustees to consider the same factors before ordering the expulsion of a student.

Senate Bill 810
Effective: 5-28-15

Senate Author: Seliger et al.
House Sponsor: Smithee

Senate Bill 810 amends the Education Code to authorize an independent school district and a municipality located wholly or partly in the boundaries of a county in which the district is located to contract for the district to contribute district resources to pay a portion of the costs of the design, improvement, or construction of an instructional facility, stadium, or other athletic facility owned by, on the property of, or under the control of the municipality, provided the district and municipality enter into a written agreement authorizing the district to use that facility.

Senate Bill 955
Effective: 6-16-15

Senate Author: Schwertner
House Sponsor: Miller, Rick et al.

Senate Bill 955 amends the Education Code to expand the locations at which a public senior college or university may operate an open-enrollment charter school from a location in the same county in which the campus of the college or university is located to another location in any Texas county. The bill requires the commissioner of education, in evaluating an application to operate an open-enrollment charter school in a county other than the county in which the campus of the applicant is located, to consider the locations of existing open-enrollment charter schools, as appropriate, to avoid duplication of services in the proposed area, and the need of the community in the proposed area to have an additional open-enrollment charter school.

Senate Bill 1004
Effective: 6-19-15

Senate Author: Bettencourt
House Sponsor: Thompson, Senfronia

Senate Bill 1004 amends the Education Code to authorize a public junior college with a service area located wholly or partly in Harris County or in a county adjacent to Harris County to enter into an articulation agreement with any school district located wholly or partly in Harris

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County for the provision on the public junior college campus of a dropout recovery program for certain students and to require such a public junior college to enter into an agreement with each such school district to offer one or more courses for joint high school and junior college credit. The bill also authorizes the governing board of a junior college district located wholly or partly in Harris County or in a county adjacent to Harris County to contract with the governing board of any independent school district located wholly or partly in Harris County to provide remedial programs for secondary school students.

Educators and Employees

House Bill 218

Effective: 6-15-15

House Author: Márquez et al.

Senate Sponsor: Rodríguez

House Bill 218 amends the Education Code to specify the different program models for which a teacher assigned to a bilingual education program must be appropriately certified for bilingual education by the State Board for Educator Certification (SBEC). Among other provisions, the bill removes the requirement that a teacher assigned to a special language program other than an English as a second language program be appropriately certified for English as a second language by SBEC.

House Bill 1300

Effective: 9-1-15

House Author: Capriglione et al.

Senate Sponsor: Seliger

House Bill 1300 amends the Education Code to add as a condition under which a person who fails to satisfy a grade point average admission requirement may be admitted to an educator preparation program in extraordinary circumstances the person's satisfactory performance, before admission, on an appropriate subject matter examination for each subject in which the person seeks certification.

House Bill 1783

Effective: 9-1-15

House Author: Moody et al.

Senate Sponsor: Menéndez

House Bill 1783 amends the Education Code and Penal Code to authorize an employee of a school district or open-enrollment charter school to report a crime witnessed at the school to any peace officer with authority to investigate the crime. The bill includes the director of an open-enrollment charter school among those required to notify the State Board for Educator Certification (SBEC) in the event of certain educator misconduct and includes among such misconduct an educator's employment being terminated based on evidence that the educator was involved in a romantic relationship with or solicited or engaged in sexual contact with a student or minor. The bill includes the latter misconduct among that which prompts an investigation of the educator and includes the director of an open-enrollment charter school among those required to conduct such an investigation. The bill conditions the requirement that a school district superintendent or the director of an open-enrollment charter school, private school, regional education service center, or shared services arrangement notify SBEC if the person obtains or has knowledge of information showing that an applicant for or holder of a teaching certificate has a reported criminal history on the person obtaining the information by a means other than the criminal history clearinghouse.

House Bill 2014
Effective: 6-17-15

House Author: Sheets et al.
Senate Sponsor: Taylor, Van et al.

House Bill 2014 amends the Education Code to establish the authority of a current or former member of the U.S. armed services to obtain certification to teach career and technology education classes in public schools based on the member's experience in a specific trade obtained through military service.

House Bill 2205
Effective: 9-1-15

House Author: Crownover et al.
Senate Sponsor: Seliger

House Bill 2205 amends the Education Code to set out and revise provisions relating to the State Board for Educator Certification, educator preparation programs, educator certification, teaching permits, and procedures for investigating educator misconduct. The bill increases SBEC's membership by adding a nonvoting member, appointed by the governor, with experience working for and knowledge of an alternative educator preparation program. The bill permits SBEC to make a written delegation of authority to the commissioner of education or the Texas Education Agency (TEA) to informally dispose of a contested case involving educator certification. The bill decreases the minimum grade point averages required for admission into an educator preparation program and requires SBEC to establish standards governing the approval or renewal of approval of educator preparation programs and program certification fields.

House Bill 2205 revises the accountability standards for educator preparation programs and related sanctions and requires the Texas Higher Education Coordinating Board to participate and provide recommendations regarding criteria for the evaluation of such programs based on teacher retention and success. The bill requires SBEC to develop a set of risk factors to use in assessing the overall risk level of each educator preparation program and to establish a process for a teacher certification candidate to direct a complaint against a program to TEA. The bill limits the number of times a person may retake an educator certification examination. The bill authorizes a school district board of trustees to issue a school district teaching permit to a person who will only teach career and technical education courses based on qualifications certified by the district superintendent. Finally, the bill authorizes the commissioner to issue a subpoena during an investigation of alleged educator misconduct to compel the production of relevant evidence that is located in Texas.

Senate Bill 168
Effective: 6-19-15

Senate Author: Uresti
House Sponsor: Farias

Senate Bill 168 amends the Education Code to authorize the commissioner of education to waive the requirement for certification of a superintendent if requested by a school district. The bill prohibits employment of a noncertified superintendent before such a waiver of certification is obtained.

Senate Bill 382
Effective: 6-19-15

Senate Author: Uresti
House Sponsor: Huberty

Senate Bill 382 amends the Education Code to require the State Board for Educator Certification to adopt rules allowing an educator to receive credit towards the educator's continuing education requirements for completion of an instructional course on the use of an automated external defibrillator (AED) that meets the guidelines for AED training approved under the Health and Safety Code.

Senate Bill 925
Effective: 5-21-15

Senate Author: Kolkhorst et al.
House Sponsor: Aycock

Senate Bill 925 amends the Education Code to require the commissioner of education to develop literacy achievement academies for teachers who provide reading instruction to students at the kindergarten or first, second, or third grade level. The bill requires the commissioner to adopt criteria for selecting teachers who may attend a literacy achievement academy and, in doing so, to require granting a priority to teachers employed at a campus at which 50 percent or more of the students enrolled are educationally disadvantaged and to provide a process through which a teacher not employed at such a campus may attend the academy if the academy has available space and the employing school district pays the costs of attendance. The bill entitles a teacher who attends an academy to receive a stipend in the amount determined by the commissioner from funds appropriated for that purpose. The bill requires regional education service centers, on request of the commissioner, to assist the commissioner and the Texas Education Agency with activities relating to the development and operation of literacy achievement academies.

Senate Bill 934
Effective: 5-28-15

Senate Author: Kolkhorst et al.
House Sponsor: Farney

Senate Bill 934 amends the Education Code to require the commissioner of education to develop mathematics achievement academies for teachers who provide mathematics instruction to students at the kindergarten or first, second, or third grade level. The bill requires the commissioner to adopt criteria for selecting teachers who may attend a mathematics achievement academy and, in doing so, to require granting a priority to teachers employed at a campus at which 50 percent or more of the students enrolled are educationally disadvantaged and to provide a process through which a teacher not employed at such a campus may attend the academy if the academy has available space and the employing school district pays the costs of attendance. The bill entitles a teacher who attends an academy to receive a stipend in the amount determined by the commissioner from funds appropriated for that purpose. The bill requires regional education service centers, on request of the commissioner, to assist the commissioner and the Texas Education Agency with activities relating to the development and operation of mathematics achievement academies.

Senate Bill 972
Effective: 5-28-15

Senate Author: Kolkhorst et al.
House Sponsor: Deshotel

Senate Bill 972 amends the Education Code to require the commissioner of education to develop reading-to-learn academies for teachers who provide reading comprehension instruction to students at the fourth or fifth grade level. The bill requires the commissioner to adopt criteria for selecting teachers who may attend such an academy and, in doing so, to require granting a priority to teachers employed at a campus at which 50 percent or more of the students enrolled are educationally disadvantaged and to provide a process through which a teacher not employed at such a campus may attend the academy if the academy has available space and the employing school district pays the costs of attendance. The bill entitles a teacher who attends an academy to receive a stipend in the amount determined by the commissioner from funds appropriated for that purpose. The bill requires regional education service centers, on request of the commissioner, to assist the commissioner and the Texas Education Agency with activities relating to the development and operation of reading-to-learn academies.

Senate Bill 1309
Effective: 6-19-15

Senate Author: Menéndez
House Sponsor: Deshotel

Senate Bill 1309 amends the Education Code to require the State Board for Educator Certification to establish a standard Junior Reserve Officer Training Corps (JROTC) teaching certificate to provide JROTC instruction.

School Finance

House Bill 771
Effective: 9-1-15

House Author: Deshotel
Senate Sponsor: Creighton

House Bill 771 amends the Education Code to change the status by which the Texas Academy of Leadership in the Humanities is considered, for purposes of its entitlement to Foundation School Program funding, from a school district with a local share applied that is equivalent to the local fund assignment of the Beaumont Independent School District to a school district without a tier one local share for purposes of distribution of the foundation school fund.

House Bill 1474
Effective: 9-1-15

House Author: VanDeaver et al.
Senate Sponsor: Eltife

House Bill 1474 amends the Education Code and the Government Code to change the instructional materials allotment from an annual allotment to a biennial allotment and to change from an annual basis to a biennial basis the frequency of the State Board of Education's required set-aside of 50 percent of the distribution from the permanent school fund to the available school fund for placement in the state instructional materials fund. The bill requires the comptroller of public accounts to permit the Texas Education Agency, to the extent authorized by the General Appropriations Act, to make temporary transfers from the foundation school fund for payment of the instructional materials allotment and, for such purpose, authorizes a transfer from the general revenue fund to the foundation school fund earlier than two days before the date an installment to school districts is required.

House Bill 2251
Effective: 6-17-15

House Author: Anchia
Senate Sponsor: Hancock

House Bill 2251 amends the Education Code to allow an open-enrollment charter school with enrollment growth of 10 percent or more from the preceding school year to request an alternative foundation school fund payment schedule that frontloads the percentage of yearly entitlement payments.

House Bill 2293
Effective: 1-1-16

House Author: Darby
Senate Sponsor: West

House Bill 2293 amends and repeals provisions of the Government Code to eliminate the requirement that the comptroller of public accounts make certain certifications to the commissioner of education relating to the final taxable value of property for each school district computed on certain residence homestead exemptions and the effect of specified limitations, reductions, and deductions, as applicable. The bill instead requires the comptroller to certify the final taxable value of property for each school district to the commissioner as provided by the terms of a memorandum of understanding entered into between the comptroller, the Legislative Budget Board, and the commissioner.

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House Bill 2593
Effective: 9-1-15

House Author: Price
Senate Sponsor: Seliger

House Bill 2593 amends the Education Code to require Texhoma Independent School District to be provided an adjusted basic allotment on the basis of 130 students in average daily attendance if it offers a kindergarten through grade four program and has preceding or current year's average daily attendance of at least 75 students or is 30 miles or more by bus route from the nearest high school district.

House Bill 2660
Effective: 6-17-15

House Author: Howard et al.
Senate Sponsor: Watson

House Bill 2660 amends the Education Code to require the commissioner of education, in calculating the average daily attendance for students served by an optional flexible school day program, to ensure that funding for attendance in a course under such a program is based on the same instructional hour requirements of the regular program rather than a full-time equivalent student basis that requires six hours of student contact time to qualify for a full day of attendance.

Senate Bill 496
Effective: Vetoed

Senate Author: Watson
House Sponsor: Howard

Senate Bill 496 amends the Education Code to require the commissioner of education, in calculating the average daily attendance for students served by an optional flexible school day program, to ensure that funding for attendance in a course under such a program is based on the same instructional hour requirements of the regular program rather than a full-time equivalent student basis that requires six hours of student contact time to qualify for a full day of attendance. The bill removes the requirement that a school district apply to the commissioner in order to provide a flexible school day program and authorizes a district to provide such a program for a campus or campuses that would benefit from the program. The bill also authorizes the use of compensatory education allotment funds for the provision of child-care services or assistance with child-care expenses to students at risk of dropping out of school due to being pregnant or a parent or for the payment of costs associated with certain services provided through a life skills program for student parents.

Governor's Reason for Veto: "Currently, a school district can apply to the Texas Education Agency and request permission to offer a flexible school day program for the district's at-risk students. As filed, Senate Bill 496 addressed the financing of these programs. I am supportive of the original intent of the legislation; therefore, I have signed the bill's companion legislation, House Bill 2660.

"Unfortunately, an objectionable piece of legislation that did not ultimately pass on its own merit was added to Senate Bill 496 and significantly changed the bill's focus. Senate Bill 496 was amended to allow a school district to establish a flexible school day for entire campuses without approval from the Texas Education Agency. Allowing districts to drastically change the school calendar without TEA approval could cause unanticipated and untenable problems."

Specialized Curricula and Programs

House Bill 4
Effective: 5-28-15

House Author: Huberty et al.
Senate Sponsor: Campbell et al.

House Bill 4 amends the Education Code to establish a grant funding program under which funds are awarded to school districts and open-enrollment charter schools to implement a high quality prekindergarten grant program provided free of tuition or fees to qualifying students

who are four years old as of September 1 of the year the student begins the program. Program students are entitled to the benefits of the available school fund and the Foundation School Program (FSP), with FSP funding limited to half-day funding. Additional grant funding under the program is capped at \$130 million for the 2016-2017 state fiscal biennium and at \$1,500 per qualifying student in average daily attendance per school day. The program includes curriculum and teacher requirements, a family engagement plan, and the evaluation of the program in terms of student progress and the evaluation of program funding in terms of improving student learning. The bill authorizes a grant program participant to contract with an eligible private provider to provide services or equipment for the program and sets out conditions of eligibility.

House Bill 4 requires the commissioner of education to develop a prekindergarten teacher training course for school district or open-enrollment charter school teachers and requires the Texas Education Agency (TEA) to produce and make available to the public on TEA's website annual early education reports for school districts and open-enrollment charter schools.

House Bill 440
Effective: 5-23-15

House Author: Gonzales et al.
Senate Sponsor: Watson et al.

Current law requires the State Board of Education to ensure that the required physical education curriculum meets the needs of students of all physical ability levels, including students who have a disability. House Bill 440 amends the Education Code to specifically include among such students a student who is a person with a disability that makes the person eligible for a school district's special education program.

House Bill 505
Effective: 5-23-15

House Author: Rodriguez, Eddie et al.
Senate Sponsor: Estes et al.

House Bill 505 repeals an Education Code provision prohibiting a high school student from enrolling in more than three dual credit courses at a junior college if the junior college does not have a service area that includes the student's high school. The bill also amends the Education Code to prohibit certain limitations on the number of dual credit courses or hours in which a high school student may enroll as part of a college credit program.

House Bill 731
Effective: 9-1-15

House Author: Lucio III
Senate Sponsor: Lucio

House Bill 731 amends the Education Code to require the commissioner of education to provide half-day prekindergarten funding to a school district located in Cameron County as a pilot program to enable the state to evaluate the benefit of providing additional funding at the prekindergarten level for low-income students.

House Bill 1430
Effective: 5-23-15

House Author: King, Susan
Senate Sponsor: Zaffirini

House Bill 1430 amends the Education Code to require the Texas Education Agency to ensure that any information provided to students relating to health science careers includes information regarding mental health professions and to require any information on health science career pathways included on a student's public services endorsement to include mental health careers as a possible pathway.

House Bill 1431
Effective: 6-17-15

House Author: King, Susan
Senate Sponsor: Lucio

House Bill 1431 amends the Education Code to require the State Board of Education to develop an advanced language course that a school district may use in the foreign language

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enrichment curriculum to provide students with instruction in industry-related terminology that prepares students to communicate in a language other than English in a specific professional, business, or industry environment.

House Bill 2025
Effective: 6-16-15

House Author: Gonzales
Senate Sponsor: Schwertner

House Bill 2025 amends the Education Code to include Hutto Independent School District among the school districts that may develop and implement a pilot program for students who wish to obtain a high school diploma after completion of three years of secondary school attendance as an alternative to the traditional four-year period of attendance.

House Bill 2812
Effective: 6-17-15

House Author: Springer et al.
Senate Sponsor: Taylor, Van

House Bill 2812 amends the Education Code to authorize the commissioner of education to approve an instructional program provided off campus by an entity other than a school district or open-enrollment charter school as a program in which participation by a student of a district or charter school may be counted for purposes of determining average daily attendance under the Foundation School Program. The bill also repeals an Education Code provision limiting the number of courses in which a high school student could enroll at a public junior college for dual credit if the junior college did not have a service area that included the student's high school.

House Bill 3987
Effective: 6-20-15

House Author: Farney et al.
Senate Sponsor: Garcia et al.

House Bill 3987 amends the Education Code and Human Resources Code to authorize a school district or open-enrollment charter school to establish a school-based savings program to facilitate increased awareness of the importance of saving for higher education and to facilitate personal financial literacy instruction. The bill authorizes a school-based savings program, through partnerships with appropriate institutions, to promote general savings by offering savings accounts or certificates of deposit through partner financial institutions or to promote savings dedicated for higher education by offering through partner institutions certain specified types of accounts or bonds, the primary purpose of which must be to pay expenses associated with higher education. School-based accounts or bonds are excluded from the determination of eligibility for the TEXAS grant program or any other state-funded student financial assistance; household income requirements for Department of Health and Human Services financial assistance programs; eligibility and need for Medicaid, except for certain applicants; and family income and resource requirements for eligibility for the supplemental nutrition assistance program.

Senate Bill 453
Effective: 6-19-15

Senate Author: Seliger
House Sponsor: Clardy

Senate Bill 453 amends the Education Code to lower the minimum scaled score required for a student in grade level six or above to receive credit by an examination administered through the College-Level Examination Program.

Senate Bill 935
Effective: 5-28-15

Senate Author: Kolkhorst et al.
House Sponsor: Deshotel

Senate Bill 935 amends the Education Code to require the commissioner of education to establish a reading excellence team pilot program. The bill makes a school district eligible to participate in the pilot program if the district has low student performance on the reading

instrument administered at the kindergarten and first and second grade levels or on the third grade statewide standardized reading test. The pilot program must establish reading excellence teams composed of reading instruction specialists, allow an eligible school district to request a team's assistance, and provide a team to work with the requesting district to determine campuses and classrooms for kindergarten through third grade with the greatest need of assistance and with applicable teachers to provide training necessary to improve student reading outcomes.

Senate Bill 968
Effective: 6-19-15

Senate Author: West
House Sponsor: Naishtat

Senate Bill 968 amends the Education Code to require the State Board of Education, in adopting the essential knowledge and skills for the health enrichment curriculum, to adopt essential knowledge and skills that address the dangers, causes, consequences, signs, symptoms, and treatment of nonmedical use of prescription drugs. The bill requires the Texas Education Agency to compile a list of evidence-based prescription drug misuse awareness programs from which a school district is required to choose a program to use in the district's middle school, junior high school, and high school health curriculums.

Senate Bill 1259
Effective: 6-19-15

Senate Author: Rodríguez
House Sponsor: Allen

Senate Bill 1259 amends the Education Code to include among the objectives of certain procedures in the Texas Education Agency's statewide plan for the delivery of services to children with disabilities ensuring the development by each school district of a process by which a teacher who instructs a student with a disability in a regular classroom setting can provide input in the development of the student's individualized education program. The bill requires a regular education teacher, if the committee established to develop a child's individualized education program under federal law is required to include a regular education teacher, to be, to the extent practicable, a teacher who is responsible for implementing a portion of the child's individualized education program. The bill requires the written statement of the individualized education program to document committee decisions and entitles each committee member who disagrees with the program to include a statement of disagreement in the program's written statement.

Senate Bill 2062
Effective: 6-19-15

Senate Author: Watson et al.
House Sponsor: Farney

Senate Bill 2062 amends the Education Code to authorize an entity granted a charter to operate an open-enrollment charter school designated as a dropout recovery school, if the school's enrollment consists only of students 17 years of age and older, and a charter to provide an adult education program under a high school diploma and industry certification charter school pilot program, for the purpose of providing services to students enrolled in the charter school and the adult education program, to place students, regardless of their age, at the same facility and in the same classroom setting or learning environment, the same cafeteria, or the same activity sanctioned by the school and the program.

Student Welfare

House Bill 744

Effective: 5-23-15

House Author: Huberty

Senate Sponsor: Creighton

House Bill 744 amends the Education Code to remove from the authority of a school district board of trustees to obtain insurance against bodily injuries sustained by students while engaging in school-sponsored activities the condition that the activities occur on a school campus.

House Bill 1305

Effective: 6-20-15

House Author: Bonnen, Greg et al.

Senate Sponsor: Taylor, Larry

House Bill 1305 amends the Education Code to give a school district board or the governing body of an open-enrollment charter school the option of developing and implementing a locally funded program to provide free or reduced-price meals to students eligible for the same under federal law. The bill revises the method for determining the number of educationally disadvantaged students in a district for purposes of computing a school district's compensatory education allotment.

House Bill 1559

Effective: 6-19-15

House Author: Parker et al.

Senate Sponsor: Taylor, Larry

House Bill 1559 amends the Education Code to require each school that maintains a website, other than a school within a district that has an enrollment of fewer than 3,000 students and is primarily located in a county with a population of less than 50,000, to post on the website information regarding local programs and services available to assist homeless students. The bill frees a school district from liability for any harm to a student that results in connection with a local program or service referred to on a district school website.

House Bill 2186

Effective: 6-19-15

House Author: Cook et al.

Senate Sponsor: Campbell

House Bill 2186 amends the Education Code to enact the Jason Flatt Act, which requires the staff development provided by a school district to an educator other than a principal to include suicide prevention training.

House Bill 3562

Effective: 6-18-15

House Author: Thompson, Senfronia

Senate Sponsor: Rodríguez

House Bill 3562 amends the Education Code to require a school district that allows students to use a prepaid meal card or account to purchase meals served at the school to adopt a grace period policy regarding the use of the cards or accounts.

Senate Bill 66

Effective: 5-28-15

Senate Author: Hinojosa

House Sponsor: Crownover et al.

Senate Bill 66 amends the Education Code to authorize each school district and open-enrollment charter school to adopt and implement a policy regarding the maintenance, administration, and disposal of epinephrine auto-injectors at each campus in the district or school. Epinephrine auto-injectors are intended to treat anaphylaxis, a sudden, severe, and potentially life-threatening allergic reaction. The bill makes a district or charter school that adopts a policy responsible for training school personnel and school volunteers in the administration of an epinephrine auto-injector, provides authority for the prescription of the auto-injectors in the name of a district or charter school, and provides for notice to parents

regarding an adopted policy. A person who in good faith takes, or fails to take, any action with regard to the maintenance, administration, and disposal of epinephrine auto-injectors is immune from civil or criminal liability or disciplinary action resulting from that action or failure to act.

Senate Bill 66 also sets out a reporting requirement applicable after a school personnel member or school volunteer administers an epinephrine auto-injector in accordance with school policy and requires the commissioner of state health services to establish an advisory committee to examine and review the administration of epinephrine auto-injectors to a person experiencing an anaphylactic reaction on a campus of a school district or an open-enrollment charter school.

Senate Bill 133
Effective: 6-17-15

Senate Author: Schwertner et al.
House Sponsor: Coleman

Senate Bill 133 amends the Health and Safety Code to expand the categories of school district employees eligible to receive training in mental health first aid through a Department of State Health Services (DSHS) grant program beyond educators alone. The bill also authorizes DSHS to allocate any unobligated money appropriated for making mental health first aid grants for supplemental grants for each state fiscal year and changes the deadlines by which certain grant-related plans and reports must be submitted.

Senate Bill 265
Effective: 6-19-15

Senate Author: Ellis
House Sponsor: Davis, Sarah

Senate Bill 265 amends the Education Code to authorize student use and possession of over-the-counter topical sunscreen while on school property or at a school-related event or activity.

Senate Bill 507
Effective: 6-19-15

Senate Author: Lucio et al.
House Sponsor: Thompson, Senfronia

Senate Bill 507 amends the Education Code to require a school district or open-enrollment charter school, in order to promote student safety on request by a parent, trustee, or staff member, to provide equipment, including a video camera, to each school in the district or each charter school campus in which a student receiving special education services in a self-contained classroom or other special education setting is enrolled. The bill requires each school or campus that receives such equipment to place, operate, and maintain one or more video cameras in each self-contained classroom or other special education setting in which a majority of the students in regular attendance are provided special education services and assigned to such a classroom or setting for at least half of the instructional day. Cameras must be capable of recording audio and covering all areas of the classroom or setting, with the exception of bathrooms or areas in which a student's clothes are changed.

Senate Bill 507 requires a school or campus, before placing a video camera in such a classroom or setting, to provide written notice of the placement to the parents of a student receiving special education services in the classroom or setting but does not require parental consent. The bill does not waive any immunity from liability of a school district or open-enrollment charter school, or of district or school officers or employees, nor does it create any liability for a cause of action against a school district or open-enrollment charter school or against district or school officers or employees. The bill establishes a video recording of a student as confidential and prohibits the release or viewing of such a recording with certain exceptions. The bill also provides for the establishment by the commissioner of education of a grant program through which certain excess Foundation School Program funds are awarded as grants, in accordance with a specified priority, for the purchase of video equipment or for the reimbursement of costs for previously purchased video equipment.

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Senate Bill 674
Effective: 9-1-15

Senate Author: Campbell et al.
House Sponsor: Coleman

Senate Bill 674 amends the Education Code to replace instruction in detection of students with mental or emotional disorders with instruction regarding mental health, substance abuse, and youth suicide as instruction a person must receive as part of the training required to obtain certain educator certification.

Senate Bill 996
Effective: 6-19-15

Senate Author: Taylor, Van et al.
House Sponsor: Villalba

Senate Bill 996 amends the Education Code and Occupations Code to require a school district or open-enrollment charter school, if a parent or guardian of a student enrolled at a school inquires in writing, to provide the parent or guardian written notice indicating whether any employee of the school is currently appointed a school marshal without disclosing the identity of the marshal. The bill expands the confidential status of information collected or submitted for purposes of training and licensing of a school marshal from identifying information about a person to all information collected and submitted for those purposes.

Senate Bill 1494
Effective: 6-19-15

Senate Author: Uresti et al.
House Sponsor: Turner, Chris

Senate Bill 1494 amends the Education Code to extend to students who are homeless certain education-related assistance that is currently offered to students who are in substitute care. The bill also requires a school district from which an 11th or 12th grade student who is homeless transfers, if the student meets the graduation requirements of that district but is ineligible to graduate from the district to which the student transfers, to award a diploma at the student's request.

Testing and Accountability

House Bill 743
Effective: 6-19-15

House Author: Huberty et al.
Senate Sponsor: Seliger et al.

House Bill 743 amends the Education Code to set certain limitations on the duration of a statewide standardized test and to require such a test to be determined valid and reliable based on empirical evidence by an entity that is independent of the Texas Education Agency (TEA) and the test developer before the test may be administered. The bill requires TEA to report to the State Board of Education (SBOE) on a study regarding the essential knowledge and skills of the SBOE's required curriculum and statewide standardized tests and end-of-course tests.

House Bill 743 replaces the requirement that TEA pay all fees associated with the administration of college preparation tests with a requirement that TEA provide reimbursement to a school district for such fees. The bill establishes the funds from which such reimbursement is to be provided as funds appropriated for that purpose. The bill also requires TEA to develop a comprehensive methodology for auditing and monitoring performance under contracts for services to develop or administer statewide standardized tests and end-of-course tests to verify compliance with contractual obligations.

House Bill 1164
Effective: 9-1-15

House Author: VanDeaver et al.
Senate Sponsor: Garcia

House Bill 1164 amends the Education Code to require the Texas Education Agency (TEA), in coordination with the test developer contracted to develop or implement statewide standardized tests and end-of-course tests, to conduct a study to develop a writing assessment method as an alternative to the existing required writing tests and to then establish a pilot program to implement the alternative method in TEA-designated school districts.

House Bill 1842
Effective: 6-19-15

House Author: Aycock et al.
Senate Sponsor: Taylor, Larry et al.

House Bill 1842 amends the Education Code relating to public school accountability. The bill replaces the requirement that the commissioner of education order the reconstitution of a public school campus after the campus has been identified as unacceptable for two consecutive school years with a requirement that the commissioner in such a circumstance order the campus to prepare and submit a campus turnaround plan that, among other elements, details the method for restructuring, reforming, or reconstituting the campus. A campus turnaround plan takes effect not later than the school year following the third consecutive school year that the campus has received an academically unacceptable performance rating. If the plan is implemented and is not successful in returning the campus to acceptable status within two years, the commissioner must either close the campus, order alternative management, or appoint a board of managers to intervene at the district level. The bill requires an open-enrollment charter school subject to a campus turnaround plan to revise its charter in accordance with applicable law in the plan and provides for the gradual phase-in of its changes concerning campus interventions and sanctions.

House Bill 1842 expands and revises the law concerning an appointed board of managers and sets out provisions governing the appointment and compensation of a board of managers and a superintendent for an open-enrollment charter school. The bill grants a member of a board of managers immunity from civil liability to the same extent as a professional employee of a school district. The bill provides for the establishment of a student trustee in certain school districts in which a district school is operating under a campus turnaround plan.

House Bill 1842 authorizes an eligible school district to be designated as a district of innovation following adoption of a local innovation plan that exempts the district from certain state requirements that inhibit the goals of the plan. The bill also replaces Texas Education Agency (TEA) on-site investigations with monitoring reviews, which may be converted to special accreditation investigations by the commissioner provided the district is notified.

House Bill 2349
Effective: 6-18-15

House Author: Aycock
Senate Sponsor: Kolkhorst

House Bill 2349 amends the Education Code to revise and expand the criteria for which a student may earn a performance acknowledgment on the student's diploma and transcript. The bill authorizes the Texas Education Agency (TEA) to defer releasing standardized test questions and answer keys to the extent necessary to develop additional tests. The bill limits the requirement adopted by the commissioner of education that a student be administered each end-of-course test to an end-of-course test for a course in which the student is enrolled and for which an end-of-course test is administered. The bill requires TEA to adopt procedures to ensure that the results of the statewide standardized tests administered to students who transfer from a school district in another state to a school district in Texas are reported to each school district separately from the results of tests administered to other students.

House Bill 2349 repeals provisions relating to requiring a school district to require a student who on completion of grade 11 is unlikely to achieve the score requirement for one or more

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end-of-course tests to enroll in a corresponding content-area college preparatory course for which an end-of-course test has been adopted; to authorizing the student's score on that test to be used towards satisfying the end-of-course test score requirement for receiving a high school diploma; and to requiring the State Board of Education to establish a level of performance on the special-purpose questions included in an end-of-course test that indicates a student's college readiness.

House Bill 2804

Effective: See below

House Author: Aycock et al.

Senate Sponsor: Taylor, Larry

House Bill 2804 amends the Education Code to revise the evaluation of public school performance. The bill requires school districts and campuses to be evaluated based on five domains of indicators, which, generally, are as follows: statewide standardized test results; test results indicating student preparedness for success in subsequent grade levels and entering the workforce, the military, or postsecondary education; student academic achievement differentials among students from different backgrounds; certain student success rates and statistics; and three programs or specific categories of performance related to community and student engagement locally selected and evaluated by each school district. The bill requires the commissioner of education to assign each public school district and campus an overall A-F performance rating and each district and campus a separate A-F performance rating for each domain. In assigning an overall rating, the commissioner is to attribute 55 percent of the evaluation to the indicators for the first, second, and third domains; 10 percent to the fifth; and the remainder to the fourth, with different specific assignments for high school campuses and districts that include those campuses and for middle and junior high school and elementary campuses and districts that include only those campuses.

House Bill 2804 also establishes the Texas Commission on Next Generation Assessments and Accountability to develop and make recommendations for new systems of student assessment and public school accountability. The commission is abolished January 1, 2017.

The bill takes effect June 19, 2015, except for provisions phasing in the commissioner's assignment of district and campus A-F performance ratings, which take effect on September 1 of 2015, 2016, and 2017.

Senate Bill 149

Effective: 5-11-15

Senate Author: Seliger et al.

House Sponsor: Huberty

Senate Bill 149 amends the Education Code to provide an alternative graduation option to an 11th or 12th grade student who fails to comply with end-of-course testing performance requirements for not more than two courses through the establishment of an individual graduation committee. The bill requires each school district to report through the Public Education Information Management System (PEIMS) the number of district students each school year for which an individual graduation committee is established and the number of district students each school year who are awarded a diploma based on the decision of a committee.

Senate Bill 313

Effective: Vetoed

Senate Author: Seliger

House Sponsor: Aycock

Senate Bill 313 amends the Education Code and Government Code to require the State Board of Education (SBOE) to conduct a one-time review of the Texas Essential Knowledge and Skills (TEKS) in the foundation curriculum subjects and modify the TEKS to narrow the content and scope of standards and skills for the subjects at each grade level. Among other provisions, the bill changes the instructional materials allotment from an annual allotment to a biennial allotment and restricts the issuance of proclamations requesting instructional materials by the

SBOE to proclamations in which the total projected cost of instructional materials does not exceed 75 percent of the total amount used to fund the instructional materials allotment for each state fiscal biennium.

Governor's Reason for Veto: "While Senate Bill 313 is intended to provide additional flexibility to school districts when purchasing classroom instructional materials, the bill potentially restricts the ability of the State Board of Education to address the needs of Texas classrooms. Portions of Senate Bill 313 may have merit, but serious concerns were raised about other parts of the bill. I look forward to working with the Legislature and other stakeholders to ensure this issue is vigorously evaluated before next Session."

Senate Bill 1867
Effective: 6-19-15

Senate Author: Zaffirini
House Sponsor: Aycock

Senate Bill 1867 amends the Education Code to include among the students the commissioner of education is required to exclude in computing dropout and completion rates students who are at least 18 years of age as of September 1 of the school year as reported for the fall semester Public Education Information Management System (PEIMS) submission and have satisfied the credit requirements for high school graduation, have not completed their individualized education program under state regulations and the federal Individuals with Disabilities Education Act, and are enrolled and receiving individualized education program services.

The summaries for the following bills are in the listed chapters:

House Bill 2684—Public Safety
House Bill 2851—State Government
House Bill 4046—Higher Education
Senate Bill 1204—Agriculture

Public Officials and Employees

This chapter covers legislation relating to elected and appointed officials and judges and other public employees, including training and education, accrual of sick leave and other personnel matters, the prosecution of offenses against public administration, personal financial disclosure, and lobbying public officials and employees. Legislation on the qualifications, training, and duties of peace officers is in the **Public Safety** chapter. Related legislation that is summarized in other chapters is listed at the end of this chapter.

General

House Bill 786
Effective: 9-1-15

House Author: Walle et al.
Senate Sponsor: Zaffirini et al.

House Bill 786 amends the Government Code to entitle an employee of a public employer to express breast milk at the employee's workplace. Among other provisions relating to that right, the bill requires a public employer to provide a private place and a reasonable amount of break time for an employee to express breast milk.

House Bill 870
Effective: 9-1-15

House Author: Smith et al.
Senate Sponsor: Seliger

House Bill 870 amends the Government Code to reduce the number of continuing education hours in investment training that the treasurer, or the chief financial officer if the treasurer is not the chief financial officer, and the investment officer of a school district or municipality must complete under the Public Funds Investment Act.

House Bill 1690
Effective: 9-1-15

House Author: King, Phil et al.
Senate Sponsor: Huffman et al.

House Bill 1690 amends the Government Code to require the Texas Rangers division of the Department of Public Safety to establish and support a public integrity unit that, on receiving a formal or informal complaint regarding an offense against public administration, as such an offense is specified by the bill, or on request of a prosecuting attorney or law enforcement agency, may perform an initial investigation into whether a person has committed such an offense. The bill gives the Texas Rangers the authority to investigate an offense against public administration, any lesser included offense, and any other offense arising from conduct that constitutes an offense against public administration and requires the matter to be referred to the prosecuting attorney of the county in which the defendant resided at the time the offense was committed or in which venue is proper under the Code of Criminal Procedure, as applicable, if the public integrity unit's initial investigation demonstrates reasonable suspicion that such an offense occurred. The bill requires the public integrity unit, on request of the prosecuting attorney, to assist the attorney in the investigation of an offense against public administration and requires the prosecuting attorney to notify the public integrity unit of the termination of a case or the results of the final disposition of a case investigated by the public integrity unit. The bill requires a state agency or local law enforcement agency to cooperate with the public integrity unit and prosecuting attorney by providing resources and information requested by the unit and makes such information disclosed confidential and not subject to state public information law. The bill requires the comptroller of public accounts to pay from funds appropriated to the comptroller's judiciary section, from appropriations made specifically for enforcement of public integrity prosecutions, reasonable amounts incurred by a prosecuting attorney for extraordinary

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costs of prosecution of an offense against public administration. Among other provisions, the bill provides for the recusal and selection of a prosecuting attorney by a presiding judge of the administrative judicial region and authorizes the public integrity unit to issue subpoenas in connection with an investigation of an alleged offense against public administration.

House Bill 1771
Effective: 9-1-15

House Author: Raney et al.
Senate Sponsor: Kolkhorst

House Bill 1771 amends the Government Code to authorize a state employee to donate accrued sick leave to another state employee who is employed in the same state agency as the donor employee and has no remaining sick leave, subject to certain restrictions.

House Bill 3337
Effective: 9-1-15

House Author: Clardy et al.
Senate Sponsor: Nelson

Currently, a state agency is authorized to spend public funds to pay for certain necessary expenses relating to training and education programs for state agency administrators and employees. House Bill 3337 amends the Government Code to restrict a state agency, for a state agency administrator or employee who seeks reimbursement for a training or education program offered by certain public or private or independent institutions of higher education, to paying only tuition expenses for a program course successfully completed by the administrator or employee at an accredited institution of higher education. Among other provisions, the bill requires the executive head of a state agency to authorize a tuition reimbursement payment before an administrator or employee of the agency may be reimbursed, sets out requirements for the tuition reimbursement policy a state agency must adopt before the agency spends any money on training for a state employee, and requires the agency to post the policy on its website.

Senate Bill 1025
Effective: 6-17-15

Senate Author: Seliger
House Sponsor: Smithee

Senate Bill 1025 amends the Government Code to change the amount of the annual supplemental compensation paid to certain county judges from \$15,000 to an amount equal to 18 percent of the annual compensation provided for a district judge in the General Appropriations Act.

Senate Bill 1032
Effective: Vetoed

Senate Author: Watson et al.
House Sponsor: Israel

Senate Bill 1032 amends the Government Code to authorize a state agency to adopt a policy that authorizes an employee's supervisor to permit the employee to work from an alternative work site as the employee's regular or assigned temporary place of employment.

Governor's Reason for Veto: "Under current law, state employees are authorized to maintain flexible work schedules--including work from home, where appropriate--if the head of their state agency provides written approval. This policy provides flexibility for those employees who need it while imposing management controls that minimize the potential for abuse of these privileges.

"Senate Bill 1032 takes this process further and would allow an employee's immediate supervisor, rather than the agency head, to authorize flexible schedules and work from home. This would result in reduced accountability, inconsistent application, and greater potential for abuse. The bill's provisions regarding overtime and compensatory time earned away from the office are also problematic. Authorizing employees to earn overtime or compensatory time for work performed at home raises legitimate record-keeping and management concerns."

Ethics, Reporting, and Disclosure

House Bill 3511
Effective: Vetoed

House Author: Davis, Sarah
Senate Sponsor: Huffman

Current law requires the personal financial statement of a state officer, a candidate for an office as an elected officer, and a state party chair filed with the Texas Ethics Commission to include an account of the financial activity of not only the individual required to file such a statement but also the individual's spouse and dependent children, if the individual had actual control over that activity. The bill revises that provision to remove the requirement that the statement include the account of the financial activity of the individual's spouse, to condition the requirement to include an account of the financial activity of the individual's dependent children on the individual exercising or holding the right to exercise any degree of legal or factual control over that activity, and to include in the required statement an account of financial activity regarding certain separate and community property.

In addition, the bill exempts a person who electronically files a verified financial statement with the commission or another filing authority from the requirement to include a notarized affidavit with the statement if the person has requested and received an electronic filing password under the rules of the commission or other authority and uses that password to file the financial statement. An affidavit, with the language specified by the bill, must accompany a statement that is not filed electronically. Among other provisions, the bill establishes that a statement is considered to be under oath by the person required to file the financial statement and subjects the person to Penal Code provisions governing perjury and other falsification, regardless of the absence of or a defect in the affidavit.

Governor's Reason for Veto: "Texans deserve accountability and transparency from their public officials. House Bill 3511 weakens the ethics laws governing officeholder financial disclosures. I cannot allow that."

House Bill 3512
Effective: 9-1-15

House Author: Davis, Sarah
Senate Sponsor: Huffman

House Bill 3512 amends the Government Code to clarify certain conditions under which a person is required to register as a lobbyist. The bill establishes that a person is not required to register as a lobbyist if the person spends not more than 26 hours, or another amount of time determined by the Texas Ethics Commission, for which the person is compensated or reimbursed during the calendar quarter engaging in activity to communicate directly with a member of the legislative or executive branch to influence legislation or administrative action. The bill also clarifies that such activity to communicate includes establishing goodwill with the member for the purpose of later communicating with the member to influence legislation or administrative action, among other provisions.

House Bill 3517
Effective: 9-1-15

House Author: Davis, Sarah
Senate Sponsor: Huffman

House Bill 3517 amends the Government Code to expand lobbyist registration requirements by removing the exemption from registration for a person who receives or is entitled to receive compensation or reimbursement to communicate in a capacity other than as an employee of a vendor to a member of the executive branch concerning state agency purchasing decisions if the compensation for the communication is not totally or partially contingent on the outcome of any administrative action. In addition, the bill prohibits previously permissible contingency fees

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paid to an independent contractor of a vendor of a product or service to influence legislation or administrative action by repealing provisions excepting a sales commission or other such fee payable to such a contractor from compensation contingent on the outcome of an administrative action under certain conditions.

House Bill 3736
Effective: Vetoed

House Author: Davis, Sarah et al.
Senate Sponsor: Huffman

House Bill 3736 amends the Government Code to require a state agency governing board member or officer, in each matter before the governing board of the state agency or the officer who governs the agency, to disclose in writing a conflict of interest, as defined by the bill, to the agency and to prohibit the member or officer from participating in the decision on the matter, with certain exceptions. The bill establishes that such a written disclosure is public information and requires a state agency that receives such a disclosure to file a copy of the disclosure with the Texas Ethics Commission. The bill makes it a misdemeanor for such a board member or officer to knowingly fail to disclose a conflict of interest or fail to refrain from participating in the decision on the matter.

Current law requires the personal financial statement of a state officer, a candidate for an office as an elected officer, and a state party chair filed with the commission to include an account of the financial activity of not only the individual required to file such a statement but also the individual's spouse and dependent children, if the individual had actual control over that activity. The bill revises that provision to remove the requirement that the statement include the account of the financial activity of the individual's spouse, to condition the requirement to include an account of the financial activity of the individual's dependent children on the individual exercising or holding the right to exercise any degree of legal or factual control over that activity, to include in the required statement an account of financial activity regarding certain separate and community property, and to provide for the amendment of the statement. Among other provisions related to the account of financial activity, the bill requires the account to include the identification of certain contracts for the sale of goods and services exceeding specified monetary amounts, identification of specified information about each issuance for which a member of the legislature served as bond counsel, and identification of any other source of earned or unearned income not otherwise reported.

Governor's Reason for Veto: "At the beginning of this legislative session, I called for meaningful ethics reform. This legislation does not accomplish that goal. Provisions in this bill would reduce Texans' trust in their elected officials, and I will not be a part of weakening our ethics laws. Serious ethics reform must be addressed next session—the right way. Texans deserve better."

The summaries for the following bill and joint resolution are in the listed chapters:
House Bill 23—Government Purchasing
Senate Joint Resolution 52—State Government

Public Retirement Systems

This chapter covers legislation on public retirement systems, including the Employees Retirement System of Texas and the Teacher Retirement System of Texas. The chapter includes legislation relating to the State Pension Review Board and health benefit plans administered by public retirement systems.

General

House Bill 3310
Effective: 6-18-15

House Author: Paul et al.
Senate Sponsor: Taylor, Larry

House Bill 3310 amends the Government Code to set out provisions addressing transparency and actuarial soundness with regard to public retirement systems, and these provisions do not apply to certain statewide retirement systems. The bill requires an actuarial valuation of a public retirement system to include a recommended contribution rate needed for the system to achieve and maintain an amortization period that does not exceed 30 years. The bill requires a public retirement system that has assets of at least \$100 million to conduct an actuarial experience study once every five years and to submit a copy of the study to the State Pension Review Board.

House Bill 3310 requires a public retirement system to notify the system's associated governmental entity in writing if the system receives an actuarial valuation indicating that the system's actual contributions are not sufficient to amortize the unfunded actuarial accrued liability within 40 years. If a public retirement system's actuarial valuation shows that the system's amortization period has exceeded 40 years for either two or three consecutive actuarial valuations, depending on the frequency with which valuations are conducted, the bill requires the formulation of a funding soundness restoration plan for the system that is designed to achieve a contribution rate that will be sufficient to amortize the unfunded actuarial accrued liability within 40 years not later than the 10th anniversary of the date on which the final version of the plan is agreed to. The bill also provides for the posting of funding soundness restoration plan data on the State Pension Review Board website.

Senate Bill 940
Effective: 9-1-15

Senate Author: Taylor, Van
House Sponsor: Anchia

Current law requires the comptroller of public accounts and the State Pension Review Board, respectively, to prepare and periodically update a list of companies that engage in certain scrutinized business operations with Sudan or Iran and to provide that list to certain public retirement systems. A system, by a prescribed deadline, must then notify the comptroller or board, as applicable, of the listed companies in which the system owns direct or indirect holdings. Senate Bill 940 amends the Government Code to extend that notification deadline.

Employees Retirement System

House Bill 9
Effective: 9-1-15

House Author: Flynn et al.
Senate Sponsor: Huffman

House Bill 9 amends the Government Code to increase the member contribution to the Employees Retirement System of Texas (ERS) to 9.5 percent of the member's compensation. The bill also removes the 90-day waiting period to become a member of ERS.

House Bill 408
Effective: 6-19-15

House Author: Turner, Chris et al.
Senate Sponsor: Menéndez

House Bill 408 amends the Government Code to prohibit a member of the elected class of the Employees Retirement System of Texas, other than a district attorney or criminal district attorney, from transferring service credited in the elected class to the employee class until the person no longer holds an elected position. The bill also makes a member of the elected class, other than a district attorney or criminal district attorney, ineligible to retire and receive a service retirement annuity based on service credit transferred to the employee class from the elected class until the person no longer holds an elected position.

House Bill 966
Effective: 9-1-15

House Author: Crownover et al.
Senate Sponsor: Hancock et al.

House Bill 966 amends the Texas Employees Group Benefits Act under the Insurance Code to establish an optional state consumer-directed health plan for the benefit of individuals eligible to participate in the group benefits program and their qualified dependents. As part of the implementation of the plan, the bill requires the board of trustees of the Employees Retirement System of Texas to establish health savings accounts and finance a self-funded high deductible health plan that provides health benefit coverage for plan enrollees and their dependents. The bill authorizes an individual eligible to participate in the act's basic coverage to choose instead to participate in the state consumer-directed health plan and provides for state and plan enrollee contributions to the high deductible health plan and to the enrollee's health savings account. The bill also authorizes a plan enrollee to obtain coverage for the enrollee's dependents and requires a plan enrollee that elects to obtain dependent coverage to pay any required contribution for the dependent coverage.

House Bill 3307
Effective: 6-17-15

House Author: Miller, Rick et al.
Senate Sponsor: Hinojosa

House Bill 3307 amends the Insurance Code to require the board of trustees of the Employees Retirement System of Texas to make a TRICARE Military Health System supplemental plan available under the Texas Employees Group Benefits Act to an employee or annuitant who waives coverage under the act's basic coverage plan and is eligible for benefits under the TRICARE Military Health System.

Teacher Retirement System

House Bill 1937
Effective: 9-1-15

House Author: Darby
Senate Sponsor: Fraser

House Bill 1937 amends the Government Code to authorize certain members of the Teacher Retirement System of Texas (TRS) who have not retired to revoke the member's decision to participate in the TRS deferred retirement option plan on or before December 31, 2015. This temporary authorization also applies to certain beneficiaries.

House Bill 2168
Effective: 9-1-15

House Author: Muñoz, Jr.
Senate Sponsor: Lucio

House Bill 2168 amends the Government Code to change the payment date for monthly annuities from the Teacher Retirement System of Texas from the first working day of each month following the month for which the payment accrues to the last working day of the month for which the payment accrues.

House Bill 2974
Effective: 9-1-15

House Author: Flynn et al.
Senate Sponsor: Huffman

House Bill 2974 amends the Government Code and Insurance Code to clarify provisions concerning the Teacher Retirement System of Texas (TRS), including provisions relating to the TRS board of trustees, eligibility for membership, creditable service, and employer contributions for employed retirees. The bill also creates a joint interim committee to study and review the health benefit plans, including TRS-Care and TRS-ActiveCare, operated under the Texas Public School Retired Employees Group Benefits Act and the Texas School Employees Uniform Group Health Coverage Act and to propose reforms to address the financial soundness of the plans, the cost and affordability of plan coverage, and the sufficiency of access to physicians and health care providers under the plans.

Senate Bill 1940
Effective: 6-19-15

Senate Author: Huffman
House Sponsor: Flynn et al.

Senate Bill 1940 creates a joint interim committee to study and review the health benefit plans administered by the Teacher Retirement System of Texas under the Texas Public School Retired Employees Group Benefits Act and the Texas School Employees Uniform Group Health Coverage Act and to propose reforms to address issues relating to the financial soundness of the plans, the cost and affordability of plan coverage to persons eligible for coverage under the plans, and the sufficiency of access to physicians and health care providers under the plans.

Other Retirement Systems

House Bill 1707
Effective: 9-1-15

House Author: Stephenson et al.
Senate Sponsor: Huffman

House Bill 1707 amends the Government Code to include wire transfer and automated clearinghouse withdrawal (ACH debit) among the methods by which a political subdivision that has a department participating in the Texas Emergency Services Retirement System may submit a required contribution to the retirement system.

House Bill 1725
Effective: 6-1-15

House Author: Stephenson
Senate Sponsor: Huffman

House Bill 1725 amends the Government Code to provide a procedure for the selection of trustees to fill the three positions on a local board of the Texas Emergency Services Retirement System that are reserved for active members representing a participating department in a circumstance in which a participating department does not have a sufficient number of active members to serve on the local board.

House Bill 1756
Effective: 9-1-15

House Author: Rodriguez, Eddie et al.
Senate Sponsor: Watson

House Bill 1756 amends the law relating to the Austin Firefighters Relief and Retirement Fund. The bill authorizes the fund's board of trustees to appoint a sole nominated candidate to the board without holding an election, to establish procedures and requirements governing a member's designation of a beneficiary, and to modify the availability of certain distributions from deferred retirement option plan (DROP) accounts. The bill also clarifies provisions relating to payments from a DROP account at a member's death and clarifies the determination period used for calculating the collective adjustment amount for an annual cost-of-living adjustment.

Public Retirement Systems

Senate Bill 463
Effective: 6-1-15

Senate Author: Huffman
House Sponsor: Kuempel

Senate Bill 463 amends the Government Code to restructure certain fund accounts of the Texas County and District Retirement System (TCDRS). The bill repurposes the subdivision accumulation fund to provide for the payment from the fund of annuities and benefits to annuitants who are members of a political subdivision participating in TCDRS. The bill renames the current service annuity reserve fund as the closed subdivision annuity reserve fund and repurposes that fund to provide for the payment of annuities and benefits to annuitants who were members of a political subdivision that terminated participation with TCDRS.

Public Safety

This chapter covers legislation relating to the qualifications, training, and duties of peace officers, rights of retired peace officers, law enforcement agencies, concealed handguns and firearms possession, the duties and functions of the Texas Department of Public Safety (DPS), border security and colonias, and other homeland security matters. This chapter also includes legislation relating to peace officer compensation, benefits, employment issues, and retirement. Legislation on crime victims and criminal offenses, penalties, and procedures is in the **Criminal Justice** chapter, and legislation on juvenile offenders and proceedings is in the **Juvenile Justice** chapter. Legislation on emergency response and the Texas Division of Emergency Management is in the **Emergency Response** chapter. Legislation on driver's licenses and certain other identification cards issued by DPS is in the **Transportation** chapter. Related legislation that is summarized in other chapters is listed at the end of this chapter.

General

House Bill 473
Effective: 9-1-15

House Author: Giddings et al.
Senate Sponsor: Menéndez

House Bill 473 amends the Government Code and Local Government Code to require that a marked law enforcement motor vehicle, before the sale of the vehicle to the public, be divested of any equipment or insignia that could mislead a reasonable person to believe that the vehicle is a law enforcement vehicle. Before the sale of a marked law enforcement motor vehicle to a security services contractor regulated by the Department of Public Safety and licensed under the Private Security Act, each emblem or insignia that identifies the motor vehicle as a law enforcement vehicle must be removed.

House Bill 593
Effective: 9-1-15

House Author: Collier et al.
Senate Sponsor: Whitmire

House Bill 593 amends the Occupations Code to require the Texas Commission on Law Enforcement (TCOLE) to establish a canine encounter training program and to require a peace officer licensed by TCOLE on or after January 1, 2016, to complete the program by the second anniversary of the date the officer is licensed. An officer must complete the training program as a requirement for an intermediate or advanced proficiency certificate issued by TCOLE on or after January 1, 2016. The bill exempts until January 1, 2017, a peace officer employed by a county with a population of less than 125,000 from the bill's training requirements.

House Bill 2167
Effective: 9-1-15

House Author: Smith
Senate Sponsor: Zaffirini

House Bill 2167 amends the Government Code to make it lawful for a registered professional land surveyor or a licensed professional engineer to capture an image using an unmanned aircraft in connection with the practice of professional surveying or engineering, respectively, provided that no individual is identifiable in the image. The bill also expands the circumstances under which it is lawful to capture an image using an unmanned aircraft for academic purposes.

House Bill 3089
Effective: 9-1-15

House Author: Galindo et al.
Senate Sponsor: Menéndez et al.

House Bill 3089 amends the Health and Safety Code to require a residential high rise building in Bexar County in which a certain percentage of the residents are elderly individuals, individuals

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with a disability, or individuals with a mobility impairment and that is not designated as a historically or archaeologically significant site to be equipped with a complete fire protection sprinkler system. Among other things, the bill provides for the adoption of sprinkler system standards, the phasing in of compliance with such standards, and the actions and penalties for noncompliance.

House Bill 3212
Effective: 9-1-15

House Author: King, Phil
Senate Sponsor: Menéndez

House Bill 3212 amends the Government Code to require a law enforcement agency or other governmental entity in Texas, on request of a qualified retired law enforcement officer, as that term is defined by federal law, who holds a weapons proficiency certificate under state law, to issue an identification card to the officer under certain conditions. In addition, the bill revises the provision under which a duplicate identification card is issued to certain officers if an original card is lost or stolen.

House Bill 3628
Effective: 9-1-15

House Author: Geren et al.
Senate Sponsor: Hancock

House Bill 3628 amends the Government Code to require the public safety director to adopt rules governing the use of unmanned aircraft in the Capitol Complex and creates an offense for violating such a rule.

Senate Bill 158
Effective: 9-1-15

Senate Author: West et al.
House Sponsor: Fletcher et al.

Senate Bill 158 amends the Occupations Code to require a law enforcement agency that receives a grant for the provision of body worn cameras for its peace officers, or that otherwise operates a body worn camera program, to adopt a policy for the use of body worn cameras. The bill sets out certain guidelines and other provisions to be included in such a policy and requires an agency operating a program before the bill's effective date to submit any existing agency policy regarding the use of body worn cameras to the Texas Commission on Law Enforcement (TCOLE) to determine whether the policy complies with the bill's provisions. The bill specifies that training must be provided before an agency may operate a body worn camera program and requires TCOLE, in consultation with the Department of Public Safety, the Bill Blackwood Law Enforcement Management Institute of Texas, the W. W. Caruth Jr. Police Institute at Dallas, and the Texas Police Chiefs Association, to develop or approve a curriculum for such a training program.

In addition, the bill requires the office of the governor to create and implement a grant program under which a grant to defray the cost of implementing a body worn camera program and equipping peace officers with cameras may be awarded to certain law enforcement agencies that employ officers who are engaged in traffic or highway patrol or otherwise regularly detain or stop motor vehicles or are primary responders who respond directly to calls for assistance from the public. The bill also authorizes a law enforcement agency to enter into an interagency or interlocal contract to receive body worn camera services and have the identified operations performed through a program established by the Department of Information Resources.

Among other provisions, the bill provides for the recording of interactions with the public by a peace officer equipped with a body worn camera, peace officer use of personal equipment, the use of body worn camera recordings as evidence, the release of information recorded by a body worn camera, and a proposed fee, set by the attorney general, to be charged to members

of the public for a copy of information recorded by a body worn camera. The bill makes it a misdemeanor offense for an employee of a law enforcement agency to release a recording created by a body worn camera without the permission of the applicable law enforcement agency.

Senate Bill 1287

Effective: See below

Senate Author: Hinojosa

House Sponsor: Geren et al.

Senate Bill 1287 amends the Code of Criminal Procedure and Government Code to provide for the establishment of a forensic analyst licensing program and the transfer of the crime laboratory accreditation process to the Texas Forensic Science Commission, among other provisions. In addition, the bill requires the commission to establish a method for collecting DNA and other forensic evidence related to unidentified bodies located less than 120 miles from the Rio Grande River. The bill takes effect September 1, 2015, except for the requirement of a forensic analyst to hold a license, which takes effect January 1, 2019.

Border Issues and Colonias

House Bill 11

Effective: 9-1-15

House Author: Bonnen, Dennis et al.

Senate Sponsor: Birdwell et al.

House Bill 11 amends the Code of Criminal Procedure, Government Code, Local Government Code, and Penal Code relating to, among other provisions, the powers and duties of the Texas Department of Public Safety (DPS), military and law enforcement training, and border security. To prevent the unlawful transfer of contraband from Texas to Mexico, DPS is required to assist the federal government and local law enforcement authorities working with the federal government at international border checkpoints and is authorized to share the cost of staffing border checkpoints with the federal government. The bill requires the office of the attorney general to establish a transnational and organized crime division. The bill increases the penalties for a smuggling of persons offense and creates the offense of continuous smuggling of persons punishable as a second or first degree felony.

House Bill 11 requires the Hidalgo County Sheriff's Office and the McAllen Police Department to jointly establish and operate the Texas Transnational Intelligence Center as a central repository of real-time intelligence data submitted by certain local law enforcement agencies, the Texas Alcoholic Beverage Commission, and the Parks and Wildlife Department. DPS is required to assist in the establishment and operation of the center.

House Bill 11 requires the Texas Facilities Commission to construct a multiuse training facility to be used by DPS, the Texas military forces, county and municipal law enforcement agencies, and any other military or law enforcement agency, including agencies of the federal government, for training purposes. The bill authorizes the Public Safety Commission to provide for the establishment of a reserve officer corps and authorizes DPS to accept certain honorably discharged military veterans into the DPS trooper trainee academy. The bill continues the Texas Anti-Gang Grant Program administered by the criminal justice division of the governor's office.

House Bill 11 requires the lieutenant governor and the speaker of the house of representatives to create a joint interim committee to study border security, which is required to submit a report to the 85th Legislature before it convenes in regular session.

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House Bill 12
Effective: 9-1-15

House Author: Longoria et al.
Senate Sponsor: Hinojosa et al.

House Bill 12 amends the Government Code to codify the structure and duties of the currently existing Texas border prosecution unit and update policies and procedures relating to the unit. The bill requires the governor to establish the border prosecution unit within the criminal justice division of the governor's office to provide the governor, lieutenant governor, speaker of the house of representatives, and members of the legislature with information regarding border crime. The bill requires the unit to advise the criminal justice division, serve as a clearinghouse for information related to border crime, and assist in developing training for law enforcement regarding border crime issues, including the investigation and prosecution of border crime. An attorney employed by a border prosecuting attorney as regional counsel is required, among other duties, to assist the border prosecuting attorneys and other regional counsel as needed in prosecuting border crime cases and to serve as a liaison between the unit and other criminal justice entities, including the Department of Public Safety and federal, state, and local prosecutors and law enforcement agencies located in the border region.

House Bill 229
Effective: 9-1-15

House Author: Guillen et al.
Senate Sponsor: Zaffirini

House Bill 229 amends the Government Code to authorize the Texas Facilities Commission (TFC) to transfer surplus motor vehicles and other law enforcement equipment of the Department of Public Safety to a municipal or county law enforcement agency in an economically disadvantaged area of Texas at a price or for consideration agreed to by the TFC and the agency if the TFC determines the state's effort to secure the international border and combat transnational crime will sufficiently benefit from the donation.

Concealed Handguns and Firearms Possession

House Bill 554
Effective: 9-1-15

House Author: Springer et al.
Senate Sponsor: Creighton et al.

House Bill 554 amends the Penal Code to establish a defense to prosecution for the offense of possessing or carrying a weapon in or into the secured area of an airport that the actor possessed at the screening checkpoint a concealed handgun the actor is licensed to carry and exited the checkpoint immediately on completion of the screening process and notification that the actor possessed the handgun. A peace officer is prohibited from arresting an actor for the offense unless the officer advises the actor of this defense to prosecution and gives the actor an opportunity to exit the screening checkpoint, and the actor does not immediately exit the checkpoint on completion of the screening process.

House Bill 910
Effective: See below

House Author: Phillips et al.
Senate Sponsor: Estes et al.

Previous law provided for a licensing scheme to carry a concealed handgun under certain circumstances. House Bill 910 amends the Alcoholic Beverage Code, Code of Criminal Procedure, Education Code, Election Code, Family Code, Government Code, Health and Safety Code, Labor Code, Local Government Code, Occupations Code, Parks and Wildlife Code, and Penal Code to authorize a person who is licensed to carry a handgun to openly carry a holstered handgun. The bill decreases the penalty for a license holder trespassing with a concealed handgun to a Class C misdemeanor and creates a Class C misdemeanor offense for a license holder trespassing with an openly carried handgun. The penalty for these trespassing offenses is enhanced to a Class A

misdeemeanor if the trespasser ignores verbal notice that the person may not enter or remain on the property with a handgun. The bill makes it a Class A misdemeanor offense for a handgun license holder to carry a partially or wholly visible handgun on or about the license holder's person and intentionally display the handgun in plain view of another person on the premises or certain streets, walkways, driveways, or parking areas of a public, private, or independent institution of higher education.

House Bill 910 takes effect January 1, 2016, except that the provision set to expire on September 1, 2019, relating to the fee for a mental health background check for a license to carry a handgun takes effect September 1, 2015, and an identical provision takes effect September 1, 2019.

House Bill 1376
Effective: 9-1-15

House Author: Paddie
Senate Sponsor: Eltife

House Bill 1376 amends the Government Code to include a community supervision officer or a juvenile probation officer among the persons who may establish handgun proficiency for a concealed handgun license by obtaining from an approved handgun proficiency instructor a sworn statement indicating the person demonstrated handgun proficiency. A reduced fee of \$25 for the issuance of an original or renewed concealed handgun license is established for such an officer.

House Bill 2135
Effective: 9-1-15

House Author: Miller, Doug
Senate Sponsor: Watson

House Bill 2135 amends the Government Code and Local Government Code to make statutory provisions relating to the purchase of an honorably retired or deceased peace officer's firearm from a state agency or county also applicable to a municipality or joint board for which the constituent agencies are populous home-rule municipalities.

House Bill 2604
Effective: 9-1-15

House Author: Dale et al.
Senate Sponsor: Hinojosa

House Bill 2604 amends the Government Code to replace the current application requirements for a concealed handgun license applicable to a person who is a licensed peace officer employed as a peace officer by a law enforcement agency or who is a member of the Texas military forces, excluding certain Texas State Guard members. Instead, an applicant serving as a peace officer must submit to the Department of Public Safety (DPS) the applicant's name and rank and a current copy of the applicant's peace officer license and evidence of employment, and an applicant who is a member of the Texas military forces must comply with rules adopted by DPS regarding information required to be submitted.

House Bill 2739
Effective: 9-1-15

House Author: Capriglione et al.
Senate Sponsor: Birdwell et al.

House Bill 2739 amends the Business & Commerce Code to prohibit a person from denying the holder of a concealed handgun license access to goods, services, or facilities because the holder has or presents a concealed handgun license rather than a driver's license or other acceptable form of personal identification.

House Bill 3710
Effective: 9-1-15

House Author: Blanco et al.
Senate Sponsor: Rodríguez

House Bill 3710 amends the Government Code to authorize a person applying for an original or renewal license to carry a concealed handgun to make a voluntary contribution in any amount to the fund for veterans' assistance. The bill sets out the duties of the Department of Public Safety in administering the voluntary contributions.

Senate Bill 11
Effective: 8-1-16

Senate Author: Birdwell et al.
House Sponsor: Fletcher

Senate Bill 11 amends the Government Code and Penal Code to authorize a concealed handgun license holder to carry a concealed handgun while on the campus of a public, private, or independent institution of higher education in Texas, except that after appropriate consultation a private or independent institution may prohibit license holders from carrying handguns on its campus, any grounds or building on which a university-sponsored activity is being conducted, or certain university-owned vehicles. Public, private, or independent institutions of higher education are authorized to establish regulatory provisions concerning the storage of handguns in dormitories or other residential facilities that are owned or leased and operated by the institution and located on the institution's campus.

The president or other chief executive officer of a public institution of higher education, after appropriate consultation, is required to establish reasonable regulatory provisions regarding carrying concealed handguns by license holders on the campus of the institution or premises located on the campus. The establishment of regulatory provisions that generally ban a license holder from carrying a concealed handgun on the campus of a public institution of higher education or have that same effect is prohibited. The board of regents or other governing board of a public institution of higher education is required to review the regulatory provisions and may, by a vote of at least two-thirds of the board, wholly or partly amend those provisions. Each public institution of higher education is required to submit a biennial report to the legislature and each appropriate standing committee that describes its regulatory provisions regarding carrying concealed handguns on campus and explains the reasoning for adopting those provisions. The bill sets out provisions relating to limitation of liability for applicable institutions of higher education and an institution's officers and employees under statutory provisions governing concealed handgun licenses.

A concealed handgun license holder commits a Class A misdemeanor offense if the license holder carries a partially or wholly visible handgun, regardless of whether the handgun is holstered, on or about the actor's body and intentionally or knowingly displays the handgun in plain view of another person on the premises of or on certain streets, walkways, driveways, or parking areas of a public, private, or independent institution of higher education; carries a handgun on the campus of a private or independent institution of higher education that has banned the carrying of handguns, regardless of whether the handgun is concealed, provided effective notice is given; or intentionally carries a concealed handgun on a portion of the campus of a public institution of higher education that has adopted rules prohibiting such carrying, provided effective notice is given.

Senate Bill 11 does not apply to a public junior college before August 1, 2017.

Senate Bill 273
Effective: 9-1-15

Senate Author: Campbell et al.
House Sponsor: Guillen

Senate Bill 273 amends the Government Code and Penal Code to prohibit a state agency or a political subdivision from wrongfully posting notice excluding a concealed handgun license holder from carrying a handgun and to make an agency or subdivision found violating that prohibition civilly liable. A Texas citizen or a person licensed to carry a concealed handgun is authorized to file a complaint with the attorney general if the citizen or person provides the applicable agency or subdivision with written notice describing the violation and the violation is not cured within the specified time frame. The attorney general or appropriate county or district attorney may sue the agency or subdivision to collect a civil penalty if, after investigation, the attorney general determines that legal action is warranted and that the violation has not been properly cured. Sovereign immunity to suit is waived and abolished to the extent of liability created by the bill. The scope of the offense of a concealed handgun license holder intentionally, knowingly, or recklessly carrying a handgun at a meeting of a governmental entity is narrowed to encompass only such carrying of a handgun in the room or rooms where a governmental entity is holding an open meeting for which proper meeting notice was provided.

Employees

House Bill 872
Effective: 9-1-15

House Author: Raymond et al.
Senate Sponsor: Whitmire

House Bill 872 amends the Occupations Code to require the Texas Commission on Law Enforcement to reactivate a peace officer's license after a break in employment contingent on the former license holder meeting certain requirements.

House Bill 1036
Effective: 9-1-15

House Author: Johnson
Senate Sponsor: Whitmire et al.

House Bill 1036 amends the Code of Criminal Procedure to require the office of the attorney general to create a form for reporting officer-involved injuries or deaths and a form for reporting certain injuries or deaths of peace officers. Among other provisions, the bill requires law enforcement agencies to complete and submit reports regarding such incidents to the office of the attorney general.

House Bill 1278
Effective: 9-1-15

House Author: Hughes et al.
Senate Sponsor: Lucio

House Bill 1278 amends the Government Code to double the lump sum benefit paid to the survivors of certain law enforcement officers, firefighters, and other public employees killed in the line of duty and the monthly benefit paid to the surviving minor children of such employees.

House Bill 1417
Effective: 9-1-15

House Author: Elkins
Senate Sponsor: Creighton et al.

House Bill 1417 amends the Government Code to require a law enforcement agency that issues an identification card to a peace officer, reserve law enforcement officer, or honorably retired peace officer to issue a duplicate card if the officer submits an affidavit stating that the card is lost or stolen.

House Bill 1790
Effective: 9-1-15

House Author: Márquez et al.
Senate Sponsor: Lucio

House Bill 1790 amends the Local Government Code to authorize a fire fighter or police officer who is temporarily disabled by an injury or illness unrelated to the person's line of duty to have another fire fighter or police officer volunteer to do the person's work while the person is temporarily disabled by the injury or illness as an alternative to the person using all sick leave, vacation time, and other accumulated time before the person is placed on temporary leave.

House Bill 2037
Effective: 9-1-15

House Author: Geren et al.
Senate Sponsor: Hinojosa

House Bill 2037 amends the Government Code to require the attorney general to ensure that a peace officer employed and commissioned by the attorney general as an investigator for the limited purpose of prosecution assistance and crime prevention duties is compensated according to Schedule C of the position classification salary schedule prescribed by the General Appropriations Act and to entitle such a peace officer to injury leave, as appropriate. The state classification officer is required to classify the position of such a peace officer as a Schedule C position under the Texas Position Classification Plan, 1961, beginning with the 2016-2017 state fiscal biennium.

House Bill 2680
Effective: 9-1-15

House Author: Bonnen, Greg et al.
Senate Sponsor: Taylor, Larry

House Bill 2680 amends the Occupations Code to include a person who is employed as a telecommunicator and licensed by the Texas Commission on Law Enforcement among the persons eligible for continuing education funding through the law enforcement officer standards and education fund.

House Bill 3211
Effective: 9-1-15

House Author: King, Phil
Senate Sponsor: Whitmire

House Bill 3211 amends the Occupations Code to allow a peace officer who will be appointed to the officer's first supervisory position to receive the required in-service training on supervision not earlier than the 12th month before the appointment date. The bill changes the deadline by which a peace officer already appointed to the officer's first supervisory position must receive the required in-service training on supervision from not later than the second anniversary of the appointment date to not later than the first anniversary of the appointment date.

House Bill 4030
Effective: 9-1-15

House Author: Dale
Senate Sponsor: Huffman

House Bill 4030 amends the Occupations Code to include among the required contents of an application for registration or endorsement under the Private Security Act the required fees and the applicant's fingerprints provided in the manner prescribed by the Texas Private Security Board. The board is required to make information available to the public concerning whether an applicant has met the requirements for performing a service under that act for which the registration or endorsement is required. An applicant is authorized to begin performing the duties of employment for which the registration or endorsement is required, other than duties as a commissioned security officer, even if information concerning the applicant is not made available by the board before the 48th hour after the time the applicant's fingerprints are submitted as long as the employer or its agent verifies that the applicant does not have a disqualifying criminal history and is not required to register as a sex offender based on information from Department of Public Safety's public website and documents the verification.

Law Enforcement Officer Training and Certification

House Bill 1338
Effective: 9-1-15

House Author: Naishtat
Senate Sponsor: Menéndez

House Bill 1338 amends the Occupations Code to require the Texas Commission on Law Enforcement (TCOLE), in collaboration with the office of acquired brain injury of the Health and Human Services Commission and the Texas Traumatic Brain Injury Advisory Council, to establish and maintain a training program for peace officers and first responders that provides information on the effects of an acquired brain injury and of a traumatic brain injury and techniques to interact with persons who have such a brain injury.

The bill requires TCOLE, in collaboration with the Texas Veterans Commission, to establish and maintain a training program for peace officers that provides information on veterans with certain specified trauma-related injuries.

House Bill 1887
Effective: 6-17-15

House Author: Muñoz, Jr. et al.
Senate Sponsor: Hinojosa

House Bill 1887 amends the Education Code to establish the regional center for public safety excellence, headquartered at South Texas College, to develop and provide education and training for law enforcement personnel in the Rio Grande Valley. The regional center is administered by the college in partnership with political subdivisions and participating school districts in the Rio Grande Valley.

House Bill 2684
Effective: 6-20-15

House Author: Giddings et al.
Senate Sponsor: Whitmire

House Bill 2684 amends the Education Code and Occupations Code to provide for a model training curriculum, created and updated by the Texas Commission on Law Enforcement, for school district peace officers and school resource officers that addresses, among other issues, child and adolescent development and psychology, positive behavioral interventions and supports, and mental health crisis intervention. The bill requires officers in certain large school districts to complete an education and training program that uses the curriculum, establishes program requirements, and requires applicable school districts to adopt policies regarding the required training program.

The summaries for the following bills are in the listed chapters:

House Bill 1481—Criminal Justice
 House Bill 2162—Local Government
 Senate Bill 386—Higher Education
 Senate Bill 850—Military Forces and Veterans
 Senate Bill 996—Public Education

Special Districts

This chapter covers legislation relating to special districts, including emergency services districts, hospital and health districts, and transportation districts. The chapter also covers economic development districts, such as improvement and management districts, and water districts, including groundwater conservation districts, water control and improvement districts, and municipal utility districts. While general law grants districts general powers and duties, a district's enabling legislation and subsequent amendments to that legislation may grant additional powers and duties specific to that district, such as certain taxing and eminent domain authority. Bills affecting more than one type of district and bills affecting a type of district not covered by a specific subchapter may be found in the "General" subchapter. Related legislation that is summarized in other chapters is listed at the end of this chapter.

General

House Bill 2528
Effective: 6-17-15

House Author: Harless et al.
Senate Sponsor: Kolkhorst

House Bill 2528 amends the Water Code to authorize certain water districts located in the unincorporated area of Harris County to accept donations in order to provide funds to nonprofit organizations that provide economic development programs that preserve local property values.

House Bill 3186
Effective: 6-18-15

House Author: Farney
Senate Sponsor: Schwertner

House Bill 3186 amends the Local Government Code to authorize a person to qualify for service as a director of certain municipal development districts, including the Rockdale Municipal Development District, if the person resides in the independent school district that serves the majority of the district as an alternative to the existing statutorily prescribed requirements for qualification as a municipal development district director. The bill limits the use of money in such a district's development project fund to payments for costs relating to certain development projects and bonds or other obligations.

House Bill 4154
Effective: 6-19-15

House Author: Bell
Senate Sponsor: Creighton

House Bill 4154 amends the Special District Local Laws Code and other law to create the Grand Lake Estates Management District in Montgomery County, provide for the creation of the Montgomery County Municipal Utility District No. 152, and revise the boundaries of the Harris County Municipal Utility District No. 465.

House Bill 4175
Effective: 9-1-15

House Author: Thompson, Senfronia
Senate Sponsor: Taylor, Larry

Previous law set the authority of an entity to exercise the power of eminent domain to expire on September 1, 2013, if the entity had not submitted an applicable letter to the comptroller of public accounts regarding the entity's eminent domain authority. House Bill 4175 amends the Special District Local Laws Code to restore the expired eminent domain authority of a water district if the district submits such a letter to the comptroller not later than December 31, 2015. The bill applies only to 27 municipal utility districts and 1 water control and improvement district.

Special Districts

House Bill 4180
Effective: 6-18-15

House Author: Zerwas
Senate Sponsor: Kolkhorst

House Bill 4180 converts the Harris-Fort Bend Counties Municipal Utility District No. 4 to the Katy Management District No. 1 and amends the Special District Local Laws Code to set out provisions relating to the powers and duties of the converted district.

Senate Bill 1162
Effective: 4-1-17

Senate Author: Hancock
House Sponsor: Keffer

Senate Bill 1162, a continuation of the legislature's ongoing statutory revision program, nonsubstantively codifies a number of session law special districts into the Special District Local Laws Code. The codified districts include 5 drainage districts, 4 fresh water supply districts, 1 special utility district, 15 municipal utility districts, 1 river authority, 17 water control and improvement districts, and 3 districts with combined powers.

Senate Bill 1563
Effective: 6-16-15

Senate Author: Eltife
House Sponsor: VanDeaver

Senate Bill 1563 amends the Special District Local Laws Code to authorize the TexAmericas Center to authorize the incorporation of a nonprofit corporation to exercise the authority's powers.

Economic Development Districts

House Bill 648
Effective: 9-1-15

House Author: Krause
Senate Sponsor: Hancock

Previous law required the election of the five directors of the Viridian Municipal Management District. House Bill 648 amends the Special District Local Laws Code to retain this requirement only if the district board determines on conclusion of an annual review that at least 90 percent of the developable acreage in the district has been developed. Otherwise, the bill requires the election of only two directors and requires the mayor and members of the governing body of the City of Arlington to appoint the other three directors from persons recommended by the board.

House Bill 2100
Effective: Vetoed

House Author: Hernandez
Senate Sponsor: Garcia

House Bill 2100 amends the Special District Local Laws Code to create the East Houston Management District.

Governor's Reason for Veto: "Determining the boundaries of new taxing districts should be a fair and transparent process. The boundaries of the management district created by House Bill 2100 received particular attention during legislative deliberations. In particular, questions were raised regarding the exclusion of certain large parcels from the district."

House Bill 2200
Effective: 5-28-15

House Author: Thompson, Senfronia
Senate Sponsor: Garcia

House Bill 2200 amends the Special District Local Laws Code to authorize the Greater Greenspoint Management District of Harris County to develop and implement one or more plans for workforce development services and, in implementing a plan for such services, accept a donation, grant, or loan from any person, work with a school at any level, work with any person that provides workforce development money or projects, or participate with any other entity.

The bill additionally authorizes the district to annex land in the manner provided for a general law district by Water Code provisions.

House Bill 2200 authorizes the district's board to change the number of directors on the board subject to certain conditions and limitations and requires the board to establish the number of directors' signatures and the procedure required for disbursement or transfer of the district's money.

House Bill 2259
Effective: See below

House Author: Isaac
Senate Sponsor: Campbell

House Bill 2259 amends the Special District Local Laws Code chapter governing the Driftwood Economic Development Municipal Management District. Among other provisions, the bill provides for an official or employee of a public entity to serve on the district's board of directors and to participate in discussion and vote on district actions, expands authorized district improvement projects, and authorizes the district to engage in activities that accomplish the district's economic development purposes. The bill repeals a provision prohibiting the district from issuing bonds and instead authorizes the district to issue bonds and other obligations. The bill takes effect September 1, 2015, except for the repeal of a provision that conditions the board's authority to impose a tax on residential property on the district's revenue requirements not being satisfied by other taxes imposed by the board, which takes effect January 1, 2016.

House Bill 3603
Effective: 9-1-15

House Author: Burns
Senate Sponsor: Birdwell

House Bill 3603 amends the Special District Local Laws Code to provide for the creation of the Joshua Farms Municipal Management District No. 1 in Johnson County.

House Bill 3605
Effective: 9-1-15

House Author: Burns
Senate Sponsor: Birdwell

House Bill 3605 amends the Special District Local Laws Code to provide for the creation of the Joshua Farms Municipal Management District No. 2 in Johnson County.

House Bill 3888
Effective: 6-19-15

House Author: Dutton
Senate Sponsor: Whitmire

House Bill 3888 amends the Special District Local Laws Code to create the Barrett Management District in Harris County.

House Bill 4131
Effective: 6-16-15

House Author: Wu
Senate Sponsor: Ellis

House Bill 4131 amends the Special District Local Laws Code to align provisions governing the Westchase District regarding competitive bidding procedures and requirements for maintenance tax and bond elections with provisions applicable to municipal management districts generally.

House Bill 4147
Effective: 6-18-15

House Author: Reynolds
Senate Sponsor: Ellis

House Bill 4147 amends the Special District Local Laws Code to create the Missouri City Management District No. 1.

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House Bill 4149
Effective: 6-15-15

House Author: Keough
Senate Sponsor: Creighton

House Bill 4149 amends the law to revise provisions governing The Woodlands Township. Among other provisions, the bill classifies the district as an “endorsing municipality” for certain economic development purposes; entitles the district to receive a certified appraisal roll, an estimate of the taxable value of property in the district, and assistance in determining values of property in the district; and provides for the district’s authority regarding certain transportation projects, facilities, programs, and services.

House Bill 4152
Effective: 6-16-15

House Author: Zerwas
Senate Sponsor: Kolkhorst

House Bill 4152 dissolves and reconstitutes the board of directors of the Fulshear Town Center Management District.

House Bill 4155
Effective: 9-1-15

House Author: Farney
Senate Sponsor: Schwertner

House Bill 4155 amends the Special District Local Laws Code to provide for the creation of the Vineyard Municipal Management District No. 1 in Williamson County.

House Bill 4156
Effective: 6-19-15

House Author: Reynolds
Senate Sponsor: Ellis

House Bill 4156 amends the Special District Local Laws Code to create the Missouri City Management District No. 2.

House Bill 4158
Effective: 6-18-15

House Author: Bell
Senate Sponsor: Kolkhorst

House Bill 4158 amends the Special District Local Laws Code to create the East Waller County Management District.

House Bill 4184
Effective: 6-18-15

House Author: Isaac
Senate Sponsor: Campbell

House Bill 4184 amends the law governing the Hays County Development District No. 1. Among other things, the bill grants the district municipal utility district powers, authorizes additional district projects, limits the district’s eminent domain power, and entitles a district director to receive fees of office and reimbursement for actual expenses.

House Bill 4192
Effective: 6-18-15

House Author: Zerwas
Senate Sponsor: Kolkhorst

House Bill 4192 amends the Special District Local Laws Code to create the Simonton Management District No. 1.

Senate Bill 837
Effective: 9-1-15

Senate Author: Watson et al.
House Sponsor: Workman

Senate Bill 837 amends the Local Government Code to change the municipalities and public improvement districts to which the authority to undertake a municipal project that confers a special benefit on areas that share a common characteristic or use applies. The bill additionally provides for the signatures required regarding a petition for the establishment of a public improvement district.

Senate Bill 839
Effective: 5-28-15

Senate Author: Garcia
House Sponsor: Dutton

Senate Bill 839 amends the Special District Local Laws Code to revise and clarify the governing statutes of the Generation Park Management District. Among other things, the bill establishes that the district is a governmental unit under the Texas Tort Claims Act and that the district's operations are essential government functions and are not proprietary functions for any purpose.

Senate Bill 1362
Effective: 6-18-15

Senate Author: Kolkhorst
House Sponsor: Schofield

Senate Bill 1362 amends the Special District Local Laws Code provisions relating to the Bridgeland Management District to include provisions relating to utility conduit facilities and to authorize the district to complete an annual financial report instead of an annual audit, among other provisions relating to the district's powers, duties, and board of directors.

Senate Bill 2038
Effective: 9-1-15

Senate Author: Ellis
House Sponsor: Allen

Senate Bill 2038 repeals a Special District Local Laws Code provision that exempts the Spectrum Management District from state law relating to the disqualification of a water district director.

Senate Bill 2043
Effective: 6-16-15

Senate Author: Nichols
House Sponsor: Bell

Senate Bill 2043 amends the Special District Local Laws Code to create the Valley Ranch Medical Center Management District in Montgomery County.

Senate Bill 2044
Effective: 6-18-15

Senate Author: Nichols
House Sponsor: Bell

Senate Bill 2044 amends the Special District Local Laws Code to create the Valley Ranch Town Center Management District in Montgomery County.

Emergency Services and Crime Prevention Districts

House Bill 973
Effective: Vetoed

House Author: Hernandez et al.
Senate Sponsor: Garcia

House Bill 973 amends the Health and Safety Code to entitle an emergency services commissioner of an emergency services district located wholly in Harris County to receive compensation or per diem compensation for each day the commissioner actually spends performing the duties of a commissioner.

Governor's Reason for Veto: "Emergency services districts provide necessary fire and EMS services to unincorporated areas of the state. The commissioners who run these districts on a part-time basis receive modest compensation that is set by statute and is uniform throughout the state. House Bill 973 would more than double the compensation for commissioners in Harris County while leaving all other commissioners throughout the state under the existing compensation limits. This would be an unnecessary expenditure of taxpayer money and an inappropriate departure from the uniform statewide compensation limits currently in effect."

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House Bill 2038
Effective: 6-10-15

House Author: Geren
Senate Sponsor: Hancock

House Bill 2038 amends the Health and Safety Code to authorize an emergency services district located wholly in Tarrant County to employ or contract with private legal counsel to represent the district on any legal matter. If the district does not employ or contract with private legal counsel on a legal matter, the bill requires the county attorney, district attorney, or criminal district attorney, as appropriate, to represent the district and requires the district to contribute money to be credited to the county's general fund account for all additional salaries and expenses incurred by that officer in performing the duties required by the district.

House Bill 2257
Effective: 9-1-15

House Author: White, James
Senate Sponsor: Hinojosa

House Bill 2257 amends the Health and Safety Code to revise an eligibility requirement for an emergency services district, other than a district located wholly in Harris County, to file compiled financial statements instead of an audit report. As a condition of eligibility, current law prohibits the district from having any outstanding bonds or liabilities having a term of more than one year during the previous fiscal year. The bill specifies that the outstanding bonds and liabilities to which this condition applies are those secured by property taxes. The bill additionally requires such a district that files compiled financial statements and that maintains a website to post on the district's website the compiled financial statements for the most recent three years.

House Bill 2519
Effective: 9-1-15

House Author: Coleman
Senate Sponsor: Watson

House Bill 2519 amends the Health and Safety Code to revise the methods by which an emergency services district may dispose of property owned by the district and to authorize a district to contract with a private vendor to assist with the sale of the property. In addition, the bill, with respect to expenditures made by a district, authorizes the assistant treasurer and vice president of the board of emergency services commissioners to sign and countersign, respectively, an instrument to disburse district funds if the treasurer or president is absent or unavailable.

House Bill 2883
Effective: 6-19-15

House Author: Simmons
Senate Sponsor: Nelson

House Bill 2883 amends the Fire Control, Prevention, and Emergency Medical Services District Act and the Crime Control and Prevention District Act in the Local Government Code to provide for, subject to voter approval, the addition of territory to a fire control, prevention, and emergency services district or a crime control and prevention district, respectively, and for the imposition of a district tax in the added territory.

House Bill 3666
Effective: 9-1-15

House Author: Workman
Senate Sponsor: Watson

House Bill 3666 amends the Transportation Code to provide for the withdrawal of a certain emergency services district that borders Lake Travis from a metropolitan rapid transit authority.

Senate Bill 1453
Effective: 6-18-15

Senate Author: Zaffirini
House Sponsor: King, Tracy O.

Senate Bill 1453 amends the Local Government Code to authorize the respective governing bodies of Rio Bravo and El Cenizo in Webb County to propose the creation of a fire control, prevention, and emergency medical services district under the Fire Control, Prevention, and Emergency Medical Services District Act.

Hospital and Health Districts

House Bill 389
Effective: 9-1-15

House Author: Bell et al.
Senate Sponsor: Nichols

House Bill 389 amends the Special District Local Laws Code to change the date of the board of directors election of the Montgomery County Hospital District from the uniform election date in May of each even-numbered year to the uniform election date in November of those years and to change the date on which a director's four-year term expires. The bill also revises the district's competitive bidding requirements for certain construction contracts.

House Bill 795
Effective: 5-28-15

House Author: Springer
Senate Sponsor: Perry

House Bill 795 amends the Special District Local Laws Code to authorize the Haskell County Hospital District's board of directors to issue revenue bonds to purchase, construct, acquire, repair, renovate, or equip buildings or improvements for hospitals and the hospital system or to acquire sites to be used for hospital purposes. Among other things, the bill revises provisions relating to the qualifications for appointment as a director of the district, the district's fiscal year, auditing requirements, and the designation of a district depository.

House Bill 797
Effective: 6-10-15

House Author: Flynn
Senate Sponsor: Hall

House Bill 797 amends the Special District Local Laws Code to authorize the Hunt Memorial Hospital District's board of directors to issue refunding bonds to refund outstanding indebtedness issued or assumed by the district and to issue revenue bonds to acquire, purchase, construct, repair, renovate, or equip buildings or improvements for hospital purposes or to acquire sites to be used for hospital purposes. Among other provisions, the bill revises provisions relating to the election of the district's directors and provides that the district may locate medical facilities in a county other than Hunt County.

House Bill 1307
Effective: 6-18-15

House Author: Springer
Senate Sponsor: Estes

House Bill 1307 amends the Special District Local Laws Code to authorize the Gainesville Hospital District to mortgage or pledge the buildings and improvements the district purchases, constructs, acquires, repairs, or renovates as security for the payment of the purchase price and caps the total amount of debt secured by the district's buildings and improvements. The bill additionally decreases the number of directors of the Nocona Hospital District that constitute a quorum and that are needed to satisfy the district's voting requirement.

Special Districts

House Bill 1596
Effective: 6-10-15

House Author: Guerra et al.
Senate Sponsor: Hinojosa

House Bill 1596 amends the Special District Local Laws Code to rename the Hidalgo County Hospital District as the Hidalgo County Healthcare District and to revise the composition of the district's board of directors, directors' terms, qualifications for appointment to the board, procedures for filling a vacancy on the board, and procedures for preparing, adopting, and amending the district's budget.

House Bill 1596 lowers the district's maximum property tax rate but authorizes the board to order an election to increase the maximum property tax rate. For any year the board adopts a tax rate that exceeds the rollback tax rate, the bill authorizes the district's qualified voters by petition to require that an election be held to determine whether to reduce the tax rate adopted by the board to the rollback tax rate. The bill requires the board, in addition to ensuring that all district residents receive all property tax exemptions and limitations to which they are entitled, to adopt an exemption from property taxation by the district of a portion of the appraised value of a district resident's residence homestead for an individual who is disabled or is 65 years of age or older and sets the amount of that exemption.

House Bill 1596 prohibits the district from entering into an agreement to participate in a reinvestment zone designated by a municipality or a county under the Tax Increment Financing Act. The bill provides for the method by which the Hidalgo County Commissioners Court must determine the county property tax rate for the first year in which the district imposes property taxes and, on the creation of the district, requires the commissioners court to transfer certain funds to the district for the provision of indigent health care assistance under the Indigent Health Care and Treatment Act during the fiscal year in which the district is created.

House Bill 2068
Effective: Vetoed

House Author: Coleman et al.
Senate Sponsor: Garcia

House Bill 2068 amends the Government Code to authorize a hospital district created under general or special law that offers a deferred compensation plan to the district's employees, at the district's option, to elect to require automatic employee participation in the plan unless the employee affirmatively elects not to participate in the plan. Among other provisions, the bill sets out provisions relating to participating employee contributions, changes to employee participation, required notice to employees, and the transfer and investment of an employee's deferred amounts and investment income.

Governor's Reason for Veto: "House Bill 2068 provides for the automatic enrollment of hospital district employees in a retirement plan at a contribution level of one percent unless the employee elects not to participate. Studies have shown, however, that automatic enrollment at a very low contribution percentage actually ends up reducing employees' overall retirement savings. This is because automatically enrolled employees are unlikely to voluntarily elect to contribute more than the automatic contribution. If required to choose a contribution amount, many employees will select an amount much greater than the automatic contribution. See Ryan Bubb & Richard H. Pildes, *How Behavioral Economics Trims Its Sails And Why*, 127 HARV. L. REV. 1593, 1609 (2014) ("[I]n practice these programs appear to reduce overall retirement savings."); see also Eleanor Laise, *Automatic 401(k) Plans Might Not Save Enough*, WALL STREET JOURNAL (Jan. 8, 2008). One of the largest retirement plan administrators in the country has reported that between 2007 and 2011, the percentage of plans using automatic enrollment—usually with a default contribution of three percent—nearly doubled, while overall retirement savings rates declined. VANGUARD, HOW AMERICA SAVES 2012, at 29 fig. 31 (2012) (attributing this decline in part "to the growing use of automatic enrollment and the tendency of participants to stick with the default deferral"). Thus, House Bill 2068 would likely undermine its stated goal of increasing retirement savings and investment returns."

House Bill 2410
Effective: 9-1-15

House Author: Nevárez
Senate Sponsor: Uresti

House Bill 2410 amends the Special District Local Laws Code to change the deadline for the board of directors of the Maverick County Hospital District to file a copy of the district's annual audit with the district and provide a copy of the audit at each public library located in the district.

House Bill 2476
Effective: 5-29-15

House Author: Guerra
Senate Sponsor: Hinojosa et al.

House Bill 2476 repeals a provision of the Health and Safety Code that provided for the expiration of statutory provisions governing county health care funding districts in Hidalgo, Cameron, and Webb Counties and the abolishment of such districts on December 31, 2016.

House Bill 2557
Effective: 6-9-15

House Author: Zerwas
Senate Sponsor: West

House Bill 2557 amends the Health and Safety Code to authorize a charitable organization created by a hospital district in certain large counties to contract, collaborate, or enter into a joint venture or other agreement with a public or private entity without regard to that entity's for-profit or nonprofit status and to hold an ownership interest in such an entity. The bill additionally authorizes a hospital district in certain large counties, a combination of such districts, or a nonprofit corporation formed by such a district or combination of such districts to form a captive insurance company or a captive management company for the purpose of engaging in the business of insurance.

House Bill 2559
Effective: 5-23-15

House Author: Zerwas
Senate Sponsor: Watson

House Bill 2559 amends the Health and Safety Code to expand the authority of the board of hospital managers of a hospital district in certain large counties to lease real property for the development, improvement, acquisition, or management of the property. The bill also authorizes the board of hospital managers of the Travis County Healthcare District to lease undeveloped or vacant real property for a specified period and to contract or enter into a joint venture with a public or private entity as necessary to enter into the lease.

House Bill 3513
Effective: 6-10-15

House Author: Springer
Senate Sponsor: Perry

House Bill 3513 amends the Special District Local Laws Code to change the date of the board of directors election of the Fisher County Hospital District from the uniform election date in May to the uniform election date in November.

House Bill 4212
Effective: 6-18-15

House Author: Hughes
Senate Sponsor: Eltife

House Bill 4212 amends the Special District Local Laws Code to provide for the creation of the Mineola Area Medical District.

Senate Bill 1461
Effective: 6-18-15

Senate Author: West
House Sponsor: Burkett

Senate Bill 1461 amends the Health and Safety Code to increase the number of members serving on the board of hospital managers of the Dallas County Hospital District and to provide for the appointment and terms of the district's board members.

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Senate Bill 1908
Effective: 6-18-15

Senate Author: Perry
House Sponsor: Burrows

Senate Bill 1908 amends the Special District Local Laws Code to authorize the Lynn County Hospital District to issue general obligation bonds contingent on district voter approval. The bill sets out requirements for an order calling the bond election and for giving notice of the election.

Senate Bill 2034
Effective: 5-28-15

Senate Author: Lucio et al.
House Sponsor: Lucio III

Senate Bill 2034 amends the Special District Local Laws Code to provide for the creation of the Cameron County Healthcare District.

Transportation Districts and Authorities

House Bill 1394
Effective: 9-1-15

House Author: Burns et al.
Senate Sponsor: Birdwell

House Bill 1394 amends the Transportation Code to establish the date on which a county that is not part of a regional tollway authority and in which an authority turnpike project is located becomes part of the authority and to provide for representation of that county on an advisory committee for projects proposed to be located in that county.

House Bill 1422
Effective: 9-1-15

House Author: Lozano et al.
Senate Sponsor: Zaffirini

House Bill 1422 amends the Transportation Code to restore the power of eminent domain, which expired as prescribed by law, to certain rural rail transportation districts located in a county adjacent to a county in which the Port of Corpus Christi Authority is located.

House Bill 1716
Effective: 9-1-15

House Author: Oliveira et al.
Senate Sponsor: Lucio

House Bill 1716 amends the Water Code to increase the maximum term for which the navigation and canal commissions of certain navigation districts may lease the surface of land.

House Bill 2819
Effective: 5-28-15

House Author: Deshotel
Senate Sponsor: Creighton

House Bill 2819 amends the law relating to the Sabine-Neches Navigation District of Jefferson County to establish that the district is the project sponsor of the existing Sabine-Neches Waterway and the Sabine-Neches Waterway Improvement Project authorized by the federal Water Resources Reform and Development Act of 2014. The bill specifies that the district is the nonfederal cost-sharing sponsor of the improvement project and authorizes the district to use certain financing mechanisms and enter into certain contracts, agreements, and leases in connection with the improvement project.

House Bill 3777
Effective: 9-1-15

House Author: Collier et al.
Senate Sponsor: Hancock

House Bill 3777 amends the Tax Code and Transportation Code to revise the description of a regional transportation authority for purposes relating to taxation and governance. Among other provisions, the bill establishes the effect of withdrawal of a certain unit of election from a certain type of authority.

Senate Bill 678
Effective: 9-1-15

Senate Author: Nelson
House Sponsor: Simmons

Senate Bill 678 amends Transportation Code provisions affecting the Denton County Transportation Authority to limit the liability of a coordinated county transportation authority and a railroad that enter into an agreement to provide public passenger rail services. Among other provisions, the bill revises the conditions under which an authority's board of directors may authorize the negotiation of a contract without competitive sealed bids or proposals.

Senate Bill 1137
Effective: 5-14-15

Senate Author: Creighton
House Sponsor: Deshotel

Senate Bill 1137 amends the law relating to the Sabine-Neches Navigation District of Jefferson County to establish that the district is the project sponsor of the existing Sabine-Neches Waterway and the Sabine-Neches Waterway Improvement Project authorized by the federal Water Resources Reform and Development Act of 2014. The bill specifies that the district is the nonfederal cost-sharing sponsor of the improvement project and authorizes the district to use certain financing mechanisms and enter into certain contracts, agreements, and leases in connection with the improvement project.

Water—Groundwater Conservation Districts

House Bill 200
Effective: 9-1-15

House Author: Keffer et al.
Senate Sponsor: Perry et al.

House Bill 200 amends the Water Code to revise the procedure for the appeal of a desired future condition adopted by a groundwater conservation district. Among other things, the bill requires an appeal to be heard by the State Office of Administrative Hearings instead of the Texas Water Development Board, requires the district to issue a final order on the matter on receipt of the administrative law judge's proposal for decision, and provides for the appeal of the order in district court.

House Bill 1421
Effective: 6-16-15

House Author: Bonnen, Dennis
Senate Sponsor: Kolkhorst

House Bill 1421 amends the Special District Local Laws Code to authorize the Coastal Plains Groundwater Conservation District to assess an export fee on groundwater exported from the district in an amount not to exceed 150 percent of the maximum wholesale water rate charged by the City of Houston. The bill includes the accomplishment of the district's regulatory goals as a purpose for the district's imposition of a property tax, assessment of fees, and solicitation and acceptance of grants.

House Bill 1819
Effective: 6-10-15

House Author: Miller, Doug
Senate Sponsor: Fraser

House Bill 1819 amends the Special District Local Laws Code to change the election date of the board of directors of the Hill Country Underground Water Conservation District.

House Bill 2179
Effective: 6-10-15

House Author: Lucio III
Senate Sponsor: Perry

House Bill 2179 amends the Water Code to revise provisions relating to hearings that concern the issuance of permits by a groundwater conservation district. Among other things, the bill

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authorizes a district board to take action on any uncontested permit or permit amendment application at a properly noticed public meeting held after the public hearing at which the application is scheduled to be heard, provides for a preliminary hearing to hear a request for a contested case hearing, and authorizes an applicant to demand a contested case hearing if a board order granting an application includes special conditions or grants less groundwater production than requested.

House Bill 2407
Effective: 6-17-15

House Author: Miller, Doug
Senate Sponsor: Campbell

House Bill 2407 amends the Special District Local Laws Code to create the Comal Trinity Groundwater Conservation District in Comal County.

House Bill 2647
Effective: Vetoed

House Author: Ashby et al.
Senate Sponsor: Estes

House Bill 2647 amends the Water Code to entitle an owner or operator of a well that produces groundwater used to support the operation of a power generation facility or a mine that provides fuel to such a facility to petition a groundwater conservation district for a delay in the effective date of any district action that would reduce or curtail production from the well or limit the groundwater production rate of the well to less than certain amounts.

Governor's Reason for Veto: "Texas landowners have a constitutionally protected right to access the groundwater under their property. Government action affecting that vested right must be based only on very careful deliberation, which ideally should take place at the local level based on local needs and concerns. Statewide groundwater rules are less able to take vitally important local interests into account.

"Under current law, local groundwater conservation districts have the ability to implement specific management strategies, such as curtailment, that prioritize certain users as deemed appropriate after local deliberation. House Bill 2647 eliminates local discretion by mandating the preferential treatment of certain types of groundwater use over other important uses. If one class of landowners is automatically exempt from curtailment, others will have to bear an unequal burden when water is scarce. Enshrining in state law the rule that groundwater conservation districts will give priority to one class of water users could result in the abridgement of other users' groundwater rights. Groundwater management should be based on sound science and public input at the local level, not on one-size-fits-all state mandates like House Bill 2647."

House Bill 2767
Effective: 6-10-15

House Author: Keffer
Senate Sponsor: Perry

House Bill 2767 is an omnibus bill relating to the powers, duties, and administration of groundwater conservation districts that revises and updates the Water Code chapter governing such districts.

House Bill 3163
Effective: 6-15-15

House Author: Cyrier et al.
Senate Sponsor: Watson

House Bill 3163 amends the Water Code to establish that, for liability purposes only, a groundwater conservation district director is considered a district employee under the Texas Tort Claims Act and to grant a director immunity from suit and liability for official votes and actions.

House Bill 3405
Effective: 6-19-15

House Author: Isaac et al.
Senate Sponsor: Campbell et al.

House Bill 3405 amends the Special District Local Laws Code to expand the territory of the Barton Springs-Edwards Aquifer Conservation District to include any territory that is inside the boundaries of the Edwards Aquifer Authority and Hays County and not within the boundaries of the Plum Creek Conservation District. The bill sets out provisions relating to the jurisdiction and regulation of wells within the added territory.

House Bill 3858
Effective: 5-22-15

House Author: Stephenson
Senate Sponsor: Kolkhorst

House Bill 3858 amends the Special District Local Laws Code to cap the Coastal Bend Groundwater Conservation District's export fee at 150 percent of the maximum wholesale water rate charged by the City of Houston and to authorize the district to assess other fees authorized under groundwater conservation district law. The bill includes the accomplishment of the district's regulatory goals as a purpose for the district's imposition of a property tax, assessment of fees, and solicitation and acceptance of grants.

House Bill 4207
Effective: 9-1-15

House Author: Morrison
Senate Sponsor: Kolkhorst

House Bill 4207 amends the Special District Local Laws Code to provide for the creation of the Aransas County Groundwater Conservation District.

Senate Bill 363
Effective: 9-1-15

Senate Author: Fraser
House Sponsor: Murr

Senate Bill 363 amends the law to move the election date for directors of the Bandera County River Authority and Groundwater District.

Senate Bill 854
Effective: 9-1-15

Senate Author: Zaffirini
House Sponsor: Lucio III

Senate Bill 854 amends the Water Code to require a groundwater conservation district, without a hearing, to renew or approve an application to renew an operating permit before the permit's expiration if the permit holder is not requesting a change related to the renewal that would require a permit amendment. The bill exempts a district from this requirement under specified circumstances and provides for the continuation of an operating permit for which an amendment has been requested during the permit amendment process.

Senate Bill 1336
Effective: 9-1-15

Senate Author: Perry
House Sponsor: Keffer

Senate Bill 1336 is an omnibus bill relating to the powers and duties, the construction of laws, and the election dates of certain groundwater conservation districts. The bill amends the Water Code, Special District Local Laws Code, and other law and affects the Bexar Metropolitan Water District, the Clearwater Underground Water Conservation District, the Crockett County Groundwater Conservation District, the Edwards Aquifer Authority, the Lost Pines Groundwater Conservation District, the Mesa Underground Water Conservation District, the Sandy Land Underground Water Conservation District, the Santa Rita Underground Water Conservation District, the Saratoga Underground Water Conservation District, the South Plains Underground Water Conservation District, and the Sutton County Underground Water Conservation District.

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Senate Bill 2030
Effective: 9-1-15

Senate Author: Seliger
House Sponsor: Price

Senate Bill 2030 amends the law to provide that the directors' election of the North Plains Groundwater Conservation District may be held on any uniform election date in an even-numbered year.

Senate Bill 2049
Effective: 9-1-15

Senate Author: Nichols et al.
House Sponsor: Bell

Senate Bill 2049 repeals a provision of law establishing that a person who qualifies to serve on the board of directors of the Lone Star Groundwater Conservation District shall be qualified to serve as a director and participate in all votes relating to the business of the district and exempting the district from certain groundwater conservation district law relating to conflicts of interest.

Water—Municipal Utility Districts

House Bill 1068
Effective: 5-28-15

House Author: Zerwas
Senate Sponsor: Kolkhorst

House Bill 1068 amends the Special District Local Laws Code to provide for the creation of the Fort Bend County Municipal Utility District No. 216.

House Bill 1074
Effective: 9-1-15

House Author: Metcalf
Senate Sponsor: Creighton

House Bill 1074 amends the Special District Local Laws Code to provide for the creation of the Montgomery County Municipal Utility District No. 145.

House Bill 1111
Effective: 6-16-15

House Author: Farney
Senate Sponsor: Schwertner

House Bill 1111 amends the Special District Local Laws Code to set out provisions relating to the powers and duties of the Williamson County Municipal Utility District No. 23.

House Bill 1372
Effective: 6-1-15

House Author: Isaac et al.
Senate Sponsor: Zaffirini

House Bill 1372 amends the Special District Local Laws Code to provide for the creation of the Cotton Center Municipal Utility District No. 1 in Caldwell County.

House Bill 2091
Effective: 9-1-15

House Author: Zerwas
Senate Sponsor: Kolkhorst

House Bill 2091 amends the Special District Local Laws Code to provide for the creation of the Fulshear Municipal Utility Districts Nos. 4, 5, and 6 in Fort Bend County.

House Bill 2092
Effective: 9-1-15

House Author: Zerwas
Senate Sponsor: Kolkhorst

House Bill 2092 amends the Special District Local Laws Code to authorize the Fort Bend County Municipal Utility District No. 182 to undertake road projects outside the district.

House Bill 2401
Effective: 6-16-15

House Author: Isaac
Senate Sponsor: Zaffirini

House Bill 2401 amends the Special District Local Laws Code to authorize the Crosswinds Municipal Utility District to undertake road projects.

House Bill 2552
Effective: 6-10-15

House Author: Parker
Senate Sponsor: Nelson

House Bill 2552 amends the Special District Local Laws Code to set out provisions relating to the powers and duties of the Canyon Falls Municipal Utility District No. 1 of Denton County.

House Bill 3081
Effective: 5-28-15

House Author: Thompson, Ed
Senate Sponsor: Taylor, Larry

House Bill 3081 amends the Special District Local Laws Code to provide for the creation of the Brazoria County Municipal Utility District No. 68.

House Bill 3099
Effective: 9-1-15

House Author: Fallon
Senate Sponsor: Estes

House Bill 3099 amends the Special District Local Laws Code to specify that the Venable Ranch Municipal Utility District No. 1 of Denton County, or a district created by the division of that district, is prohibited from being dissolved on annexation by the City of Aubrey. The bill removes the prohibition against the district imposing a property tax after annexation.

House Bill 3286
Effective: 6-16-15

House Author: Miller, Doug
Senate Sponsor: Campbell

House Bill 3286 provides for the dissolution of the Rebecca Creek Municipal Utility District.

House Bill 4126
Effective: 9-1-15

House Author: Zerwas
Senate Sponsor: Kolkhorst

House Bill 4126 amends the Special District Local Laws Code to provide for the creation of the Fort Bend County Municipal Utility District No. 218.

House Bill 4127
Effective: 9-1-15

House Author: Metcalf
Senate Sponsor: Creighton

House Bill 4127 amends the Special District Local Laws Code to provide for the creation of the Foster Municipal Utility District No. 1 of Montgomery County.

House Bill 4129
Effective: 5-22-15

House Author: Bell
Senate Sponsor: Kolkhorst

House Bill 4129 amends the Special District Local Laws Code to provide for the creation of the Waller County Municipal Utility District No. 22.

House Bill 4132
Effective: 5-22-15

House Author: Bell
Senate Sponsor: Kolkhorst

House Bill 4132 amends the Special District Local Laws Code to provide for the creation of the Waller County Municipal Utility District No. 21.

Special Districts

House Bill 4133
Effective: 6-17-15

House Author: Bell
Senate Sponsor: Kolkhorst

House Bill 4133 amends the Special District Local Laws Code to provide for the creation of the Waller County Municipal Utility District No. 23.

House Bill 4134
Effective: 6-17-15

House Author: Bell
Senate Sponsor: Kolkhorst

House Bill 4134 amends the Special District Local Laws Code to provide for the creation of the Waller County Municipal Utility District No. 20.

House Bill 4139
Effective: 5-28-15

House Author: Bell
Senate Sponsor: Creighton

House Bill 4139 amends the Special District Local Laws Code to set out provisions relating to the powers and duties of the Montgomery County Municipal Utility District No. 141.

House Bill 4141
Effective: 5-28-15

House Author: Stephenson
Senate Sponsor: Huffman

House Bill 4141 amends the Special District Local Laws Code to provide for the creation of the Fort Bend County Municipal Utility District No. 191.

House Bill 4153
Effective: 9-1-15

House Author: Bell
Senate Sponsor: Creighton

House Bill 4153 amends the Special District Local Laws Code to provide for the creation of the Montgomery-Grimes Counties Municipal Utility District No. 146.

House Bill 4159
Effective: 6-18-15

House Author: Aycock
Senate Sponsor: Fraser

House Bill 4159 amends the Special District Local Laws Code to provide for the creation of the Bell County Municipal Utility District No. 3.

House Bill 4160
Effective: 6-18-15

House Author: Farney
Senate Sponsor: Fraser

House Bill 4160 amends the Special District Local Laws Code to provide for the creation of the Burnet County Municipal Utility District No. 1.

House Bill 4178
Effective: 6-18-15

House Author: Farney
Senate Sponsor: Schwertner

House Bill 4178 amends the Special District Local Laws Code to provide for the creation of the Williamson County Municipal Utility District No. 31.1336.

House Bill 4179
Effective: 6-18-15

House Author: Farney
Senate Sponsor: Schwertner

House Bill 4179 amends the Special District Local Laws Code to provide for the creation of the Williamson County Municipal Utility District No. 32.

House Bill 4183
Effective: 6-17-15

House Author: Isaac
Senate Sponsor: Campbell

House Bill 4183 amends the Special District Local Laws Code to provide for the creation of the Hays County Municipal Utility District No. 7.

House Bill 4185
Effective: 6-18-15

House Author: Isaac
Senate Sponsor: Campbell

House Bill 4185 amends the Special District Local Laws Code to set out provisions relating to the powers and duties of the Headwaters Municipal Utility District.

House Bill 4187
Effective: 6-17-15

House Author: Farney
Senate Sponsor: Schwertner

House Bill 4187 amends the Special District Local Laws Code to rename the Corn Hill Regional Water Authority as the Lone Star Regional Water Authority and to revise the composition of the authority's board of directors.

House Bill 4196
Effective: 6-18-15

House Author: Stephenson
Senate Sponsor: Huffman

House Bill 4196 amends the Special District Local Laws Code to set out provisions relating to the powers and duties of the Fort Bend County Municipal Utility District No. 65 of Fort Bend County, Texas.

House Bill 4204
Effective: 6-18-15

House Author: Farney
Senate Sponsor: Schwertner

House Bill 4204 amends the Special District Local Laws Code to provide for the creation of the Williamson County Municipal Utility District No. 33.

House Bill 4206
Effective: 6-18-15

House Author: Riddle
Senate Sponsor: Bettencourt

House Bill 4206 amends the Special District Local Laws Code to authorize the Dowdell Public Utility District to establish defined areas and undertake certain road projects.

Senate Bill 1001
Effective: 6-18-15

Senate Author: Kolkhorst
House Sponsor: Schofield

Senate Bill 1001 amends the Special District Local Laws Code to provide for the creation of the Harris County Municipal Utility District No. 545.

Senate Bill 1002
Effective: 6-18-15

Senate Author: Kolkhorst
House Sponsor: Schofield

Senate Bill 1002 amends the Special District Local Laws Code to provide for the creation of the Harris County Municipal Utility District No. 540.

Senate Bill 1005
Effective: 6-16-15

Senate Author: Creighton
House Sponsor: Keough

Senate Bill 1005 amends the Special District Local Laws Code to provide for the creation of the Montgomery County Municipal Utility District No. 144.

Special Districts

Senate Bill 2002
Effective: 6-19-15

Senate Author: Creighton
House Sponsor: Bell

Senate Bill 2002 amends the Special District Local Laws Code to set out provisions relating to the powers and duties of the Montgomery County Municipal Utility District No. 111 and provide for the creation of the F.M. 2920/Becker Road Municipal Utility District of Harris County.

Senate Bill 2007
Effective: 6-18-15

Senate Author: Kolkhorst
House Sponsor: Zerwas

Senate Bill 2007 amends the Special District Local Laws Code to provide for the creation of the Fort Bend County Municipal Utility District No. 219.

Senate Bill 2008
Effective: 6-18-15

Senate Author: Kolkhorst
House Sponsor: Schofield

Senate Bill 2008 amends the Special District Local Laws Code to provide for the creation of the Harris County Municipal Utility District No. 539.

Senate Bill 2009
Effective: 6-18-15

Senate Author: Kolkhorst
House Sponsor: Schofield

Senate Bill 2009 amends the Special District Local Laws Code to provide for the creation of the Harris County Municipal Utility District No. 541.

Senate Bill 2013
Effective: 6-18-15

Senate Author: Kolkhorst
House Sponsor: Schofield

Senate Bill 2013 amends the Special District Local Laws Code to provide for the creation of the Harris County Municipal Utility District No. 538.

Senate Bill 2025
Effective: 9-1-15

Senate Author: Nichols
House Sponsor: Metcalf

Senate Bill 2025 amends the Special District Local Laws Code to provide for the creation of the Montgomery County Municipal Utility District No. 147.

Senate Bill 2026
Effective: 6-18-15

Senate Author: Nichols
House Sponsor: Bell

Senate Bill 2026 amends the Special District Local Laws Code to provide for the creation of the Montgomery County Municipal Utility District No. 150.

Senate Bill 2027
Effective: 6-16-15

Senate Author: Nichols
House Sponsor: Metcalf

Senate Bill 2027 amends the Special District Local Laws Code to provide for the creation of the Montgomery County Municipal Utility District No. 149.

Senate Bill 2028
Effective: 6-16-15

Senate Author: Nichols
House Sponsor: Metcalf

Senate Bill 2028 amends the Special District Local Laws Code to provide for the creation of the Montgomery County Municipal Utility District No. 151.

Senate Bill 2032
Effective: 6-16-15

Senate Author: Taylor, Larry
House Sponsor: Bonnen, Greg

Senate Bill 2032 amends the Special District Local Laws Code to set out provisions relating to the powers and duties of the Galveston County Municipal Utility District No. 36.

Senate Bill 2033
Effective: 6-16-15

Senate Author: Taylor, Larry
House Sponsor: Bonnen, Greg

Senate Bill 2033 amends the Special District Local Laws Code to set out provisions relating to the powers and duties of the Galveston County Municipal Utility District No. 35.

Senate Bill 2037
Effective: 6-18-15

Senate Author: Kolkhorst
House Sponsor: Schofield

Senate Bill 2037 amends the Special District Local Laws Code to provide for the creation of the Harris County Municipal Utility District No. 543.

Senate Bill 2039
Effective: 6-16-15

Senate Author: Creighton
House Sponsor: Dutton

Senate Bill 2039 amends the Special District Local Laws Code to provide for the creation of the Harris County Municipal Utility District No. 546.

Senate Bill 2053
Effective: 6-16-15

Senate Author: Bettencourt
House Sponsor: Riddle

Senate Bill 2053 amends the law to authorize the Pine Forest Municipal Utility District to undertake certain road projects.

Senate Bill 2056
Effective: 6-16-15

Senate Author: Bettencourt et al.
House Sponsor: Metcalf

Senate Bill 2056 amends the Special District Local Laws Code to provide for the creation of the Montgomery County Municipal Utility District No. 148.

Senate Bill 2057
Effective: 9-1-15

Senate Author: Taylor, Van
House Sponsor: Flynn

Senate Bill 2057 amends the Special District Local Laws Code to provide for the creation of the Double R Municipal Utility Districts Nos. 1 and 2 of Hunt County.

Senate Bill 2064
Effective: 6-18-15

Senate Author: Creighton
House Sponsor: Metcalf

Senate Bill 2064 amends the Special District Local Laws Code to provide for the creation of the Montgomery County Municipal Utility District No. 153.

Senate Bill 2074
Effective: 6-18-15

Senate Author: Campbell
House Sponsor: Isaac

Senate Bill 2074 amends the Special District Local Laws Code to provide for the creation of the Legacy Municipal Utility District No. 1 in Hays County.

Special Districts

Senate Bill 2075
Effective: 9-1-15

Senate Author: Campbell
House Sponsor: Isaac

Previous law prohibited, except under certain circumstances, the Needmore Ranch Municipal Utility District No. 1 from exercising the power of eminent domain and annexing land to the district. Senate Bill 2075 amends the Special District Local Laws Code to remove the exceptions and to repeal a requirement that the district import water to provide for the needs of a residential subdivision or planned community developed in the district.

Water—Water Control and Improvement Districts

House Bill 1235
Effective: 6-10-15

House Author: King, Phil
Senate Sponsor: Estes

House Bill 1235 authorizes the board of directors of the Wise County Water Control and Improvement District No. 1 to call an election in Wise County to authorize the district's annexation of all parts of the county that, on the bill's effective date, are not within the district's boundaries or the boundaries of another water control and improvement district.

House Bill 3220
Effective: 6-15-15

House Author: Martinez et al.
Senate Sponsor: Hinojosa

House Bill 3220 amends the Special District Local Laws Code to set out provisions relating to the powers and duties of the Hidalgo County Water Control and Improvement District No. 18.

House Bill 4174
Effective: 6-17-15

House Author: Reynolds
Senate Sponsor: Ellis

House Bill 4174 amends the law to create a defined area in the Fort Bend County Water Control and Improvement District No. 2.

House Bill 4202
Effective: 6-18-15

House Author: Schofield
Senate Sponsor: Kolkhorst

House Bill 4202 amends the Special District Local Laws Code to establish provisions relating to the substitution of land within the boundaries of the Harris County Water Control and Improvement District No. 157.

House Bill 4203
Effective: 6-17-15

House Author: Schofield
Senate Sponsor: Kolkhorst

House Bill 4203 amends the Special District Local Laws Code to establish provisions relating to the substitution of land within the boundaries of the Harris County Water Control and Improvement District No. 159.

Water—Miscellaneous Districts and Authorities

House Bill 1336
Effective: 6-16-15

House Author: Bonnen, Dennis
Senate Sponsor: Huffman

House Bill 1336 amends the law to entitle a supervisor of the Velasco Drainage District to receive fees of office and caps the annual limit set by the district on such fees received by a supervisor at \$12,000.

House Bill 3545
Effective: 9-1-15

House Author: Oliveira
Senate Sponsor: Lucio

House Bill 3545 amends the law to require the board of directors of the Rio Grande Regional Water Authority to establish an infrastructure improvement council in connection with the implementation of infrastructure improvement projects within the authority's territory. The bill requires the board to set an annual voluntary assessment and requires revenue from the assessment to be deposited to the credit of an infrastructure improvement fund administered by the council.

House Bill 4130
Effective: 9-1-15

House Author: Gonzales
Senate Sponsor: Schwertner

House Bill 4130 amends the Special District Local Laws Code to specify that the Jonah Water Special Utility District is governed by a board of nine directors, to set out director eligibility requirements, and to authorize the board to provide for the election of some or all of the directors from single-member districts.

House Bill 4148
Effective: 6-17-15

House Author: Morrison
Senate Sponsor: Kolkhorst

House Bill 4148 repeals the law entitling a commissioner of the Refugio County Drainage District No. 1 to a salary and providing for certain reimbursement to a commissioner for travel expenses.

House Bill 4168
Effective: 6-18-15

House Author: Bonnen, Dennis et al.
Senate Sponsor: Kolkhorst

House Bill 4168 amends the law to authorize the Gulf Coast Water Authority, in connection with the acquisition, treatment, storage, or transportation of water, to enter into retail service agreements within the Electric Reliability Council of Texas (ERCOT) for the purchase of electricity for the district's own use and to sell electricity in a sale or resale only by way of a registered power marketer or power generation company in accordance with applicable public utility commission rules and ERCOT requirements. The bill revises the composition of the district's board of directors and removes language providing for the composition of the Industrial Advisory Committee and of the Mainland Municipal Advisory Committee.

House Bill 4176
Effective: 9-1-15

House Author: Crownover
Senate Sponsor: Nelson

House Bill 4176 amends the law to revise the territory of the Lake Cities Municipal Utility Authority and establish residency requirements for the authority's directors. The bill repeals a provision providing for a secretary and treasurer of the authority.

Senate Bill 855
Effective: 6-16-15

Senate Author: Zaffirini
House Sponsor: Kuempel

Senate Bill 855 amends the law relating to the Canyon Regional Water Authority to revise, among other provisions, the qualifications of an authority trustee and the authority's authority to exercise the power of eminent domain.

Special Districts

Senate Bill 1051
Effective: 6-16-15

Senate Author: Kolkhorst
House Sponsor: Zerwas

Senate Bill 1051 amends the Special District Local Laws Code to prohibit territory from being annexed into or added to the North Fort Bend Water Authority that, at the time of annexation or addition, is located within the boundaries of both another regional water authority and a subsidence district. The bill specifies that the authority is not a special water authority under state law generally applicable to water districts and revises the authority's duties with regard to the purchase of water from another entity.

Senate Bill 1459
Effective: 6-19-15

Senate Author: Bettencourt
House Sponsor: Bohac

Senate Bill 1459 amends the law to prohibit territory from being annexed or added to the West Harris County Regional Water Authority that, at the time of annexation or addition, is located within the boundaries of both another regional water authority and a subsidence district. The bill specifies that the authority is not a special water authority under state law generally applicable to water districts and revises the authority's duties with regard to the purchase of water from another entity.

The summaries for the following bills are in the listed chapters:

House Bill 655—Water

House Bill 1221—Property Interests and Housing

Senate Bill 1510—Local Government

State Government

This chapter covers legislation regarding state government generally, including legislation relating to state agencies, the use and availability of electronic information in state government, and the maintenance and transfer of public lands. Legislation relating to state purchasing is in the **Government Purchasing** chapter, legislation relating to open government is in the **Open Government and Privacy** chapter, and legislation relating to the sunset review process is in the **Sunset Review** chapter. Related legislation that is summarized in other chapters is listed at the end of this chapter.

General

House Bill 184

Effective: Vetoed

House Author: Dale et al.

Senate Sponsor: Schwertner

House Bill 184 amends the Code of Criminal Procedure to make the state responsible for costs incurred in conducting a court of inquiry if the subject of the inquiry was an officer or employee of the state at the time of the alleged offense.

Governor's Reason for Veto: "Courts of inquiry are criminal proceedings initiated by a local district judge. Current law appropriately requires the costs of these proceedings to be borne by the county where they take place, just as the costs of other criminal proceedings are largely borne by counties. Because the decision to conduct a court of inquiry rests with a local district judge, it makes sense for the costs of the proceeding to be borne at the local level. House Bill 184 would inappropriately shift these costs to the State in certain cases."

House Bill 908

Effective: 5-23-15

House Author: Phillips

Senate Sponsor: Estes et al.

House Bill 908 amends the Natural Resources Code to specify the portions of the boundary line between Texas and Oklahoma in the Texoma area that the Red River Boundary Commission, acting in conjunction with representatives appointed on behalf of Oklahoma, is required to redraw.

House Bill 1443

Effective: 5-21-15

House Author: Geren

Senate Sponsor: Birdwell

House Bill 1443 amends the Government Code to provide for the assignment of a Texas Identification Number by the comptroller of public accounts to a state employee who supplies property or services to the state for compensation or reimbursement.

House Bill 1683

Effective: 1-1-16

House Author: Bohac

Senate Sponsor: Huffman

House Bill 1683 amends the Government Code to require the secretary of state to assign each notary public an identifying number to be included on the notary's seal of office.

House Bill 2235

Effective: 9-1-15

House Author: Anderson, Rodney

Senate Sponsor: Birdwell

House Bill 2235 amends the Government Code to require the secretary of state to reject a notary application or revoke a notary commission, as applicable, if the secretary of state discovers that an applicant to be a notary public or a commissioned notary public is not eligible to serve as a notary public.

State Government

House Bill 2332
Effective: 9-1-15

House Author: Miller, Doug
Senate Sponsor: Fraser et al.

House Bill 2332 amends the Government Code to authorize the Texas Historical Commission to name an area, including a room or exhibition hall, of a historic site in honor of a donor or other benefactor as the commission considers appropriate, provided the area does not have historical value.

House Bill 2851
Effective: 6-17-15

House Author: Parker
Senate Sponsor: Taylor, Van

House Bill 2851 amends the Education Code to subject to the governor's approval the appointment of directors to the Charter School Finance Corporation (CSFC) established by the Texas Public Finance Authority. The bill also grants a director, officer, or employee of the CSFC immunity from personal liability on any commitment or agreement executed on behalf of the CSFC or for damage, loss, or injury resulting from the performance of the person's duties.

Senate Bill 459
Effective: 9-1-15

Senate Author: Lucio et al.
House Sponsor: Alvarado et al.

Senate Bill 459 amends the Government Code to create the Advisory Council on Cultural Affairs in the office of the governor to advise the office on setting policy priorities that address and raise public awareness of major issues affecting the State of Texas due to the rapid growth in the state's Hispanic population and issues resulting from the state's changing demographic as determined by the governor.

Senate Bill 607
Effective: 9-1-15

Senate Author: Hancock
House Sponsor: Alvarado

Senate Bill 607 amends the Government Code to update the composition of the Texas Interagency Council for the Homeless, authorize the Texas Department of Housing and Community Affairs to provide fiscal support to the council, authorize the council and each of its represented agencies to seek program or policy assistance from the Texas Homeless Network, exempt a represented agency from the requirement to contribute resources to the council, and authorize certain council members to participate remotely in a council meeting.

Senate Bill 1105
Effective: 6-9-15

Senate Author: Eltife
House Sponsor: Cook

Senate Bill 1105 amends the Government Code to clarify the state fire marshal's authority with respect to the fire safety of state-owned and state-leased buildings.

Senate Bill 1296
Effective: See below

Senate Author: West
House Sponsor: Giddings

Senate Bill 1296, a continuation of the legislature's ongoing statutory revision program, makes corrections to the codes, conforms other laws to the codes, and codifies other existing laws as new provisions in the codes. The bill makes various other nonsubstantive amendments to enacted codes, including amendments to conform the codes to acts of previous legislatures, correct references and terminology, properly organize and number the law, and codify other law that belongs in those codes. Except as otherwise provided, the bill takes effect September 1, 2015.

Senate Bill 1522
Effective: 5-23-15

Senate Author: Estes
House Sponsor: Pickett

Senate Bill 1522 amends the Government Code to designate the fourth Saturday in July of each year as National Day of the Cowboy in recognition of the historic, cultural, and social contributions of the cowboy.

Senate Joint Resolution 52
For Election: 11-3-15

Senate Author: Campbell
House Sponsor: Otto

Senate Joint Resolution 52 proposes an amendment to the state constitution to repeal the requirement that a state officer elected by voters statewide reside in the state capital.

Agencies

House Bill 763
Effective: 6-9-15

House Author: King, Susan
Senate Sponsor: Perry

House Bill 763 amends the Government Code to establish, among other things, a residency requirement for the submission of a petition to a state agency for adoption of rules.

House Bill 1549
Effective: 9-1-15

House Author: McClendon
Senate Sponsor: Menéndez

House Bill 1549 amends the Civil Practice and Remedies Code, Code of Criminal Procedure, Education Code, Family Code, Government Code, Human Resources Code, Labor Code, Local Government Code, Occupations Code, Penal Code, Transportation Code, and Vernon's Texas Civil Statutes to replace references to the former Texas Youth Commission and Texas Juvenile Probation Commission with references to the Texas Juvenile Justice Department.

House Bill 3438
Effective: 9-1-15

House Author: Riddle
Senate Sponsor: Zaffirini

House Bill 3438 amends the Government Code to make the Texas Facilities Commission (TFC) the clearinghouse for the transfer of surplus or salvage state agency property to another state agency, a political subdivision of the state, or an assistance organization. Among other provisions, the bill transfers responsibility for advertising surplus or salvage state agency property from the comptroller of public accounts to the TFC.

House Bill 3439
Effective: 9-1-15

House Author: Riddle
Senate Sponsor: Zaffirini

House Bill 3439 amends the Government Code to provide for the donation of surplus or salvage property from a state agency to a local governmental entity if the Texas Facilities Commission determines that the state will sufficiently benefit from donating the property.

Senate Bill 836
Effective: 5-29-15

Senate Author: Watson
House Sponsor: Rodriguez, Eddie et al.

Senate Bill 836 transfers the following from the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf to the Texas Facilities Commission: all remaining powers, duties, functions, programs, and activities of each school relating to the maintenance of the schools' respective physical facilities; any obligations and contracts of each school that are directly related to implementing a transferred power, duty, function, program, or activity;

State Government

all property and records in the custody of each school that are related to a transferred power, duty, function, program, or activity; and all funds appropriated by the legislature for that power, duty, function, program, or activity.

Senate Bill 836 amends the Education Code and the Government Code to make conforming changes.

Senate Bill 1267
Effective: 9-1-15

Senate Author: Estes et al.
House Sponsor: Clardy

Senate Bill 1267 amends provisions of the Government Code relating to contested cases under the Administrative Procedure Act. Among other provisions, the bill clarifies the required contents of a contested case hearing notice, including notice requirements specific to a state agency that intends to rely on a section of a statute or rule in a proceeding in which the state agency has the burden of proof; revises provisions governing cases relating to the grant, denial, or renewal of a license, including a state agency's authority to issue an order to summarily suspend a license holder's license pending proceedings for revocation or other action; and sets out requirements for a state agency to provide information regarding a decision or order of the agency to each party to a contested case and for a decision or order to be signed, rather than rendered, in order to be considered final. The bill revises certain procedures and requirements, including deadlines, relating to a motion for rehearing and judicial review of a contested case.

Senate Bill 1455
Effective: 9-1-15

Senate Author: Zaffirini
House Sponsor: Elkins et al.

Senate Bill 1455 amends the Education Code, Government Code, Health and Safety Code, and Tax Code to reduce and clarify requirements relating to reports, plans, and documents prepared by state agencies and institutions of higher education, as applicable. Among other provisions, the bill eliminates various reporting and planning requirements and reduces the frequency of and removes recipients of certain reports. The bill also clarifies the Legislative Budget Board's (LBB) procedure for evaluating and approving state agency biennial operating plans and amendments and provides for the transfer of LBB's responsibility to prepare certain documents regarding state-operated aircraft to the Texas Department of Transportation.

Electronic Information

House Bill 426
Effective: 9-1-15

House Author: Howard et al.
Senate Sponsor: Schwertner

House Bill 426 amends the Government Code to require the Texas Workforce Commission to ensure that its online system for listing state agency employment openings allows an applicant to submit and a state agency to receive an online application for state agency employment. Among other provisions, the bill requires a state agency to accept an employment application submitted through the system.

House Bill 855
Effective: 9-1-15

House Author: Sanford et al.
Senate Sponsor: Taylor, Van

House Bill 855 amends the Government Code to require each state agency, as applicable, to ensure that its website is compatible with a wireless communication device and the three most commonly used Internet browsers as determined by the Department of Information Resources under the bill.

House Bill 1542
Effective: 6-16-15

House Author: Paddie
Senate Sponsor: Creighton

House Bill 1542 amends the Transportation Code and Local Government Code to provide for the use of digital message display systems in certain public facilities of the Department of Public Safety, Texas Department of Motor Vehicles, and a county.

House Bill 1890
Effective: 6-15-15

House Author: Elkins
Senate Sponsor: West

House Bill 1890 amends the Government Code to require the Department of Information Resources (DIR) to develop a legacy system modernization strategy in collaboration with state agencies other than institutions of higher education. Among other provisions, the bill requires the DIR to implement several shared technology solutions for state agencies.

House Bill 1912
Effective: 9-1-15

House Author: Elkins
Senate Sponsor: Zaffirini

House Bill 1912 amends the Government Code to require the executive director of the Department of Information Resources to employ a statewide data coordinator. The bill requires the coordinator to develop and implement certain best practices and requires each state agency to cooperate with the coordinator.

Senate Bill 34
Effective: 9-1-15

Senate Author: Zaffirini
House Sponsor: Gonzales

Senate Bill 34 amends the Government Code to require the Department of Information Resources to submit under the Information Management Resources Act a report to the governor, the lieutenant governor, and the legislature evaluating information security for the state's information resources.

Senate Bill 1844
Effective: 9-1-15

Senate Author: Zaffirini
House Sponsor: Walle

Senate Bill 1844 amends the Government Code to create the Interagency Data Transparency Commission to study and review the current public data structure, classification, sharing, and reporting protocols for state agencies and the possibility of collecting and posting data from state agencies online in an open source format that is machine-readable, exportable, and easily accessible by the public.

Senate Bill 1877
Effective: 9-1-15

Senate Author: Zaffirini
House Sponsor: Galindo

Senate Bill 1877 amends the Government Code to require each state agency to develop a data use agreement under the Information Management Resources Act for use by the agency that meets the particular needs of the agency and that is consistent with rules adopted by the Department of Information Resources relating to information security standards for state agencies. The bill requires each state agency employee who handles sensitive information to sign the data use agreement.

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Senate Bill 1878
Effective: 9-1-15

Senate Author: Zaffirini
House Sponsor: Elkins

Senate Bill 1878 requires the Department of Information Resources to conduct a study to determine the feasibility of implementing new identification and access requirements for accessing certain information that is electronically stored by the state.

Public Lands

House Bill 1617
Effective: 6-17-15

House Author: Paddie
Senate Sponsor: Nichols

House Bill 1617 authorizes the Department of Public Safety (DPS) to convey certain real property held by DPS and situated in Shelby County to the First United Pentecostal Church in Center, Texas, in exchange for the church's conveyance to DPS of certain other real property situated in Shelby County. Texas retains the mineral rights to the property held by DPS and the property exchange is dependent on the outcome of an independent appraisal of the church's property.

House Bill 1982
Effective: 9-1-15

House Author: Miller, Rick
Senate Sponsor: Kolkhorst

House Bill 1982 requires the Texas Department of Transportation to donate and transfer certain real property located in Fort Bend County to the University of Houston.

House Bill 2206
Effective: 9-1-15

House Author: Crownover
Senate Sponsor: Hancock

House Bill 2206 amends the Government Code to transfer from the Texas Facilities Commission (TFC) to the State Preservation Board, in cooperation with the State Cemetery Committee, the governance, oversight, and operation of the Texas State Cemetery and creates the State Cemetery preservation trust fund outside the state treasury to be administered by the board, in consultation with the committee. The bill changes the composition of the committee and, among other provisions related to the transfer, specifies that, on the bill's effective date, an employee of TFC who was performing duties exclusively related to the cemetery becomes an employee of the board.

House Bill 2547
Effective: 9-1-15

House Author: Miller, Rick
Senate Sponsor: Kolkhorst

House Bill 2547 requires the Texas Board of Criminal Justice to donate and transfer certain real property to Fort Bend County to be used for a public road and electric or gas utility right-of-way.

House Bill 2968
Effective: 9-1-15

House Author: Guillen et al.
Senate Sponsor: Menéndez

House Bill 2968 amends the Natural Resources Code to require the General Land Office to enter into a memorandum of understanding with the City of San Antonio to coordinate the planning and development of improvements to the Alamo complex and the area immediately surrounding the complex. The bill revises the purposes for which the Alamo Preservation Advisory Board provides advice, proposals, and recommendations and changes the composition of the advisory board and the manner in which some members are designated.

House Bill 3750
Effective: 6-19-15

House Author: Simmons et al.
Senate Sponsor: Birdwell

House Bill 3750 requires the State Office of Risk Management (SORM) to report to the legislature on an interim study to be conducted by SORM regarding insurable state assets, using information that is collected by the Legislative Budget Board (LBB) and then consolidated by SORM into a single database. The bill requires the report to include a statewide strategy developed by SORM that will ensure all real property owned by the state is adequately insured.

The bill also establishes the Senate Select Committee on State Real Property Data Collection, Reporting, and Assessment and the House Select Committee on State Real Property Data Collection, Reporting, and Assessment to jointly report on a study, which may be conducted separately or jointly by the committees, on certain issues and information relating to real property owned by the state. The bill, among the other provisions prescribing the scope of this study, requires the committees to study the potential benefits of maintaining a comprehensive database of all real property owned by the state. The bill also requires the committees to conduct an appraisal of all or part of the Capitol Complex.

Senate Bill 638
Effective: 6-19-15

Senate Author: Nichols
House Sponsor: Otto

Senate Bill 638 provides for the transfer of certain state property from the Texas Department of Transportation to the Shepherd Independent School District.

Senate Bill 903
Effective: 9-1-15

Senate Author: Hancock
House Sponsor: Lucio III

Senate Bill 903 amends Natural Resources Code provisions relating to procedures for the management, sale, or lease of certain state-owned real property and the management or collection of related funds, including certain procedures regarding disputed oil and gas royalties owed to the state.

Among other provisions, the bill requires payments of principal, interest, and lease rental for public school and asylum land to be accounted for in a similar form but separate from first payments on land and prescribes certain procedures to be followed by the comptroller of public accounts and the commissioner of the General Land Office regarding those payments.

In addition, the bill repeals a provision requiring the commissioner to furnish from time to time and on request of the school land board a list of certain land areas, revises certain notice requirements regarding approval of a coastal boundary survey and regarding removal of a facility or structure on land owned by the state, and revises gubernatorial signature requirements regarding instruments of conveyance for the grant of an interest in real property owned by the state.

Senate Bill 991
Effective: 6-16-15

Senate Author: Rodríguez
House Sponsor: Larson

Senate Bill 991 requires the General Land Office, in consultation with the Texas Water Development Board, to report on a study regarding the use of wind or solar power to desalinate brackish groundwater on real property owned by the state.

State Government

Senate Bill 2054
Effective: 6-10-15

Senate Author: Birdwell
House Sponsor: Cook

Senate Bill 2054 requires the Texas Juvenile Justice Department to donate and transfer certain real property located in the City of Corsicana, Navarro County, Texas, to the State Orphans Home Alumni Association. The bill limits the association's use of the property to preserving and maintaining the property as a cemetery to commemorate the former residents of the Corsicana State Home, formerly known as the State Orphans Home, who are buried there.

The summaries for the following bills are in the listed chapters:

Senate Bill 2004—Appropriations and State Finance

Senate Bill 2019—Criminal Justice

Sunset Review

This chapter covers legislation stemming from the Sunset Advisory Commission's review of the agencies subject to the Texas Sunset Act during the 2014-2015 biennium. The chapter also covers legislation relating to the review schedule for certain agencies subject to sunset review.

House Bill 1606
Effective: 9-1-15

House Author: Burkett et al.
Senate Sponsor: Hinojosa

House Bill 1606 amends the Government Code to continue the Texas Workforce Investment Council until September 1, 2027. The bill abolishes the Texas Skill Standards Board and transfers the board's powers and duties to the council.

House Bill 1678
Effective: 9-1-15

House Author: Raymond et al.
Senate Sponsor: Schwertner

House Bill 1678 amends the Human Resources Code to continue the Governor's Committee on People with Disabilities until September 1, 2027, and to revise certain of the committee's functions.

House Bill 1679
Effective: 5-23-15

House Author: Raymond et al.
Senate Sponsor: Birdwell

House Bill 1679 amends the Human Resources Code to continue the Texas Council for Developmental Disabilities until September 1, 2027.

House Bill 2154
Effective: See below

House Author: Dutton
Senate Sponsor: Birdwell

House Bill 2154 amends the Government Code, Tax Code, Transportation Code, and Utilities Code in relation to the functions and operation of the State Office of Administrative Hearings (SOAH). In addition to including across-the-board sunset provisions, the bill authorizes an administrative law judge, on making a finding that a party to a contested case has defaulted, to dismiss the case from SOAH's docket and remand it to the referring agency for informal disposition and further authorizes that agency to informally dispose of the case after it has been remanded. The means by which SOAH is paid under interagency contract with a referring agency is expanded to include a quarterly payment option. The bill revises the factors used to determine the suitable amount to be paid to SOAH under an agency contract.

House Bill 2154 requires a state agency that has entered into a contract with SOAH for the conduct of hearings and alternative dispute resolution procedures during any of the three most recent state fiscal years to submit, before the beginning of each state fiscal biennium, information to SOAH and the Legislative Budget Board regarding the agency's anticipated hourly usage of SOAH services for each fiscal year of that biennium. The bill removes statutory requirements for SOAH to maintain separate tax, natural resource conservation, and utility divisions and the requirement that an administrative law judge have devoted at least 75 percent of the person's legal practice to Texas state tax law in a specified time period to be eligible to preside at a tax hearing before SOAH.

House Bill 2154 requires the Department of Public Safety and SOAH's chief administrative law judge to adopt a memorandum of understanding not later than September 1, 2016, establishing that SOAH has primary scheduling responsibility for a hearing regarding administrative license revocation cases. SOAH is required to consult with the Department of Information Resources and the Office of Court Administration of the Texas Judicial System in developing any information technology solutions needed to complete the transfer of scheduling responsibilities.

Sunset Review

House Bill 2154 takes effect September 1, 2015, except that certain provisions relating to rescheduling a hearing regarding a suspended driver's license take effect September 1, 2016.

House Bill 2463

Effective: See below

House Author: Raymond et al.

Senate Sponsor: Campbell

Effective September 1, 2015, House Bill 2463 amends provisions of the Human Resources Code relating to the Department of Assistive and Rehabilitative Services (DARS) and continues DARS until September 1, 2016. The bill sets out requirements for DARS to integrate certain independent living programs for individuals with disabilities into a single independent living services program, including requirements for the provision of independent living services through the program by centers for independent living, and requires DARS to operate a comprehensive rehabilitative services program for persons with traumatic brain or spinal cord injuries and a children's autism program to provide services to children with autism spectrum disorders. The bill establishes provisions regarding the administration of direct services programs, including caseworker guidelines, a case review system, and program monitoring.

The bill contains provisions providing for the transfer of all assistive and rehabilitative services from DARS to the Health and Human Services Commission that are not effective because S.B. 200 was enacted by the legislature.

House Bill 3123

Effective: 6-18-15

House Author: Price

Senate Sponsor: Nelson

House Bill 3123 amends the Education Code, Government Code, Human Resources Code, Special District Local Laws Code, Transportation Code, and Texas Racing Act to change the review schedule for certain agencies subject to sunset review and remove other entities from sunset review. The bill continues the Texas Facilities Commission, Texas Juvenile Justice Board, Texas Juvenile Justice Department, and intermunicipal commuter rail districts until 2021; continues the Expanded Learning Opportunities Council, State Commission on Judicial Conduct, Judicial Branch Certification Commission, and Texas Racing Commission until 2023; continues the Texas Education Agency and State Employee Charitable Campaign Policy Committee until 2025; and removes the Sulphur River Basin Authority, the Port of Houston Authority of Harris County, and the Capital Metropolitan Transportation Authority from specific sunset review.

Senate Bill 200

Effective: See below

Senate Author: Nelson et al.

House Sponsor: Price et al.

Senate Bill 200 amends provisions of the Family Code, Government Code, Health and Safety Code, Human Resources Code, and Insurance Code relating to the continuation and functions of the Health and Human Services Commission (HHSC) and the provision of health and human services in Texas. The bill provides for consolidation within the health and human services system, accomplished through a two-phase transfer of system functions. In phase one of the consolidation, the Department of Assistive and Rehabilitative Services, the Health and Human Services Council, the Aging and Disability Services Council, the Assistive and Rehabilitative Services Council, the Family and Protective Services Council, the State Health Services Council, and the Texas Council on Autism and Pervasive Developmental Disorders are abolished September 1, 2016, and, in phase two of the consolidation, the Department of Aging and Disability Services and the Office for the Prevention of Developmental Disabilities are abolished September 1, 2017. The bill requires the executive commissioner of HHSC to develop a transition plan and provides for the transfer and consolidation of the functions of abolished state agencies and entities, all client services of the health and human services system, the regulatory functions and functions related to state-operated institutions of the Department of State Health Services

(DSHS), and the regulatory functions of the Department of Family and Protective Services (DFPS) to HHSC. The bill creates the Health and Human Services Transition Legislative Oversight Committee to facilitate the transfer and to study and submit recommendations regarding the need to continue DFPS and DSHS as state agencies separate from HHSC. The bill creates the Health and Human Services Commission Executive Council to receive public input and advise the executive commissioner regarding the operation of HHSC.

The bill provides for the creation of various divisions, offices, and units within HHSC, transfers the administration of the Nurse-Family Partnership Competitive Grant Program from HHSC to DFPS, and establishes limited agency functions for DSHS and DFPS. The bill revises provisions regarding health and human services system operations, including provisions relating to the NorthSTAR behavioral health program and the administration of and services provided by the Medicaid program, creates the Drug Utilization Review Board, and abolishes more than 20 health and human services advisory committees and councils. The bill is effective September 1, 2015, but includes staggered effective dates for certain provisions to facilitate the rollout of the changes to the system.

Senate Bill 202

Effective: See below

Senate Author: Nelson et al.

House Sponsor: Price et al.

Senate Bill 202 amends the Occupations Code and the Health and Safety Code, in provisions effective September 1, 2015, and September 1, 2017, to transfer the regulation of the following occupations to the Texas Department of Licensing and Regulation (TDLR) during the 2016-2017 biennium and the 2018-2019 biennium, as applicable: athletic trainers, dietitians, hearing instrument fitters and dispensers, midwives, orthotists and prosthetists, laser hair removal professionals and technicians, massage therapists, speech-language pathologists and audiologists, code enforcement officers, sanitarians, and mold assessors and remediators. The bill abolishes the existing boards associated with the regulation of these occupations and creates certain advisory boards and committees to provide advice and recommendations to TDLR on technical matters relevant to the regulation of each applicable occupation. The bill amends the Alcoholic Beverage Code, Code of Criminal Procedure, and Transportation Code to transfer responsibility for certain alcohol and drug awareness and abuse programs to TDLR.

Effective September 1, 2015, the bill amends the Occupations Code to transfer the regulation of medical radiologic technologists, medical physicists, perfusionists, and respiratory care practitioners to the Texas Medical Board. The bill abolishes the Texas Board of Licensure for Professional Medical Physicists and the Texas State Perfusionist Advisory Committee and creates the Texas Board of Medical Radiologic Technology, the Medical Physicist Licensure Advisory Committee, the Perfusionist Licensure Advisory Committee, and the Texas Board of Respiratory Care as advisory boards to the Texas Medical Board. The bill creates the Texas Physician Assistant Board to adopt rules governing licensed physician assistants performing radiologic procedures. The bill amends the Government Code, Health and Safety Code, and Occupations Code to deregulate the following activities and occupations: activities relating to the indoor air quality of government buildings, the rendering of dead animals or other raw materials, tanning facilities, the sale of bedding, bottled or vended drinking water operators, personal emergency response systems, opticians, and contact lens dispensers.

Senate Bill 203

Effective: See below

Senate Author: Nelson et al.

House Sponsor: Raymond et al.

Effective September 1, 2015, Senate Bill 203 amends the Government Code and the Health and Safety Code to continue the Texas Health Services Authority until September 1, 2021, and to transfer responsibility for certain functions to a private nonprofit organization with relevant

knowledge and experience in establishing statewide health information exchange capabilities. Effective September 1, 2021, the bill provides for the continuation of privacy and security standards for the electronic sharing of protected health information developed by the authority unless amended by rule and requires the authority to seek assistance of a private nonprofit organization in amending those standards and certifying a covered entity.

Senate Bill 206

Effective: See below

Senate Author: Schwertner et al.

House Sponsor: Burkett et al.

Effective September 1, 2015, Senate Bill 206 amends the provisions of the Education Code, Family Code, Government Code, and Human Resources Code relating to the functions and administration of the Department of Family and Protective Services (DFPS). The bill revises and streamlines agency procedures involved in adoption cases and child protective services cases by changing various record keeping, notification, and casework documentation requirements and provisions governing the investigation of a report of abuse, neglect, or exploitation of a child and by condensing and updating provisions governing procedures in a child protection suit, including adversary and permanency hearings, and the performance of a child placement review for a child under DFPS care. The bill establishes annual reporting requirements for DFPS regarding key performance measures and data elements for child protection and sets out notification requirements relating to significant events for a child in DFPS conservatorship involving the child's placement, medical condition, prescribed drugs, and school performance; revises provisions governing foster care, including requirements that foster children be provided access to certain personal information and documents; and sets out requirements for implementing foster care redesign. The bill consolidates and restructures provisions regarding prevention and early intervention services, including the child abuse and neglect primary prevention program, and requires the development and implementation of a strategic plan for those services within DFPS. The bill revises provisions relating to public school admission and attendance of, and eligibility for an exemption from tuition and fees for, students under DFPS conservatorship.

The bill broadens the authority of DFPS to obtain criminal history record information regarding certain persons; authorizes the executive commissioner to adopt rules regarding the purpose, structure, and use of advisory committees by DFPS; and requires the development and implementation of an annual business plan for the child protective services program to prioritize the department's activities and resources to improve the program. The bill provides for an enforcement policy for the regulation of certain child-care facilities, homes, and agencies and revises provisions governing administrative remedies for those regulated entities.

The bill requires DFPS to study whether provisions governing authorization agreements between the parent of a child and a nonparent relative should be expanded to include authorization agreements between a parent of a child and a person who is unrelated to the child. Effective September 1, 2016, the bill updates provisions governing the licensing and certification of certain child-care facilities, homes, and agencies.

Senate Bill 207

Effective: 9-1-15

Senate Author: Hinojosa et al.

House Sponsor: Gonzales et al.

Senate Bill 207 amends provisions of the Government Code relating to the authority and duties of the office of inspector general of the Health and Human Services Commission (HHSC) and provides for a special-purpose review of the performance of the office by the Sunset Advisory Commission in 2021. The bill clarifies the roles of the office, HHSC, and the executive commissioner of HHSC with regard to rulemaking authority; administrative support services functions; the prevention of fraud, waste, and abuse; and conducting investigations. The bill revises certain requirements and responsibilities of the office in conducting an investigation of a

complaint or allegation of Medicaid fraud or abuse, including the imposition of a payment hold on a provider and related administrative hearings, procedures for recouping an overpayment or debt, and the informal resolution process. The bill sets out provisions relating to an audit of the office; certain quality assurance and peer reviews of the office; the authority of the office to perform criminal history record information checks and monitor certain federal databases; provider eligibility; and certain reviews, audits, and other oversight activities performed by the office.

Senate Bill 208
Effective: See below

Senate Author: Campbell et al.
House Sponsor: Burkett

Senate Bill 208 amends the Education Code, Government Code, Human Resources Code, Labor Code, and Property Code to continue the Texas Workforce Commission (TWC) until September 1, 2027; transfer administration of vocational rehabilitation services and related programs for persons with disabilities from the Department of Assistive and Rehabilitative Services to the TWC; and abolish the human rights commission that governs the TWC civil rights division. The bill also authorizes the TWC to collect certain covered unemployment compensation debt through the federal Treasury Offset Program, requires information about enforcement action taken by the TWC against a career school or college to be posted online, and provides for input from interested parties regarding the TWC's subsidized child care program. Except for provisions relating to the administration of vocational rehabilitation services, which take effect September 1, 2016, the bill takes effect September 1, 2015.

Senate Bill 212
Effective: 9-1-15

Senate Author: Birdwell et al.
House Sponsor: Burkett et al.

Senate Bill 212 amends and repeals provisions of the Human Resources Code and the Government Code to abolish the Texas Council on Purchasing from People with Disabilities, transfer all powers and duties of the council to the Texas Workforce Commission (TWC), and subject the authority of TWC to administer and oversee the program for purchasing from people with disabilities to the Texas Sunset Act. The bill provides for the establishment of an advisory committee to assist TWC in establishing performance goals for the program and criteria for certifying a community rehabilitation program for participation in the program.

Senate Bill 219
Effective: 4-2-15

Senate Author: Schwertner et al.
House Sponsor: Price et al.

Senate Bill 219 amends provisions of the Family Code, Government Code, Health and Safety Code, Human Resources Code, Occupations Code, Agriculture Code, Code of Criminal Procedure, and Education Code relating to the provision of health and human services. Among other provisions, the bill updates and clarifies statutory language to reflect current health and human services agency functions and practices and to conform to previously enacted legislation; repeals obsolete, duplicative, or superseded provisions of law; conforms statutory language to person-first respectful language requirements; and clarifies certain administrative responsibilities, powers, duties, and rulemaking procedures for the executive commissioner of the Health and Human Services Commission and other health and human services agencies and officers.

Senate Bill 523
Effective: 6-19-15

Senate Author: Birdwell et al.
House Sponsor: Keffer

Senate Bill 523 amends the Government Code, Special District Local Laws Code, and other law to subject certain river authorities to limited review under the Texas Sunset Act.

Taxes and Tax Administration

This chapter covers legislation on issues relating to taxation, including the franchise tax and hotel occupancy, property, and sales and use taxes. The chapter also contains legislation relating to the appraisal of real property and appraisal appeal. Legislation relating to tax incentives for economic development is in the **Economic Development** chapter. Related legislation that is summarized in another chapter is listed at the end of this chapter.

General

House Bill 991
Effective: 1-1-16

House Author: Bohac et al.
Senate Sponsor: Huffines

House Bill 991 amends the Agriculture Code to require the Department of Agriculture to display on each motor fuel pump from which motor fuel is sold at retail a notice of the current rates of the federal and state motor fuel taxes.

House Bill 1261
Effective: 9-1-15

House Author: King, Susan
Senate Sponsor: Uresti

House Bill 1261 amends the Government Code to require the comptroller of public accounts, if actual data is not available when preparing the comptroller's report on the effect of certain tax provisions, to use available statistical data to estimate the effect of an exemption, discount, exclusion, special valuation, special accounting treatment, special rate, or special method of reporting relating to a tax. If the report states that the effect of a particular tax preference cannot be determined, the comptroller must include a complete explanation of why that conclusion was reached.

House Bill 1905
Effective: See below

House Author: Springer et al.
Senate Sponsor: Taylor, Larry

House Bill 1905 is an omnibus bill that amends Alcoholic Beverage Code, Government Code, Occupations Code, Tax Code, and Transportation Code provisions relating to certain state and local taxes. The bill eliminates the controlled substances tax, the bingo gross rentals tax, the liquefied gas tax, and alcoholic beverage taxes imposed on alcoholic beverages prepared and served on a commercial passenger aircraft or train departing from Texas.

House Bill 1905 includes Type A and Type B corporations among the nonprofit community business organizations eligible for a property tax exemption for providing economic development services to a local community, effective January 1, 2016. The bill revises the sales and use tax exemption for certain food and food products, subjects a short-term rental of residential property to the imposition of a hotel occupancy tax, and authorizes a municipality to spend limited municipal hotel occupancy tax revenue on an electronic tax administration system.

House Bill 1905 exempts from the applicable motor fuel tax gasoline, diesel fuel, and compressed or liquefied natural gas sold to a nonprofit entity that is organized for the sole purpose of and engages exclusively in providing emergency medical services and that uses the fuel exclusively to provide emergency medical services. The bill exempts compressed or liquefied natural gas used in a motor vehicle operated exclusively by a municipality from the compressed natural gas and liquefied natural gas tax and also exempts compressed or liquefied natural gas used in a motor vehicle that provides transit company services from that tax under certain circumstances. Except as otherwise provided, the bill takes effect September 1, 2015.

House Bill 2710
Effective: 9-1-15

House Author: Thompson, Senfronia
Senate Sponsor: Zaffirini

House Bill 2710 amends the Tax Code to require an attorney ad litem appointed by a court in a suit to collect a delinquent property tax to represent the interests of a defendant served with process by means of citation by publication or posting to submit to the court a report describing the actions taken by the attorney ad litem to locate and represent the interests of the defendant. The court may not approve the fees of the attorney ad litem until the report is submitted and the court determines that the actions taken were sufficient to discharge the attorney's duties to the defendant.

Senate Bill 752
Effective: 9-1-15

Senate Author: Bettencourt et al.
House Sponsor: Murphy

Senate Bill 752 repeals Tax Code provisions relating to the inheritance tax and amends the Estates Code to make a conforming change.

Senate Bill 757
Effective: 9-1-15

Senate Author: Perry et al.
House Sponsor: Springer

Senate Bill 757 amends the Estates Code, Natural Resources Code, and Tax Code to repeal the crude oil regulatory tax and the sulphur production tax.

Senate Bill 1452
Effective: 5-15-15

Senate Author: Bettencourt et al.
House Sponsor: Huberty

Senate Bill 1452 amends the Tax Code to authorize the commissioners court of a county to authorize the officer charged with selling real property seized under a tax warrant or ordered sold pursuant to foreclosure of a tax lien to conduct a public auction using online bidding and sale.

Senate Bill 1725
Effective: 9-1-15

Senate Author: Creighton
House Sponsor: Parker

Senate Bill 1725 amends the Tax Code to require the clerk of a court, following a property tax sale, to send to the attorney general notice of the deposit and amount of excess proceeds if the attorney general or a state agency represented by the attorney general is named as an in rem defendant in the underlying suit for seizure of the property or foreclosure of a tax lien on the property.

Franchise Taxes

House Bill 32
Effective: 1-1-16

House Author: Bonnen, Dennis et al.
Senate Sponsor: Nelson et al.

House Bill 32 amends the Tax Code to enact the Franchise Tax Reduction Act of 2015. The bill decreases the franchise tax rates, including the E-Z Computation rate, and doubles the upper limit on a taxable entity's total revenue from its entire business at or below which the taxable entity may elect to pay the franchise tax at the E-Z Computation rate. The bill requires the comptroller of public accounts to report on a study of the effects of economic growth on future state revenues.

House Bill 2891
Effective: 1-1-16

House Author: Otto et al.
Senate Sponsor: Perry et al.

House Bill 2891 amends the Business Organizations Code and Tax Code to include a limited partnership and a professional association on which the franchise tax is imposed among the entities required to file a franchise tax public information report with the comptroller of public accounts. The bill excludes a limited partnership that is required to file such a public information report from a periodic reporting requirement applicable to limited partnerships registered to transact business in Texas. The bill also repeals the requirement that a professional association file an annual statement with the secretary of state.

House Bill 2896
Effective: 1-1-18

House Author: Parker et al.
Senate Sponsor: Bettencourt

House Bill 2896 amends Tax Code provisions governing the calculation of an entity's taxable margin under the franchise tax to require a taxable entity that is a broadcaster to include in the numerator of the broadcaster's apportionment factor receipts arising from licensing income from broadcasting or otherwise distributing film programming by any means only if the legal domicile of the broadcaster's customer is in Texas.

House Bill 3230
Effective: 1-1-16

House Author: Rodriguez, Justin et al.
Senate Sponsor: Campbell

House Bill 3230 amends the Tax Code to make the depreciation and tax-exempt use provisions of the section in the federal Internal Revenue Code on which the definition of "eligible costs and expenses" is based, for purposes of the franchise tax credit for the rehabilitation of certified historic structures, inapplicable to costs and expenses incurred by certain nonprofit corporations, which frees such corporations to earn the credit if otherwise eligible.

Senate Bill 1049
Effective: See below

Senate Author: Campbell et al.
House Sponsor: Sheets et al.

Senate Bill 1049 amends the Tax Code and Business Organizations Code to provide a five-year franchise tax exemption and filing fee waiver to a taxable entity that qualifies as a new veteran-owned business if it remains qualified for the five-year period. A taxable entity qualifies as a new veteran-owned business only if the taxable entity is a new business in which each owner is a natural person who served in and was honorably discharged from a branch of the United States armed forces and provides verification to the comptroller of public accounts of the person's service and discharge. Effective January 1, 2020, the bill repeals the exemption and waiver and restores the law amended by the bill to its form prior to enactment. Aside from that exception, the bill takes effect January 1, 2016.

Senate Bill 1364
Effective: 9-1-15

Senate Author: Kolkhorst et al.
House Sponsor: Burkett

Senate Bill 1364 amends the Tax Code to require the comptroller of public accounts to require electronic filing of a franchise tax information report indicating no tax due.

Hotel Occupancy Taxes

House Bill 1585

Effective: 9-1-15

House Author: Paul

Senate Sponsor: Taylor, Larry

House Bill 1585 amends the Tax Code to authorize the City of Nassau Bay to use municipal hotel occupancy tax revenue on certain authorized facilities, or to pay bonds issued for the facilities, and for expenses directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels and motels within the city or its vicinity.

House Bill 1717

Effective: 6-16-15

House Author: Oliveira

Senate Sponsor: Lucio

House Bill 1717 amends the Tax Code to authorize the City of South Padre Island to use municipal hotel occupancy tax revenue for certain purposes related to ecological and space exploration-related tourism.

House Bill 1915

Effective: 10-1-15

House Author: Herrero et al.

Senate Sponsor: Hinojosa et al.

House Bill 1915 amends the Tax Code to include as an authorized use of state hotel occupancy tax revenue received by an eligible barrier island coastal municipality the cleaning and maintenance of bay shores owned by that municipality or leased by that municipality from the state. The bill includes the cities of Corpus Christi, Quintana, and Surfside Beach as eligible barrier island coastal municipalities and sets the allocation of hotel occupancy tax revenue for all eligible barrier island coastal municipalities at an amount based on a tax rate of two percent, which serves to increase the allocation provided to the City of Port Aransas. The bill also excludes from the allocation of hotel occupancy tax revenue to eligible barrier island coastal municipalities revenue derived from the collection of taxes from certain qualified hotel projects.

House Bill 1964

Effective: 5-29-15

House Author: Clardy

Senate Sponsor: Eltife et al.

House Bill 1964 amends the Tax Code and Government Code to designate the cities of Frisco, Nacogdoches, and El Paso as eligible central municipalities for purposes relating to the municipal hotel occupancy tax, which serves to allow those cities to pledge revenue derived from the municipal hotel occupancy tax from qualified hotel projects for the payment of obligations issued or incurred to acquire, lease, construct, and equip the hotels and any facilities ancillary to the hotels. The bill also extends such authority to the cities of Tyler, Odessa, and Round Rock.

House Bill 2019

Effective: 6-19-15

House Author: Craddick

Senate Sponsor: Seliger

House Bill 2019 amends the Tax Code to update a population bracket to maintain Midland County's authorization to impose a hotel occupancy tax.

House Bill 3595

Effective: 6-17-15

House Author: Morrison

Senate Sponsor: Kolkhorst

House Bill 3595 amends the Tax Code to authorize the City of Victoria to use municipal hotel occupancy tax revenue to promote tourism and the convention and hotel industry by constructing, maintaining, or expanding a sporting-related facility owned by the city under certain conditions.

House Bill 3615
Effective: 6-19-15

House Author: Isaac
Senate Sponsor: Zaffirini

House Bill 3615 amends the Tax Code to include San Marcos and Bastrop among the municipalities authorized to use revenue from the municipal hotel occupancy tax to promote tourism by the enhancement and upgrading of existing sports facilities or fields, provided certain conditions are met.

House Bill 3629
Effective: 6-17-15

House Author: Raney
Senate Sponsor: Schwertner

House Bill 3629 amends the Tax Code to authorize the cities of Bryan and College Station to use municipal hotel occupancy tax revenue to promote tourism and the convention and hotel industry by constructing, operating, or expanding a sporting related facility or sports field owned by the city, if the majority of the events at the facility or field are directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels in the city.

House Bill 3772
Effective: 6-17-15

House Author: Nevárez et al.
Senate Sponsor: Uresti

House Bill 3772 amends the Tax Code to include the cities of Pecos, Dilley, and Pleasanton among the municipalities authorized to use all or any part of municipal hotel occupancy tax revenue for the construction, enlarging, equipping, improvement, maintenance, repairing, and operation of a recreational facility to substantially enhance hotel activity and encourage tourism. The bill also includes as an authorized use of municipal hotel occupancy tax revenue by a municipality to which that authorization applies the construction, enlarging, equipping, improvement, maintenance, repairing, and operation of an arena used for rodeos, livestock shows, and agricultural expositions to substantially enhance hotel activity and encourage tourism and removes as an authorized use a business recruitment project to substantially enhance hotel activity and encourage tourism.

House Bill 4037
Effective: 6-19-15

House Author: Guillen
Senate Sponsor: Lucio

House Bill 4037 amends the Tax Code to authorize the commissioners court of Bell County to impose a county hotel occupancy tax, to cap the county hotel occupancy tax rate in Willacy County and Kenedy County at nine percent, and to expand the uses of county hotel occupancy tax revenue in a county that borders the Gulf of Mexico.

Property Taxes—General

House Bill 275
Effective: 1-1-16

House Author: Ashby et al.
Senate Sponsor: Nichols

House Bill 275 amends the Tax Code to specify that an egg is a farm product for purposes of the property tax exemption for farm products.

House Bill 706
Effective: 1-1-16

House Author: Farrar
Senate Sponsor: Huffman

House Bill 706 amends the Tax Code to add the property tax exemption for solar and wind-powered energy devices to the exemptions that, once allowed, need not be claimed in subsequent years and that, except as otherwise provided, are applicable to the property until it changes ownership or a person's qualification for the exemption changes.

House Bill 992
Effective: See below

House Author: Bonnen, Dennis et al.
Senate Sponsor: Taylor, Larry et al.

House Bill 992 amends the Tax Code to extend the property tax exemption of the total appraised value of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran to the surviving spouse of a 100 percent or totally disabled veteran who died before the law authorizing a residence homestead exemption for such a veteran took effect. The bill takes effect January 1, 2016, contingent on voter approval of the constitutional amendment proposed by House Joint Resolution 75.

House Bill 994
Effective: 1-1-16

House Author: Anchia et al.
Senate Sponsor: West et al.

House Bill 994 repeals Tax Code provisions that limited the property tax exemption for certain landfill-generated gas conversion facilities to applicable property used in the manner required for the exemption on January 1, 2014, and that set the exemption to expire on December 31, 2015. The bill also amends the Tax Code to change the type of property eligible for the exemption from real and personal property to tangible personal property and to require property eligible for the exemption to be appraised as tangible personal property for property tax purposes regardless of whether the property is affixed to or incorporated into real property.

House Bill 1022
Effective: 1-1-16

House Author: Moody et al.
Senate Sponsor: Rodríguez

House Bill 1022 amends the Tax Code to make property occupied by an owner's surviving spouse who has a life estate in the property eligible for a residence homestead property tax exemption.

House Bill 1463
Effective: 9-1-15

House Author: Raymond
Senate Sponsor: Uresti

House Bill 1463 amends the Tax Code to prohibit a chief appraiser from canceling a residence homestead property tax exemption received by an individual who is 65 years of age or older without first sending written notice of the cancellation by certified mail to the individual receiving the exemption along with a response form on which the individual may indicate whether the individual is qualified to receive the exemption. The chief appraiser may cancel the exemption after a specified period of time without receiving a response, but only after making a reasonable effort to locate the individual and determine whether the individual is qualified to receive the exemption.

House Bill 1933
Effective: 9-1-15

House Author: Darby
Senate Sponsor: Hinojosa

House Bill 1933 amends the Tax Code to clarify the dates by which installment payments of property taxes imposed on certain residence homesteads or on property in a disaster area must be paid by the owner if the delinquency date is a date other than February 1. The bill also limits

the application of the law concerning installment payments of delinquent property taxes on a residence homestead, as well as the requirement that an installment agreement extend for a period of at least 12 months, to a residence homestead for which the owner has been granted a residence homestead exemption.

House Bill 1953
Effective: 1-1-16

House Author: Bonnen, Dennis
Senate Sponsor: Hinojosa

House Bill 1953 amends the Local Government Code to extend the deadline by which a county or municipality must provide notice of a proposed property tax rate and post that notice on the county's or municipality's website from September 1 to the 30th day after the first date that the county or municipality has received each applicable certified appraisal roll, provided that date is later than September 1.

House Bill 3532
Effective: 9-1-15

House Author: Herrero
Senate Sponsor: Hinojosa

House Bill 3532 amends the Tax Code to include an appraisal district agent who performs appraisal services for the district among those to whom certain confidential information provided in a property tax exemption application may be disclosed.

House Bill 3623
Effective: 1-1-16

House Author: Gonzales
Senate Sponsor: Lucio et al.

House Bill 3623 amends the Tax Code to entitle the National Hispanic Institute to an exemption from taxation of the real and tangible personal property it owns as long as the organization is exempt from federal income tax as a charitable organization.

House Bill 3951
Effective: 1-1-16

House Author: Huberty
Senate Sponsor: Bettencourt

House Bill 3951 amends the Tax Code and Civil Practice and Remedies Code to authorize a county commissioners court to require that, in order to be eligible to bid at a tax sale of real property conducted in the county, a person must be registered as a bidder with the county assessor-collector before the sale begins.

House Joint Resolution 75
For Election: 11-3-15

House Author: Bonnen, Dennis et al.
Senate Sponsor: Taylor, Larry et al.

House Joint Resolution 75 proposes an amendment to the state constitution to authorize the legislature to provide for a property tax exemption of all or part of the market value of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran who died before the law authorizing a residence homestead exemption for such a veteran took effect.

Senate Bill 1
Effective: See below

Senate Author: Nelson et al.
House Sponsor: Bonnen, Dennis et al.

Senate Bill 1 amends the Tax Code, Education Code, and Government Code to increase the amount of the residence homestead exemption from property taxation by a school district from \$15,000 to \$25,000; to provide for a reduction of the limitation on the total amount of school district property taxes that may be imposed on the homestead of an elderly or disabled person to reflect the increased exemption amount; and to prohibit the governing body of a school district, municipality, or county that has adopted an optional residence homestead property tax exemption from reducing the amount of or repealing the exemption for a period expiring December 31, 2019.

Senate Bill 1 holds school districts harmless for the loss of tax revenue resulting from the increased homestead exemption amount by entitling the districts to additional state aid to the extent that revenue under existing funding formulas does not provide full reimbursement. The bill's effectiveness is contingent on voter approval of the constitutional amendment proposed by Senate Joint Resolution 1 and the bill takes effect on the date that constitutional amendment takes effect, except for certain bill provisions relating to implementation of the homestead exemption increase for the 2015 tax year and the 2015-2016 school year, which take effect June 15, 2015, and the provisions of the bill entitling school districts to additional state aid to offset lost revenue relating to the increased homestead exemption amount for the 2017-2018 school year and beyond, which take effect September 1, 2017.

Senate Bill 833
Effective: 6-19-15

Senate Author: Campbell et al.
House Sponsor: King, Susan et al.

Current law provides for the continuation of a residence homestead property tax exemption when the owner who qualifies for the exemption is temporarily absent due to military service outside of the United States. Senate Bill 833 amends the Tax Code to provide for the same continuation when the owner is absent due to military service inside the United States.

Senate Bill 918
Effective: 1-1-16

Senate Author: Nichols
House Sponsor: Otto

Senate Bill 918 amends the Tax Code to add the property tax exemption for certain veterans organizations to the exemptions that, once allowed, need not be claimed in subsequent years and that, except as otherwise provided, are applicable to the property until it changes ownership or a person's qualification for the exemption changes.

Senate Bill 1760
Effective: See below

Senate Author: Creighton et al.
House Sponsor: Bonnen, Dennis

Senate Bill 1760 amends the Tax Code, Local Government Code, and Water Code to set out and revise provisions relating to property tax procedures. The bill provides for the expanded representation of a property owner for property tax purposes, authorizes a property tax form to be signed by means of an electronically captured handwritten signature, requires the annual publication of a statewide list of property tax rates by the comptroller of public accounts, and addresses the distribution of certain property tax refunds. The bill requires certain notices provided in connection with a tax rate increase proposed by a taxing unit, as well as the ballot proposition in an election to ratify a school district property tax rate that exceeds the school district's rollback tax rate, to include a description of the purpose of the proposed tax increase.

Senate Bill 1760 changes from a simple majority to a 60 percent majority the voting requirement needed for a taxing unit other than a school district to raise the property tax rate above the effective tax rate and for a school district to raise the tax rate above the sum of the district's effective maintenance and operations tax rate and current debt rate. Effective January 1, 2020, the bill authorizes a district court, if an appraisal district employee testifies as to the value of real property in an appeal of an appraisal review board order regarding an excessive or unequal appraisal, to give preference to an employee authorized to appraise real estate under the Texas Appraiser Licensing and Certification Act. Otherwise, the bill takes effect January 1, 2016.

Senate Joint Resolution 1
For Election: 11-3-15

Senate Author: Nelson et al.
House Sponsor: Bonnen, Dennis et al.

Senate Joint Resolution 1 proposes an amendment to the state constitution to increase the amount of the residence homestead exemption from property taxation by a school district from \$15,000 to \$25,000; to provide for a reduction of the limitation on the total amount of school district property taxes that may be imposed on the homestead of an elderly or disabled person to reflect the increased exemption amount; to authorize the legislature to prohibit a political subdivision that has adopted an optional residence homestead property tax exemption from reducing the amount of or repealing the exemption; and to prohibit the enactment of a law that imposes a transfer tax on a transaction that conveys fee simple title to real property.

Property Taxes—Appraisals and Protests

House Bill 394
Effective: 9-1-15

House Author: McClendon et al.
Senate Sponsor: West

House Bill 394 amends the Tax Code to include information that indicates the age of a property owner, including information indicating that a property owner is 65 years of age or older, among the information in property tax appraisal records that is prohibited from being posted on the Internet.

House Bill 1464
Effective: 9-1-15

House Author: Raymond et al.
Senate Sponsor: Zaffirini

House Bill 1464 amends the Tax Code and Transportation Code to require a chief appraiser, before determining that land is no longer eligible for certain tax appraisal methods, to provide notice to an individual who is 65 years of age or older who owns land designated for agricultural use or agricultural land appraised as open-space land that the chief appraiser believes that the land may have been diverted to a nonagricultural use or that a change in use of the land may have occurred, respectively.

House Bill 2083
Effective: 1-1-16

House Author: Darby et al.
Senate Sponsor: Hancock

House Bill 2083 amends the Tax Code to require the selection of comparable properties and the application of appropriate adjustments for the determination of an appraised value of property in a protest or appeal on the ground of unequal appraisal to be based on the application of generally accepted appraisal methods and techniques, with adjustments made based on recognized methods and techniques that are necessary to produce a credible opinion. The bill also entitles property owners representing themselves to offer an opinion of and present argument and evidence related to the market and appraised value or the inequality of appraisal of the owner's property.

House Bill 2282
Effective: Vetoed

House Author: Guillen
Senate Sponsor: Uresti

House Bill 2282 amends the Tax Code to require an appraisal review board and chief appraiser of an appraisal district to review the evidence or argument provided by a property owner protesting certain property tax appraisal determinations before the hearing on the protest. The bill also sets out temporary provisions authorizing a property owner, as an alternative to bringing an appeal of an order issued by an appraisal review board located in Atascosa County

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to a district court, to bring the appeal to a justice court in the county if the appeal relates only to a determination of appraised value or eligibility for a property tax exemption and the amount of tax in dispute is \$5,000 or less.

Governor's Reason for Veto: "The Texas Tax Code allows all property owners in Texas to bring an appeal in district court to challenge an appraisal district decision regarding their property. These appeals are important matters for property owners, who deserve a fair and predictable process by which to challenge the actions of appraisal districts.

"House Bill 2282 departs from the uniform, statewide rules governing appraisal appeals by allowing property owners in just one of the State's 254 counties to file their appeals with a justice of the peace instead of a district court. Unlike district courts, justices of the peace generally do not serve an entire county; instead they serve a particular geographic district within the county. Yet House Bill 2282 would allow property owners to choose any justice of the peace in the county to hear their appeal. This would invite forum shopping and would allow a justice of the peace to make rulings about property in a part of the county he or she does not represent."

House Bill 2826
Effective: Vetoed

House Author: Murphy et al.
Senate Sponsor: Huffman

The Texas Economic Development Act allows a school district to offer a temporary limitation on the property value of certain new projects for school district property tax purposes. House Bill 2826 amends the Tax Code to provide for the application of the act to a single unified project that is located in two or three school districts, each of which is contiguous to another school district in which the project is located. The bill also requires the comptroller of public accounts to verify a random sample of the data submitted as part of the report on compliance with agreements under the act using information from sources the comptroller considers reliable and establishes information provided in connection with the report as confidential and not subject to disclosure under state public information law or tax collection law.

Governor's Reason for Veto: "Chapter 313 of the Tax Code allows for certain businesses to negotiate with school districts for lower appraisal valuations and, as a result, lower school property taxes. While the program may sometimes have a positive impact on local economic development, serious concerns exist about its oversight, its transparency, and its value to the taxpayers. According to a 2013 report by the Comptroller's Office, Chapter 313 cost the taxpayers \$341,363 for every new job created by the program. The Comptroller estimates that House Bill 2826 will ultimately cost State taxpayers \$100 million per biennium. I cannot support expansion of an incentive program that has not been proven to deliver the value taxpayers deserve."

Senate Bill 46
Effective: 9-1-15

Senate Author: Zaffirini
House Sponsor: Raymond

Senate Bill 46 amends the Government Code to provide for the confidentiality of a photograph that is taken by the chief appraiser of an appraisal district or the chief appraiser's authorized representative for property tax appraisal purposes and that shows the interior of an improvement to property, with certain exceptions.

Senate Bill 593
Effective: 6-20-15

Senate Author: Watson
House Sponsor: Darby

Senate Bill 593 amends the Tax Code to authorize a property owner or appraisal district that is a party to a property tax appeal to request in writing before the date of trial that the parties engage in settlement discussions, including through an informal settlement conference or a form of alternative dispute resolution, to make a good faith effort to resolve the matter under appeal. The bill requires the court hearing the appeal, on motion of either party, to enter orders necessary to implement the pretrial settlement discussions.

Senate Bill 849
Effective: 9-1-15

Senate Author: Bettencourt
House Sponsor: Elkins

Senate Bill 849 amends the Tax Code to increase the maximum appraised or market value of property that triggers a property owner's entitlement to appeal through binding arbitration an appraisal review board order determining a protest concerning the appraised or market value of the property. The bill changes both the required arbitration deposit for such an appeal and the cap on the fee for which a qualified arbitrator conducts an arbitration from a set amount to staggered amounts based on the value and residence homestead status of the property under appeal.

Senate Bill 1007
Effective: 1-1-16

Senate Author: Eltife
House Sponsor: Kuempel

Senate Bill 1007 amends the Occupations Code to revise the Texas Appraiser Licensing and Certification Act, including provisions relating to licensing and certification requirements and procedures, the Texas Appraiser Licensing and Certification Board, the board's advisory committee, and complaint, investigation, and enforcement procedures.

Senate Bill 1394
Effective: 1-1-16

Senate Author: Hancock
House Sponsor: Murphy

Senate Bill 1394 amends the Tax Code to require an appraisal office, for a hearing on a taxpayer protest at which the chief appraiser uses audiovisual equipment, to provide comparable audiovisual equipment for use during the hearing by the property owner or the property owner's agent. The bill also adds to the material the chief appraiser and the property owner or the property owner's agent are required to provide each other before the hearing on a protest or immediately after the hearing begins.

Senate Bill 1420
Effective: 1-1-16

Senate Author: Hancock
House Sponsor: Murphy et al.

Senate Bill 1420 amends the Tax Code to require the chief appraiser of an appraisal district to deliver a notice of appraised value to a property owner if an exemption or partial exemption approved for the property for the preceding year was canceled or reduced for the current year.

Senate Bill 1468
Effective: 9-1-15

Senate Author: Watson
House Sponsor: Howard

Senate Bill 1468 amends the Tax Code to expand the list of communications that are excepted from the offense relating to prohibited communications between certain parties and a local administrative district judge regarding the appointment of appraisal review board members.

Senate Bill 1985
Effective: 1-1-16

Senate Author: Uresti
House Sponsor: Bonnen, Dennis

Current law requires a method of appraising a real property interest in oil and gas in place that takes into account the future income from the sale of oil or gas to be produced from the interest to use the average price of the oil or gas from the interest from the preceding calendar year multiplied by a price adjustment factor as the price at which the oil or gas produced from the interest is projected to be sold in the current year of the appraisal. Senate Bill 1985 amends the Tax Code to revise the formula used by a chief appraiser when calculating the price adjustment factor.

Sales and Use Taxes

House Bill 157
Effective: 9-1-15

House Author: Larson et al.
Senate Sponsor: Eltife

House Bill 157 amends the Local Government Code and Tax Code to authorize the rate of a sales and use tax adopted by a municipality to be any rate that is an increment of one-eighth of one percent, that the municipality determines is appropriate, and that would not result in a combined rate that exceeds two percent at any location in the municipality when added to the rates of all other sales and use taxes imposed by the municipality and other political subdivisions of the state having territory in the municipality.

House Bill 1841
Effective: 10-1-15

House Author: Bonnen, Greg
Senate Sponsor: Perry

House Bill 1841 amends the Tax Code to exempt a service performed on behalf of an insured by a licensed public insurance adjuster from the application of the sales and use tax.

House Bill 2313
Effective: 9-1-15

House Author: Bohac
Senate Sponsor: Garcia

House Bill 2313 amends the Tax Code to exempt the sale of tangible personal property through a vending machine from the sales and use tax if the sale is made by a nonprofit organization that qualifies as a Section 501(c)(3) organization, the machine is owned by the nonprofit organization, and the machine is stocked and maintained by individuals with special needs as part of an independent life skills and education program operated by the nonprofit organization.

House Bill 2400
Effective: 9-1-15

House Author: Bohac et al.
Senate Sponsor: Taylor, Van

House Bill 2400 amends the Tax Code to exempt the sale of a new motor vehicle from the application of the motor vehicle sales and use tax if the purchaser is a manufacturer or distributor who acquires the motor vehicle either for the exclusive purpose of sale in the manner provided by law or for purposes for which a manufacturer's license plate may be used.

House Bill 2507
Effective: 9-1-15

House Author: Kacal et al.
Senate Sponsor: Seliger

House Bill 2507 amends the Tax Code to exempt certain equipment used for digital audio broadcasting from the sales and use tax.

House Bill 2712
Effective: 6-10-15

House Author: Geren et al.
Senate Sponsor: Hancock

House Bill 2712 amends the Tax Code to create a 20-year sales and use tax exemption for certain tangible personal property that is necessary and essential to the operation of a qualifying large data center project. The bill sets out qualifications and application procedures for certification by the comptroller of public accounts as a qualifying large data center project and provides for the comptroller's issuance of a registration number or numbers in connection with an eligible project, which must be revoked if the comptroller determines the project does not meet the certification requirements. The bill makes each person who has the person's

registration number revoked liable for taxes, penalties, and interest on purchases for which the person claimed the exemption. The bill also exempts gas and electricity from the sales and use tax when sold for use directly by a qualifying large data center project in the processing, storage, and distribution of data.

House Bill 2853
Effective: 6-10-15

House Author: Anderson, Rodney et al.
Senate Sponsor: West

House Bill 2853 amends the Tax Code to provide for the expiration of a municipal sales and use tax for street maintenance in the City of Grand Prairie on the last day of the first calendar quarter occurring after the eighth anniversary of the date the tax was last reauthorized if, at the reauthorization election, the voters approved the imposition of the tax for an eight-year period instead of a four-year period. The bill includes the maintenance and repair of existing municipal sidewalks among the authorized uses of revenue from municipal sales and use taxes for street maintenance.

Senate Bill 31
Effective: 5-28-15

Senate Author: Zaffirini et al.
House Sponsor: Guillen

Senate Bill 31 amends the Tax Code to authorize certain volunteer firefighter and emergency services organizations to hold 10 tax-free sales or auctions during a calendar year, with each sale or auction lasting no longer than 72 hours.

Senate Bill 140
Effective: 9-1-15

Senate Author: Perry
House Sponsor: Craddick

Senate Bill 140 amends the Tax Code to exempt from the sales and use tax telecommunications services exclusively provided or used for the navigation of machinery and equipment exclusively used or employed on a farm or ranch in the building or maintaining of roads or water facilities or in the production of food for human consumption, grass, feed for animal life, or other agricultural products to be sold in the regular course of business.

Senate Bill 724
Effective: 6-17-15

Senate Author: Perry
House Sponsor: Craddick et al.

Senate Bill 724 amends the Tax Code to clarify that the sale or use of a motor vehicle is exempt from taxes imposed on such sale or use if the vehicle is operated with a license plate exempted from vehicle registration fees and is for use by a commercial transportation company to provide transportation services under a contract with a board of county school trustees, a school district board of trustees, or the governing body of an open-enrollment charter school.

Senate Bill 755
Effective: 6-10-15

Senate Author: Taylor, Van et al.
House Sponsor: Button

Senate Bill 755 amends the Tax Code to classify as a tax-exempt sale for resale the sale of a computer program to a provider of Internet hosting who acquires the computer program from an unrelated vendor for the purpose of selling the right to use the computer program to an unrelated user of the provider's Internet hosting services in the normal course of business and in the form or condition in which the provider acquired the computer program, contingent on the provider satisfying certain conditions.

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Senate Bill 761
Effective: 9-1-15

Senate Author: Creighton
House Sponsor: Murphy

Senate Bill 761 repeals Tax Code provisions relating to the fireworks tax. The bill amends the Tax Code and Government Code to dedicate a portion of sales tax revenue derived from the sale of fireworks to the rural volunteer fire department insurance fund.

Senate Bill 853
Effective: 6-1-15

Senate Author: Kolkhorst et al.
House Sponsor: Button

Senate Bill 853 amends the Tax Code to establish that a sales tax permit application that is filed electronically complies with the requirement that the application be signed by the appropriate entity.

Senate Bill 904
Effective: 9-1-15

Senate Author: Hinojosa et al.
House Sponsor: Darby

Senate Bill 904 amends the Tax Code to exempt certain emergency preparation items from the sales and use tax if purchased during a specified three-day period in April.

Senate Bill 1356
Effective: 10-1-15

Senate Author: Hinojosa
House Sponsor: Darby et al.

Senate Bill 1356 amends the Tax Code to exempt certain water-conserving products and WaterSense products from the sales tax if purchased during Memorial Day weekend.

Senate Bill 1396
Effective: 9-1-15

Senate Author: West
House Sponsor: Paddie

Senate Bill 1396 amends the Tax Code to clarify the sales and use taxation of aircraft as it pertains to the resale and use of aircraft, certificated or licensed carriers, certain transactions between related persons involving an aircraft, and the imposition of tax on aircraft operated under fractional ownership programs.

The summary for the following bill is in the listed chapter:
House Bill 3777—Special Districts

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This chapter covers legislation on driver's licenses and driver education, motor vehicle registration and titling, rules of the road, the state highway system, and the financing, planning, and administration of transportation systems. Legislation relating to license plates and state highway designations to recognize veterans is in the **Military Forces and Veterans** chapter, legislation relating to transportation districts and authorities is in the **Special Districts** chapter, and legislation relating to vehicle storage and towing is in the **Occupational Regulation** chapter. Related legislation that is summarized in other chapters is listed at the end of this chapter.

General

House Bill 499
Effective: Vetoed

House Author: Guillen
Senate Sponsor: Garcia

House Bill 499 amends the Transportation Code to revise the composition and terms of the public transportation advisory committee.

Governor's Reason for Veto: "House Bill 499 unnecessarily limits the field of candidates available for appointment to the Public Transportation Advisory Committee by the Governor, Lieutenant Governor, and the Speaker of the House. The bill also guarantees committee members a term of six years, which eliminates the appointing officers' ability to replace members at any time for poor performance. The appointment limitations in House Bill 499 would impede the appointing officers' ability to provide effective committee members to serve Texas."

House Bill 1317
Effective: 9-1-15

House Author: Bohac et al.
Senate Sponsor: Seliger et al.

House Bill 1317 amends the Human Resources Code to require the Governor's Committee on People with Disabilities to prepare a report on laws, standards, and policies regarding parking for persons with disabilities.

House Bill 1605
Effective: 9-1-15

House Author: Martinez
Senate Sponsor: Taylor, Van

House Bill 1605 amends the Transportation Code to eliminate the fee for the Texas Airport Directory furnished by the Texas Department of Transportation and to revise requirements relating to the issuance of the directory.

House Bill 2121
Effective: 6-17-15

House Author: King, Tracy O.
Senate Sponsor: Zaffirini

House Bill 2121 repeals obsolete laws governing county road systems in certain counties.

House Bill 2946
Effective: 6-17-15

House Author: Phillips
Senate Sponsor: Nichols

House Bill 2946 repeals certain Transportation Code provisions relating to railroad crossings.

Senate Bill 505
Effective: 9-1-15

Senate Author: Perry et al.
House Sponsor: Workman

Senate Bill 505 amends the Transportation Code to require a meteorological evaluation tower that is at least 50 feet but not more than 200 feet in height above ground level to be painted in bands of aviation orange and white and have aviation orange marker balls installed

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and displayed. The bill prohibits such a tower from being supported by certain guy wires. The bill makes it a Class C misdemeanor to own, operate, or erect a meteorological evaluation tower in violation of the bill's provisions and enhances the penalty to a Class B misdemeanor if it is shown on the trial of the offense that as a result of the commission of the offense a collision with the tower occurred causing bodily injury or death to another person. The bill provides for notice and registration of meteorological evaluation towers with the Texas Department of Transportation.

Senate Bill 530
Effective: 6-19-15

Senate Author: Hancock
House Sponsor: Parker

Senate Bill 530 amends the Transportation Code to provide for the licensing of vehicles for hire and passenger transportation services by certain airport governing boards.

Senate Bill 1436
Effective: 9-1-15

Senate Author: Zaffirini
House Sponsor: Raymond

Senate Bill 1436 amends the Transportation Code to revise the setback requirements for a junkyard or an automotive wrecking and salvage yard.

Senate Bill 1467
Effective: 9-1-15

Senate Author: Watson
House Sponsor: Gonzales

Senate Bill 1467 amends the Transportation Code to authorize a service charge on an electronic toll collection customer account payment made at a location other than a Texas Department of Transportation office.

Driver's Licenses and Driver Education

House Bill 441
Effective: 9-1-15

House Author: Gonzales
Senate Sponsor: Schwertner

House Bill 441 amends the Transportation Code to extend the period during which a person may use a copy of a judge's findings and restrictions in granting an occupational driver's license as a restricted occupational driver's license by 14 days, authorizing its use until the 45th day after the order's effective date.

House Bill 1786
Effective: 9-1-15

House Author: Dutton
Senate Sponsor: Campbell

House Bill 1786 amends the Education Code, Code of Criminal Procedure, and Transportation Code to transfer the regulation of driver and traffic safety education, including the parent-taught driver education program, from the Texas Education Agency and the Department of Public Safety to the Texas Department of Licensing and Regulation.

House Bill 1814
Effective: 6-1-15

House Author: Farney
Senate Sponsor: Taylor, Van

House Bill 1814 amends the Transportation Code to provide for the Department of Public Safety's online renewal of driver's licenses of certain active duty military personnel and relatives.

House Bill 1888
Effective: See below

House Author: Capriglione
Senate Sponsor: Taylor, Van

House Bill 1888 amends Code of Criminal Procedure, Government Code, and Transportation Code provisions to bring certain statutes into compliance with federal regulations relating to

commercial driver learner's permits and the process to issue a license to a person domiciled in a foreign country. Among other provisions, the bill provides for a penalty enhancement for a subsequent offense of driving a commercial motor vehicle without a license or permit under certain circumstances, sets out certain requirements for a commercial learner's permit, revises the application requirements for a commercial driver's license applicable to applicants domiciled in certain foreign jurisdictions, and establishes new fees. The bill authorizes the Department of Public Safety (DPS) to issue a commercial learner's permit with endorsements authorizing the driving of a passenger vehicle, a school bus, or a tank vehicle. While previous law prohibited the renewal of a commercial learner's permit, the bill authorizes a one-time renewal of such a permit. The bill sets out the circumstances under which DPS must remove a license or permit holder's commercial driver's license privilege for failure to provide information relating to the holder's self-certification of medical status.

House Bill 1888 clarifies that when the thumbprint of an applicant for a personal identification card, a driver's license, or a commercial driver's license cannot be taken, DPS may take only the applicant's index fingerprints. DPS is required to delete or redact from its records not later than December 31, 2015, any other fingerprint collected from such an applicant, including those taken as part of a full set of fingerprints. The bill authorizes the Texas Department of Motor Vehicles or a county assessor-collector to register a vehicle that is not in compliance with the applicable inspection requirements if the vehicle is located in another state at the time of the application for registration and the applicant certifies that the applicant will comply with those requirements once the vehicle is operated in Texas and makes it a Class C misdemeanor offense for the person to operate the vehicle in Texas without complying with the inspection requirements.

House Bill 1888 takes effect January 1, 2016, except that provisions regarding the self-certification of medical status take effect January 30, 2016.

House Bill 2216
Effective: 9-1-15

House Author: Coleman et al.
Senate Sponsor: Kolkhorst

House Bill 2216 amends the Transportation Code to prohibit a driver's license application from including an inquiry regarding the applicant's mental health other than a general inquiry as to whether the applicant has a mental condition that may affect the applicant's ability to safely operate a motor vehicle.

House Bill 2246
Effective: 9-1-15

House Author: Villalba et al.
Senate Sponsor: Huffman et al.

Previous law authorized a judge to restrict a person convicted of a subsequent driving while intoxicated, intoxication assault, or intoxication manslaughter offense to the operation of a motor vehicle equipped with an ignition interlock device. House Bill 2246 amends the Code of Criminal Procedure, Penal Code, and Transportation Code to instead require the judge to restrict any person convicted of such an offense, a driving while intoxicated with a child passenger offense, or a flying, boating, or assembling or operating an amusement ride while intoxicated offense whose license has been suspended for the offense to the operation of a motor vehicle equipped with an ignition interlock device. The bill revises the time period for which the court is required to order the device to remain installed from at least half of the license suspension period to the duration of that period. A defendant whose license is suspended for such an intoxication-related offense is authorized to operate a motor vehicle during the suspension period if the defendant obtains and uses an ignition interlock device and applies for and receives an occupational driver's license with the proper designation. A person convicted of an intoxication-related offense whose vehicle must be equipped with an ignition interlock device is entitled to receive an occupational license without a finding that an essential need exists under certain circumstances and may not

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be subjected to the time of travel, reason for travel, or location of travel restrictions otherwise applied to an occupational license. A court is authorized to issue an occupational license to such a convicted person who submits proof of having an ignition interlock device installed on each motor vehicle the person owns or operates, and such a person may not be ordered to submit to the supervision of the local community supervision and corrections department unless ordered by a court of record.

House Bill 2708
Effective: 6-16-15

House Author: Coleman
Senate Sponsor: Kolkhorst

House Bill 2708 amends the Transportation Code to revise the qualifications for a parent or similar relative teaching a driver education course approved by the Department of Public Safety.

Senate Bill 1756
Effective: 6-19-15

Senate Author: Taylor, Van
House Sponsor: Phillips

Senate Bill 1756 amends the Transportation Code to expand the pilot program established by the Department of Public Safety for the provision of services for renewal and duplicate driver's licenses, election identification certificates, and personal identification certificates in certain counties by authorizing any county to participate in the program. The bill redefines the term "motorcycle" for certain purposes and prohibits the operation of certain motorcycles on a public highway for which the posted speed limit is more than 45 miles per hour, except to cross at an intersection.

Senate Bill 1934
Effective: 9-1-15

Senate Author: Campbell
House Sponsor: Miller, Rick

Senate Bill 1934 amends the Government Code and Transportation Code to require the Department of Public Safety (DPS) to require a driver's license applicant to provide proof that the applicant is ineligible for a social security number in lieu of providing a social security number and to expand the entities to which DPS may disclose social security number information provided on a driver's license application to include an agency of another state responsible for issuing driver's licenses or identification documents. The bill makes certain provisions regarding the social security number of driver's license applicants applicable to that information on a personal identification card application and eliminates the nonexpiring personal identification card for persons 60 years of age or older. A person is not entitled to receive a driver's license or personal identification card until each state-issued driver's license or personal identification card, as appropriate, in the person's possession is surrendered. DPS is required to conduct a study evaluating the feasibility and risks of using a digital form of a driver's license and to submit a report of its findings and recommendations to the legislature not later than September 1, 2016.

Financing, Planning, and Administration of Transportation Systems

House Bill 20
Effective: 6-3-15

House Author: Simmons et al.
Senate Sponsor: Nichols

House Bill 20 amends the Transportation Code to require the Texas Transportation Commission to develop and implement a performance-based planning and programming process that includes certain performance metrics and measures. The bill requires each planning organization to develop a 10-year transportation plan and project recommendation criteria and provides for the prioritization and approval of recommended projects by the commission. The bill removes the authorization for the Department of Public Safety to use money in the state

highway fund to police the state highway system and administer state laws relating to traffic and safety on public roads and adds certain authorizations and prohibitions regarding the Texas Department of Transportation's use of a design-build contract. The bill establishes a select committee on transportation planning in each house of the legislature.

House Bill 122
Effective: 6-10-15

House Author: Pickett
Senate Sponsor: Nichols et al.

House Bill 122 amends the Transportation Code to prohibit the Texas Transportation Commission from issuing Texas Mobility Fund obligations after January 1, 2015, and to provide for use of fund obligations to refund outstanding obligations. The bill excludes toll roads from the purposes for which certain excess money in the fund may be used.

House Bill 565
Effective: 6-20-15

House Author: Burkett et al.
Senate Sponsor: Kolkhorst et al.

House Bill 565 amends the Transportation Code to provide for public input on private turnpikes and toll projects, prohibit certain toll road corporations from exercising the power of eminent domain, and authorize agreements between private and public toll project entities.

House Bill 1833
Effective: 6-10-15

House Author: Pickett
Senate Sponsor: Rodríguez

House Bill 1833 repeals a Transportation Code provision limiting the counties bordering the Rio Grande that may enter into a toll bridge agreement with a private or governmental entity.

House Bill 2521
Effective: 9-1-17

House Author: Coleman et al.
Senate Sponsor: Uresti et al.

House Bill 2521 amends the Natural Resources Code to create the county road oil and gas fund, consisting of payments received from the leasing of oil and gas under lands owned by the state that were or may be acquired by a county to construct a county road, and to require the comptroller to disburse money in the fund to the county treasurer or officer performing the function of that office for deposit in the county's road and bridge fund. The bill requires an oil and gas lease under such land that is entered into on or after the bill's effective date to require any payment under the lease to be made directly to the county treasurer, or another officer performing the function of that office, in the county in which the land is located for deposit into the county's road and bridge fund. The use of money in a county's road and bridge fund is restricted to road maintenance purposes.

House Bill 2549
Effective: 9-1-15

House Author: Davis, Yvonne
Senate Sponsor: Hancock

House Bill 2549 amends the Transportation Code to clarify the authority and certain operations of a regional tollway authority with respect to tolling services.

House Bill 2612
Effective: 9-1-15

House Author: Pickett et al.
Senate Sponsor: Hall et al.

House Bill 2612 requires the Texas Department of Transportation to submit a report to the legislature regarding the elimination of toll roads.

Transportation

House Bill 4025
Effective: Vetoed

House Author: Keffer et al.
Senate Sponsor: Uresti et al.

House Bill 4025 amends the Transportation Code to clarify the authority of a county to designate a county energy transportation reinvestment zone. Among other provisions, the bill revises the distribution of grants from the Texas Department of Transportation for transportation infrastructure projects located in areas of Texas affected by increased oil and gas production.

Governor's Reason for Veto: "In the 2011 statewide election, the voters of Texas rejected a constitutional amendment that would have given counties the authority to create tax-increment reinvestment zones. The Legislature's attempts to confer this authority on counties without a constitutional amendment have been found by three separate Attorney-General opinions to violate article VIII, section 1(a) of the Texas Constitution. House Bill 4025, in part, is an attempt to do what the Texas Constitution and multiple Attorney-General opinions prohibit. If the Legislature wants counties to have the authority to create tax-increment reinvestment zones, it must again ask the voters to amend the Constitution."

Senate Joint Resolution 5
For Election: 11-3-15

Senate Author: Nichols et al.
House Sponsor: Pickett et al.

Senate Joint Resolution 5 proposes an amendment to the state constitution to dedicate a portion of the revenue derived from the state sales and use tax and the tax imposed on the sale, use, or rental of a motor vehicle to the state highway fund. For each dedication, the resolution establishes the amount of revenue from that source that must be exceeded in the state fiscal year before the dedication takes effect. The resolution sets out conditions under which the dedicated amounts may be reduced and establishes the authorized uses of the dedicated revenue. The resolution establishes the effective date of each dedication, contingent on voter approval, and the expiration date, which is subject to extension by action of the legislature.

Senate Joint Resolution 17
For Election: 11-3-15

Senate Author: Perry et al.
House Sponsor: Springer

Senate Joint Resolution 17 proposes an amendment to the Texas Constitution to increase the maximum population threshold of a county that may construct and maintain private roads if it imposes a reasonable charge for the work.

Motor Vehicles—General

House Bill 716
Effective: 6-1-15

House Author: Lozano
Senate Sponsor: Zaffirini

House Bill 716 amends the Transportation Code to make a police officer of a municipality located in San Patricio County eligible to apply for certification to enforce commercial motor vehicle safety standards.

House Bill 735
Effective: 9-1-16

House Author: Israel
Senate Sponsor: Ellis

House Bill 735 amends the Transportation Code to require the Texas Department of Motor Vehicles to establish a program to collect information on the number of alternatively fueled vehicles in Texas.

House Bill 1321
Effective: 9-1-15

House Author: Bonnen, Dennis
Senate Sponsor: Huffman

House Bill 1321 amends Transportation Code provisions relating to port authority permits to require the Texas Transportation Commission to designate additional routes for the movement of oversize and overweight vehicles on certain roads.

House Bill 1741
Effective: 9-1-15

House Author: Lucio III
Senate Sponsor: Lucio

House Bill 1741 amends Transportation Code provisions relating to port authority permits to require the Texas Transportation Commission to designate additional routes for the movement of oversize and overweight vehicles on certain roads.

House Bill 1969
Effective: 9-1-15

House Author: Martinez
Senate Sponsor: Lucio

House Bill 1969 amends the Transportation Code to designate additional roads for the movement of oversize or overweight vehicles in Hidalgo County and to provide for repair of the roads.

House Bill 2861
Effective: 9-1-15

House Author: Raymond
Senate Sponsor: Zaffirini

House Bill 2861 amends the Transportation Code to provide for the City of Laredo's issuance of permits for the movement of oversize or overweight vehicles in Webb County.

Senate Bill 58
Effective: 9-1-15

Senate Author: Nelson et al.
House Sponsor: Faircloth

Senate Bill 58 amends the Transportation Code to provide for the enforcement of commercial motor vehicle safety standards by certain cities located in Galveston County. The bill also lowers the population threshold for such enforcement by a county.

Senate Bill 1059
Effective: 5-28-15

Senate Author: Hinojosa
House Sponsor: Herrero

Senate Bill 1059 amends the Transportation Code to provide for the Port of Corpus Christi Authority's issuance of permits for the movement of oversize or overweight vehicles on certain roads.

Senate Bill 1171
Effective: 6-19-15

Senate Author: Nichols
House Sponsor: Paddie

Senate Bill 1171 amends the Transportation Code to authorize certain oversize or overweight vehicles transporting timber, timber products, or forestry equipment to operate on additional public roadways. Among other provisions, the bill lowers a related permit fee.

Senate Bill 1338
Effective: 6-18-15

Senate Author: Perry
House Sponsor: Springer

Senate Bill 1338 amends the Transportation Code to provide an exemption from length limitations for certain vehicles or combinations of vehicles used to transport harvest machines.

Transportation

Senate Bill 1512
Effective: 9-1-16

Senate Author: Hancock
House Sponsor: Pickett

Senate Bill 1512 re-creates the Texas Department of Motor Vehicles fund, rededicates all revenue dedicated for deposit to the fund, and provides for a one-time transfer of revenue to the fund from the general revenue fund.

Motor Vehicles—Registration and Titling

House Bill 75
Effective: 5-28-15

House Author: González
Senate Sponsor: Rodríguez

House Bill 75 amends the Transportation Code to exempt from vehicle registration certain farm vehicles owned by a farmers' cooperative society or marketing association.

House Bill 315
Effective: 1-1-16

House Author: Raymond et al.
Senate Sponsor: Huffines et al.

House Bill 315 amends the Transportation Code to provide for the Texas Department of Motor Vehicles' issuance of "In God We Trust" specialty license plates.

House Bill 792
Effective: 1-1-16

House Author: Clardy
Senate Sponsor: Nichols

House Bill 792 amends the Transportation Code to provide for the Texas Department of Motor Vehicles' issuance of specialty license plates for antique buses.

House Bill 830
Effective: 1-1-16

House Author: Larson et al.
Senate Sponsor: Campbell

House Bill 830 amends the Transportation Code to provide for the Texas Department of Motor Vehicles' issuance of Alamo specialty license plates.

House Bill 1360
Effective: 6-17-15

House Author: Isaac
Senate Sponsor: Zaffirini

House Bill 1360 amends the Transportation Code to exempt certain U.S. Coast Guard Auxiliary vehicles from vehicle registration fees.

House Bill 2115
Effective: 6-1-15

House Author: Phillips et al.
Senate Sponsor: Nichols

House Bill 2115 amends the Transportation Code to establish a two-year initial inspection period for motor vehicles purchased by certain commercial fleet buyers.

House Bill 2208
Effective: 5-29-15

House Author: Herrero
Senate Sponsor: Hinojosa

House Bill 2208 amends the Government Code to entitle certain county tax assessor-collectors to obtain from the Texas Department of Public Safety criminal history record information relating to a person applying for a motor vehicle title service license.

House Bill 3283
Effective: 1-1-16

House Author: Zerwas et al.
Senate Sponsor: Zaffirini

House Bill 3283 amends the Transportation Code to provide for a voluntary contribution to the statewide donor registry and for registration of an anatomical gift by a person who applies for a commercial driver's license. The bill revises procedures for such contributions and registrations in connection with the issuance of a driver's license or personal identification card and the registration of a motor vehicle.

House Bill 3610
Effective: 1-1-16

House Author: Collier
Senate Sponsor: West

House Bill 3610 amends the Transportation Code to provide for the Texas Department of Motor Vehicles' issuance of Texas Juneteenth specialty license plates.

House Bill 4099
Effective: 1-1-16

House Author: Fletcher
Senate Sponsor: Taylor, Van

House Bill 4099 amends the Transportation Code to provide for the Texas Department of Motor Vehicles' issuance of K9s4COPs specialty license plates.

Senate Bill 272
Effective: 1-1-16

Senate Author: Hancock et al.
House Sponsor: Burkett

Senate Bill 272 amends the Transportation Code to authorize a person to make a voluntary contribution to the Special Olympics Texas fund when registering a motor vehicle or renewing a motor vehicle registration. The bill sets out related duties of a county assessor-collector, the Texas Department of Motor Vehicles, and the Department of Aging and Disability Services.

Senate Bill 449
Effective: 5-22-15

Senate Author: Bettencourt
House Sponsor: Gonzales

Senate Bill 449 amends the Transportation Code to provide for the Texas Department of Motor Vehicle's titling and registration of an autocycle and to establish that an autocycle is considered to be a motorcycle for purposes of protective headgear and passenger riding requirements.

Senate Bill 742
Effective: 9-1-15

Senate Author: Ellis
House Sponsor: Davis, Sarah

Senate Bill 742 amends the Transportation Code to provide for the Texas Department of Motor Vehicles' issuance of Texas Medical Center specialty license plates.

Senate Bill 1451
Effective: 9-1-15

Senate Author: Ellis
House Sponsor: Raney

Senate Bill 1451 amends the Transportation Code to establish a process for resolving the disputed payment by a credit or debit card of a vehicle registration fee submitted to a county assessor-collector.

Transportation

Senate Bill 1987
Effective: 1-1-16

Senate Author: Menéndez et al.
House Sponsor: Minjarez

Senate Bill 1987 amends the Transportation Code and Occupations Code to provide for the Texas Department of Motor Vehicles' issuance of specialty license plates for persons who are deaf or hard of hearing and to require the Texas Commission on Law Enforcement to develop training for peace officers on interacting with drivers who are deaf or hard of hearing.

Motor Vehicles—Rules of the Road

House Bill 1252
Effective: 9-1-15

House Author: Pickett
Senate Sponsor: Nichols

House Bill 1252 amends the Transportation Code to require the Department of Public Safety to establish uniform vehicle weighing procedures and to establish an affirmative defense to prosecution or enforcement action for operating a vehicle over the maximum allowable weight that a weight enforcement officer failed to follow the procedures.

House Bill 2194
Effective: 6-19-15

House Author: Springer et al.
Senate Sponsor: Burton

House Bill 2194 amends the Transportation Code to exempt the use of a remote starter or similar device from the offense of leaving a motor vehicle unattended.

House Bill 3225
Effective: 9-1-15

House Author: Murr
Senate Sponsor: Garcia

House Bill 3225 amends the Transportation Code to authorize the Texas Department of Transportation to restrict a commercial motor vehicle to a specific lane in a highway construction or maintenance work zone if determined necessary to improve safety.

Senate Bill 562
Effective: 5-15-15

Senate Author: Nichols
House Sponsor: Phillips

Senate Bill 562 amends the Transportation Code to authorize the Texas Department of Motor Vehicles to issue an annual permit to allow a person to operate over a state highway or road a vehicle or combination of vehicles that exceeds the length and height limits provided by law but does not exceed the maximum allowable length and height set by the bill. The bill provides for the amount and disposition of the permit fee.

Senate Bill 754
Effective: 9-1-15

Senate Author: Watson
House Sponsor: Zedler

Senate Bill 754 amends the Transportation Code to authorize the use of money in the motorcycle education fund account for the motorcyclist safety and share the road public awareness campaign.

Senate Bill 1918
Effective: 9-1-15

Senate Author: Watson
House Sponsor: Pickett

Senate Bill 1918 amends the Transportation Code to authorize the use of LED ground effect lighting equipment on a motorcycle.

State Highway System—General

House Bill 463
Effective: 6-18-15

House Author: Springer
Senate Sponsor: Kolkhorst

House Bill 463 amends the Transportation Code to limit the applicability of state law relating to a person's ability to clear vegetation on a state highway right-of-way adjacent to real property not owned by the person.

House Bill 790
Effective: 6-17-15

House Author: Burkett et al.
Senate Sponsor: Hancock

House Bill 790 requires the Texas A&M Transportation Institute to conduct a study and report on the implementation and effectiveness of sound mitigation measures on certain highways.

House Bill 1119
Effective: Vetoed

House Author: Hernandez
Senate Sponsor: Garcia

House Bill 1119 requires the Texas Department of Transportation to conduct a study regarding the replacement of mile markers on certain highways.

Governor's Reason for Veto: "The Texas Transportation Code requires the Texas Department of Transportation to maintain a safe and efficient highway system. Pursuant to this statutory obligation, TxDOT has promulgated rules that require maintenance of 'normal markings and signs necessary for directing highway traffic in a safe and efficient manner.' Existing law already gives TxDOT the authority to study the signs on our highways and take remedial action where appropriate, so House Bill 1119 is unnecessary. Additional laws and studies are not needed to address issues that the law already accommodates."

House Bill 1738
Effective: 6-18-15

House Author: Isaac
Senate Sponsor: Campbell

House Bill 1738 amends the Transportation Code to provide for the release of deed restrictions on the use of certain highway rights-of-way transferred by the Texas Department of Transportation to a municipality.

House Bill 3302
Effective: 9-1-15

House Author: Darby et al.
Senate Sponsor: Kolkhorst

House Bill 3302 amends the Transportation Code to provide for the use of regionally appropriate plants on a state highway right-of-way.

Senate Bill 570
Effective: 9-1-15

Senate Author: Estes
House Sponsor: Sheffield

Senate Bill 570 amends the Transportation Code to provide for the adoption of a prohibition or restriction on using fireworks at certain Texas Department of Transportation rest areas and to make it a Class C misdemeanor to violate such a prohibition or restriction.

State Highway System—Designations

House Bill 219
Effective: 9-1-15

House Author: White, James
Senate Sponsor: Nichols

House Bill 219 amends the Transportation Code to designate Farm-to-Market Road 1293 in Hardin County as the Game Warden Wesley W. Wagstaff Memorial Highway.

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House Bill 481
Effective: 9-1-15

House Author: Stephenson et al.
Senate Sponsor: Kolkhorst

House Bill 481 amends the Transportation Code to designate a segment of Farm-to-Market Road 1301 in Wharton County as the Master Sergeant Mike C. Peña Memorial Highway.

House Bill 598
Effective: 9-1-15

House Author: Clardy
Senate Sponsor: Nichols

House Bill 598 amends the Transportation Code to designate a segment of State Highway 21 in Nacogdoches County as the Bob Luman Memorial Highway.

House Bill 663
Effective: 6-16-15

House Author: King, Ken
Senate Sponsor: Seliger

House Bill 663 amends the Transportation Code to designate a portion of State Highway 207 in Armstrong County as the William Hamblen Memorial Highway.

House Bill 978
Effective: 9-1-15

House Author: Price et al.
Senate Sponsor: Seliger

House Bill 978 amends the Government Code to require the Texas Historical Commission to designate the Route 66 Historic Corridor.

House Bill 1044
Effective: 6-9-15

House Author: Fallon et al.
Senate Sponsor: Nelson

House Bill 1044 amends the Transportation Code to designate a segment of Farm-to-Market Road 423 in Denton County as the U.S. Army Sergeant Enrique Mondragon Memorial Highway.

House Bill 1963
Effective: 6-1-15

House Author: Deshotel
Senate Sponsor: Creighton

House Bill 1963 amends the Transportation Code to designate a portion of State Highway 87 as the Texas Game Warden Michael C. Pauling Memorial Highway.

House Bill 2181
Effective: 6-1-15

House Author: Faircloth et al.
Senate Sponsor: Taylor, Larry

House Bill 2181 amends the Transportation Code to designate the Interstate Highway 45 causeway to Galveston as the George and Cynthia Mitchell Memorial Causeway.

House Bill 2265
Effective: 6-17-15

House Author: Hughes
Senate Sponsor: Hall

House Bill 2265 amends the Transportation Code to designate a portion of State Highway 154 in Wood and Hopkins Counties as the Sgt. Tanner Stone Higgins Memorial Highway.

House Bill 2540
Effective: 6-16-15

House Author: Simpson
Senate Sponsor: Eltife

House Bill 2540 amends the Transportation Code to designate Spur 63 in Gregg County as the Texas Ranger Glenn Elliott Memorial Highway.

House Bill 3236
Effective: 9-1-15

House Author: Fletcher
Senate Sponsor: Bettencourt

House Bill 3236 amends the Transportation Code to extend the portion of U.S. Highway 290 in Harris County designated as the Ronald Reagan Memorial Highway.

House Bill 3868
Effective: 9-1-15

House Author: Moody
Senate Sponsor: Rodríguez

House Bill 3868 amends the Government Code to designate Westside Drive in El Paso County as the Don Juan de Onate Trail and a Texas historic highway.

Senate Bill 45
Effective: 5-15-15

Senate Author: Zaffirini et al.
House Sponsor: Guillen

Senate Bill 45 amends the Transportation Code to designate a portion of Interstate Highway 37 in Atascosa County as the Trooper Terry Wayne Miller Memorial Highway.

Senate Bill 227
Effective: 5-15-15

Senate Author: Zaffirini
House Sponsor: Guillen

Senate Bill 227 amends the Transportation Code to designate a segment of Farm-to-Market Road 624 in McMullen County as the Game Warden James E. Daughtrey Memorial Highway.

Senate Bill 288
Effective: 5-19-15

Senate Author: Estes
House Sponsor: Springer

Senate Bill 288 amends the Transportation Code to designate a portion of State Highway 16 in Young County as the Texas Game Warden Joseph Marshall Evans Memorial Highway.

Senate Bill 415
Effective: 5-15-15

Senate Author: Watson
House Sponsor: Israel

Senate Bill 415 amends the Transportation Code to designate a portion of Farm-to-Market Road 685 in Travis County as the Deputy Jessica Hollis Memorial Highway.

Senate Bill 489
Effective: 9-1-15

Senate Author: Seliger
House Sponsor: Darby

Senate Bill 489 amends the Transportation Code to designate a portion of U.S. Highway 87 in Howard County as the William B. Crooker Memorial Highway.

Senate Bill 671
Effective: 9-1-15

Senate Author: Birdwell
House Sponsor: Keffer

Senate Bill 671 amends the Transportation Code to designate Loop 567 in the city of Granbury as the Deputy Sergeant Lance McLean Memorial Highway.

Senate Bill 1831
Effective: 6-19-15

Senate Author: Menéndez
House Sponsor: Minjarez

Senate Bill 1831 amends the Transportation Code to designate a portion of State Highway 151 in Bexar County as the Specialist Dane Balcon Memorial Bridge.

Transportation

Senate Bill 2041

Effective: 9-1-15

Senate Author: Seliger et al.

House Sponsor: Craddick et al.

Senate Bill 2041 amends the Transportation Code to designate the portion of State Highway 191 in Midland County as the Sergeant Michael Naylor Memorial Highway and the portion of Interstate Highway 30 in Rockwall County as the Congressman Ralph Hall Highway.

Senate Bill 2055

Effective: 6-16-15

Senate Author: Watson

House Sponsor: Cyrier

Senate Bill 2055 amends the Transportation Code to designate Loop 223 in Bastrop County as the Captain Jesse Billingsley Memorial Loop.

The summaries for the following bills are in the listed chapters:

House Bill 1187—Military Forces and Veterans

House Bill 1237—Military Forces and Veterans

House Bill 1633—Energy Resources

House Bill 2772—Economic Development

Senate Bill 971—Agriculture

Senate Bill 1737—Military Forces and Veterans

Utilities

This chapter covers legislation relating to utilities, including electric and water and sewer utilities. Legislation relating to the oil and gas industry and energy efficiency and conservation is in the **Energy Resources** chapter. Related legislation that is summarized in another chapter is listed at the end of this chapter.

General

House Bill 2558

Effective: 9-1-15

House Author: Isaac

Senate Sponsor: Campbell

House Bill 2558 amends the Utilities Code to establish the maximum length of a billing month for a propane gas customer, based on the calendar month and with certain exception.

Senate Bill 734

Effective: 9-1-15

Senate Author: Fraser

House Sponsor: Cook

Current law requires the Public Utility Commission of Texas (PUC) to set the annual interest rate on utility deposits for the next calendar year on December 1 of each year or on the next regular workday if December 1 falls on a weekend or legal holiday. Senate Bill 734 amends the Utilities Code to require the PUC to set the annual interest rate on utility deposits on or before each December 1.

Senate Bill 804

Effective: 9-1-15

Senate Author: Seliger

House Sponsor: King, Ken

Senate Bill 804 amends the Utilities Code to change the period of eligibility for support from the Texas high cost universal service plan so that an eligible telecommunications provider that is receiving support for services under the plan in an exchange established under the universal service fund continues to receive support until the later of December 31, 2017, or the second anniversary of the date the incumbent local exchange provider or cooperative that is ineligible for support under the plan ceases receiving support in that exchange as provided under current law.

Electric

House Bill 1101

Effective: 6-17-15

House Author: Turner, Sylvester

Senate Sponsor: Whitmire

House Bill 1101 amends the Utilities Code to postpone the expiration of the system benefit fund to September 1, 2017. As a means of exhausting the fund, the bill removes the cap on the reduced electricity rate offered by the Public Utility Commission of Texas through the established program and expands the period during which those reduced rates are available.

House Bill 1535

Effective: 6-17-15

House Author: Frullo et al.

Senate Sponsor: Fraser

House Bill 1535 amends the Public Utility Regulatory Act in the Utilities Code, in regard to certain electric utilities that operate outside of the Electric Reliability Council of Texas (ERCOT), to establish cost recovery and rate adjustment standards and procedures, provide for the

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relation back of rates in a rate proceeding, and authorize a utility to request that the Public Utility Commission of Texas grant a certificate of convenience and necessity for an electric generating facility or make a public interest determination for the purchase of an existing electric generation facility.

Senate Bill 774
Effective: 9-1-15

Senate Author: Fraser
House Sponsor: Thompson, Senfronia

Senate Bill 774 amends the Utilities Code to continue periodic rate adjustments for electric utility distribution investments under the Public Utility Regulatory Act until 2019. The bill also requires the Public Utility Commission of Texas to report to the legislature on the results of a study analyzing alternative ratemaking mechanisms adopted by other states.

Senate Bill 776
Effective: 9-1-15

Senate Author: Fraser
House Sponsor: Kacal et al.

Senate Bill 776 amends the Public Utilities Regulatory Act and other provisions of the Utilities Code to require a municipally owned utility or a municipal power agency to obtain a certificate of convenience and necessity from the Public Utility Commission of Texas before building a transmission facility outside of its boundaries, and excepts certain transmission facilities from this provision. Among other provisions, the bill establishes an alternate form of governance for certain municipal power agencies, such as the Texas Municipal Power Agency, and authorizes such an agency's participating public entities to elect to apply this form of governance to the agency.

Senate Bill 932
Effective: 9-1-15

Senate Author: Fraser
House Sponsor: Cook

The authority of the Public Utility Commission of Texas (PUC) under the Public Utility Regulatory Act (PURA) in the Utilities Code to hire assistance to represent the PUC in a federal proceeding affecting an investor-owned electric utility operating solely outside of the Electric Reliability Council of Texas (ERCOT) that was included in the Southeastern Electric Reliability Council (SERC) on January 1, 2005, expires on December 31, 2017. Senate Bill 932 amends the PURA to postpone this expiration date until September 1, 2023, and to expand the authority to include a federal proceeding affecting an investor-owned electric utility operating solely outside ERCOT that has fewer than six synchronous interconnections with voltage levels above 69 kilovolts systemwide, and to include an investor-owned utility operating solely outside ERCOT that was included in the Southwest Power Pool on January 1, 2008, that was not affiliated with SERC on January 1, 2008, and that is not a utility with fewer than six synchronous interconnections with voltage levels above 69 kilovolts systemwide.

Senate Bill 933
Effective: 9-1-15

Senate Author: Fraser
House Sponsor: Cook et al.

Senate Bill 933 amends the Public Utility Regulatory Act under the Utilities Code to prohibit a person, including an electric utility or municipally owned utility, from interconnecting a facility to the Electric Reliability Council of Texas (ERCOT) transmission grid that enables additional power to be imported into or exported out of the ERCOT power grid unless the person obtains a certificate of convenience and necessity from the Public Utility Commission of Texas.

Water and Sewer

House Bill 1146
Effective: 9-1-15

House Author: Kacal
Senate Sponsor: Schwertner

House Bill 1146 amends the Health and Safety Code to authorize a volunteer who holds the appropriate occupational registration issued by the Texas Commission on Environmental Quality to be the licensed operator of a public water supply system.

House Bill 2788
Effective: Vetoed

House Author: Springer et al.
Senate Sponsor: Perry

House Bill 2788 amends the Water Code to authorize a retail public utility to require the operator of a correctional facility that receives retail water or sewer utility service from the utility to comply with water conservation measures adopted or implemented by the utility.

Governor's Reason for Veto: "Texas' prison system and the many county-level correctional facilities across the state should seek to conserve water whenever doing so is consistent with their core purpose—the secure and lawful incarceration of inmates. While water conservation is a worthy goal, House Bill 2788 goes too far by subjecting prisons and jails to the conservation mandates of local water utilities that do not share the correctional facilities' penological mission. Ceding control of the state's correctional facilities' water use to local water utilities creates the potential for interference with a core function of government. If the legislature wishes to require prisons and jails to use less water, it should do so directly rather than outsourcing the decision to local water utilities. Moreover, this bill would mandate unfunded costs on state and local correctional facilities. Any savings touted through reduced water consumption can, and should, be realized today through prudent water conservation measures that are not driven by regulation."

House Bill 3264
Effective: 6-17-15

House Author: Guillen
Senate Sponsor: Hinojosa

House Bill 3264 amends the Water Code to authorize the Texas Commission on Environmental Quality to issue an emergency order suspending operations of a treatment facility that handles waste and wastewater from humans or household operations and is operating without the required permit. In addition, the bill provides for an injunction and certain other enforcement actions, including the imposition of a civil penalty, for such a treatment facility operating without the required permit.

Senate Bill 789
Effective: 9-1-15

Senate Author: Eltife
House Sponsor: Geren et al.

Senate Bill 789 amends the Water Code to authorize the City of Tyler to provide sewer service to an area entirely within the municipality's boundaries without first having to obtain from the Public Utility Commission of Texas a certificate of public convenience and necessity that includes the area to be served, regardless of whether the area to be served is certificated to another retail public utility, and to establish a retail public utility's options on receiving notice of the municipality's intent to provide that service.

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Senate Bill 1148
Effective: 9-1-15

Senate Author: Watson et al.
House Sponsor: Geren

Senate Bill 1148 amends the Water Code to set out provisions relating to the functions of the Public Utility Commission of Texas (PUC) in relation to the economic regulation of water and sewer service. Among other things, the bill authorizes the PUC to issue an emergency order with or without notice or opportunity for a hearing; generally requires a municipally owned utility, on request, to disclose to a person the number of ratepayers who reside outside the corporate limits of the municipality and provide a list of the names and addresses of such ratepayers; and increases the maximum number of days the PUC may suspend the effective date of a rate change of a Class B utility.

The summaries for the following bills are in the listed chapter:

House Bill 949—Water

House Bill 4097—Water

Water

This chapter covers legislation relating to the state's water supply and related projects, including water planning, development, and conservation. Legislation relating to water and sewer utilities is in the **Utilities** chapter, and legislation relating to water districts is in the **Special Districts** chapter.

General

House Bill 280
Effective: 9-1-15

House Author: Simmons et al.
Senate Sponsor: Perry et al.

House Bill 280 amends the Water Code to expand the information regarding the use of the state water implementation fund for Texas that the Texas Water Development Board is required to post on its website.

House Bill 1016
Effective: 9-1-15

House Author: King, Tracy O.
Senate Sponsor: Uresti

House Bill 1016 designates certain river or stream segments of the Nueces River, Frio River, Sabinal River, San Marcos River, and Comal River as being of unique ecological value.

House Bill 1224
Effective: 5-23-15

House Author: Lucio III
Senate Sponsor: Perry et al.

House Bill 1224 amends the Water Code to authorize the Texas Water Development Board to approve the use of assets of the state water pollution control revolving fund, the safe drinking water revolving fund, or an additional state revolving fund as a source of revenue or security for the payment of the principal of and interest on state revolving fund bonds.

House Bill 2230
Effective: 9-1-15

House Author: Larson et al.
Senate Sponsor: Estes

House Bill 2230 amends the Injection Well Act in the Water Code to authorize the Texas Commission on Environmental Quality to authorize by individual permit, by general permit, or by rule a Class V injection well for the injection of nonhazardous brine from a desalination operation or nonhazardous drinking water treatment residuals into a Class II injection well that is also permitted by the Railroad Commission of Texas.

House Bill 4112
Effective: 6-16-15

House Author: Burns et al.
Senate Sponsor: Perry et al.

House Bill 4112 amends the Water Code to establish that the groundwater ownership and rights recognized by the legislature entitle a landowner to have any right recognized under common law.

Senate Bill 1301
Effective: 6-16-15

Senate Author: Perry
House Sponsor: Lucio III

Senate Bill 1301 amends Water Code provisions relating to the Texas Water Resources Finance Authority to conform to the restructuring of the Texas Water Development Board.

Water Planning, Development, and Conservation

House Bill 30
Effective: 6-19-15

House Author: Larson et al.
Senate Sponsor: Perry

House Bill 30 amends the Water Code to require the Texas Water Development Board's biennial desalination progress report to include identification and designation of local or regional brackish groundwater production zones in certain areas of the state.

House Bill 163
Effective: 9-1-15

House Author: Larson et al.
Senate Sponsor: Perry

Previous law created the Multi-State Water Resources Planning Commission as an agency of the state. House Bill 163 amends the Water Code to rename the commission the Southwestern States Water Commission, make the commission an advisory commission to the governor and the legislature, and revise the composition of the commission, the terms of its commissioners, and its powers and duties.

House Bill 655
Effective: 6-16-15

House Author: Larson et al.
Senate Sponsor: Perry et al.

House Bill 655 amends the Water Code to set out provisions relating to the storage and recovery of water in aquifers. Previous law provided for pilot projects for the storage of appropriated water in aquifers and for continued storage at the conclusion of a project. The bill instead authorizes a water right holder or an applicable water user to undertake an aquifer storage and recovery project without obtaining any additional water right authorization for the project but requires a person undertaking such a project to obtain any required authorizations under the bill's provisions and to comply with the terms of the applicable water right.

House Bill 655 establishes provisions relating to aquifer storage and recovery projects in the Injection Well Act. Among other things, the bill grants the Texas Commission on Environmental Quality (TCEQ) exclusive jurisdiction over the regulation and permitting of ASR injection wells, authorizes TCEQ to authorize the use of a Class V injection well as an ASR injection well, and requires reporting of injection and recovery volumes and water quality data to TCEQ by the project operator.

House Bill 655 establishes provisions relating to aquifer storage and recovery projects with regard to groundwater conservation districts. Among other things, the bill provides for the registration and reporting of ASR injection wells and ASR recovery wells with the district in which the wells are located and authorizes a district to assess a well registration fee or other administrative fee for an ASR recovery well. The bill prohibits a district from requiring a permit for the drilling, equipping, operation, or completion of an ASR injection well or an ASR recovery well that is authorized by TCEQ but subjects an ASR recovery well associated with an aquifer storage and recovery project to the district's permitting, spacing, and production requirements if the amount of groundwater recovered from the well exceeds the volume authorized by TCEQ to be recovered under the project.

House Bill 949
Effective: 5-28-15

House Author: Lucio III
Senate Sponsor: Perry

House Bill 949 amends the Water Code to authorize the Texas Water Development Board (TWDB), on the request of a retail public utility providing potable water that receives financial assistance from the TWDB, to waive the requirement that the utility use the financial assistance to mitigate system water loss if the TWDB finds that the utility is satisfactorily addressing the water loss.

House Bill 1042
Effective: 5-21-15

House Author: Frank et al.
Senate Sponsor: Estes

House Bill 1042 designates the site of the proposed Ringgold reservoir as having unique value for the construction of a dam and reservoir and determines that the reservoir is necessary to meet water supply needs.

House Bill 1232
Effective: 5-28-15

House Author: Lucio III
Senate Sponsor: Estes

House Bill 1232 requires the Texas Water Development Board to report the results of a study of the hydrology and geology of the confined and unconfined aquifers in Texas.

House Bill 1902
Effective: 6-16-15

House Author: Howard et al.
Senate Sponsor: Zaffirini

Current law requires the Texas Commission on Environmental Quality (TCEQ) to adopt and implement minimum standards for the use and reuse of graywater. House Bill 1902 amends the Health and Safety Code and Water Code to also require TCEQ to adopt and implement minimum standards for the use and reuse of alternative onsite water. The bill makes various changes related to the regulation and use of graywater and alternative onsite water.

House Bill 2031
Effective: 6-17-15

House Author: Lucio III et al.
Senate Sponsor: Hinojosa et al.

House Bill 2031 amends the Water Code and Health and Safety Code to authorize a person to divert and use state water that consists of marine seawater without obtaining a permit from the Texas Commission on Environmental Quality (TCEQ), but requires a person to obtain a permit to divert and use such water if the point of diversion is located near the state's coast or if the seawater contains a certain concentration of total dissolved solids. The bill authorizes the person to use the diverted marine seawater for any beneficial purpose if it is treated before use. The bill requires a person to obtain a permit to discharge treated marine seawater into a natural stream or an impoundment in Texas or to discharge waste resulting from the desalination of treated marine seawater into the Gulf of Mexico. The bill requires TCEQ, based on input from the Parks and Wildlife Department and the General Land Office, to designate marine seawater diversion zones and desalination waste discharge zones in the Gulf of Mexico. The bill requires TCEQ to adopt rules to allow water treated by certain marine seawater desalination facilities to be used as public drinking water and rules to ensure that water treated by such facilities meets public drinking water requirements.

House Bill 4097
Effective: 6-17-15

House Author: Hunter et al.
Senate Sponsor: Kolkhorst et al.

House Bill 4097 amends the Water Code and Utilities Code to authorize a person to divert state water from the Gulf of Mexico or a bay or arm of the Gulf of Mexico for desalination and use for industrial purposes without obtaining a permit from the Texas Commission on Environmental Quality (TCEQ), but requires a permit if the point of diversion is located less than three miles seaward of any point located on the Texas coast or if the seawater contains a certain concentration of total dissolved solids. The bill authorizes TCEQ to issue a permit for the discharge of water treatment residuals resulting from the desalination of seawater for an industrial use into the portion of the Gulf of Mexico inside the territorial limits of the state. The bill provides for the disposal of water treatment residuals and concentrate produced by the desalination of seawater in injection wells.

Water

House Bill 4097 requires the Public Utility Commission of Texas (PUC), in cooperation with transmission and distribution utilities and the ERCOT independent system operator, to study whether existing transmission and distribution planning processes are sufficient to provide adequate infrastructure for seawater desalination projects. The bill also requires the PUC and the operator to study the potential for seawater desalination projects to participate in existing demand response opportunities in the ERCOT market.

Senate Bill 551
Effective: 9-1-15

Senate Author: Seliger
House Sponsor: Keffer

Senate Bill 551 amends the Water Code to require the Water Conservation Advisory Council to biennially submit to the governor, lieutenant governor, and speaker of the house of representatives recommendations for legislation to advance water conservation in Texas.

Senate Bill 1101
Effective: 9-1-15

Senate Author: Eltife
House Sponsor: Paddie

Current law requires a regional water planning group's regional water plan to be consistent with the desired future conditions of the regional water planning area. Senate Bill 1101 amends the Water Code to require a regional water planning group, with regard to its regional water plan, to determine the supply of groundwater for regional planning purposes if no groundwater conservation district exists within the area of the regional water planning group. The bill requires a regional water plan to include consideration of potential impacts on public health, safety, or welfare in Texas with respect to existing regional water or drought planning efforts.

Vetoes by the Governor

This chapter covers the bills that were subject to the governor's veto under Section 14, Article IV, Texas Constitution. Note that only certain provisions of House Bill 1 and House Bill 2 were vetoed pursuant to the governor's line-item appropriations veto authority.

House Bill 1
Effective: 9-1-15

House Author: Otto
Senate Sponsor: Nelson

House Bill 1, the General Appropriations Act, appropriates approximately \$209.4 billion for the FY2016-FY2017 state fiscal biennium beginning September 1, 2015. That amount includes all funding sources except interagency contracts. Of the legislatively approved amount, more than \$114.1 billion, or 54.5 percent, is derived from general revenue, both dedicated and nondedicated. Another \$68 billion, or 32.5 percent, represents federal funding, and \$27.3 billion, or 13.1 percent, comes from other funds. (Figures and percentages do not add up due to rounding.) The \$209.4 billion budgetary total for FY2016-FY2017 represents an increase of approximately 6.3 percent over the FY2014-FY2015 budget.

Legislative appropriations for major governmental functions and services for FY2016 -FY2017 compared with appropriations for the preceding fiscal biennium are as follows: General government receives \$6.4 billion, an increase of 34.1 percent. Total funding for health and human services is \$77.2 billion, an increase of 4.4 percent. The legislature appropriates \$78.4 billion for both public and higher education, a 5.7 percent increase. The judiciary receives \$796.8 million, a 9.5 percent increase. Public safety and criminal justice receives \$12.4 billion, an increase of 6.9 percent. Natural resources is funded at \$4.4 billion, an 8.2 percent decrease. Business and economic development is funded at \$27.7 billion, an increase of 11 percent. Regulatory functions are funded at \$920.4 million, an increase of 17.3 percent. The legislature is appropriated \$385.5 million, an increase of 7.6 percent.

Pursuant to the governor's "line-item" veto authority, the governor objected to a number of items in the General Appropriations Act, House Bill 1, related to a total of approximately \$295 million in all funding sources. The items to which the governor objected are provisions making contingent appropriations for bills that did not pass or that were vetoed by the governor and certain other provisions related to appropriations for cultural tourism grants, the construction of certain state buildings and facilities, the jail-based competency restoration pilot program, membership fees to the Southern Regional Education Board, certain colleges and universities, and water conservation education grants. In August 2015, the comptroller of public accounts requested an opinion from the attorney general regarding several issues that had arisen regarding the effect of a number of the governor's objections. As of the date of this publication, the attorney general has not issued a response to the comptroller's questions.

House Bill 2
Effective: 6-20-15

House Author: Otto et al.
Senate Sponsor: Nelson

House Bill 2 makes supplemental appropriations and reductions in appropriations to various state agencies, programs, and funds; provides transfer authority and other appropriation adjustment authority; and imposes contingencies on the appropriation of funds and restrictions on the use of certain supplemental and transferred appropriations. Unencumbered appropriations for the 2014-2015 state fiscal biennium from the general revenue fund and from dedicated accounts in the general revenue fund are reduced by approximately \$846.4 million. The bill makes supplemental appropriations for the 2014-2015 state fiscal biennium totaling almost \$1.1 billion from the general revenue fund, \$46.7 million from the Temporary Assistance for Needy Families federal funds, and \$218.1 million from other federal funds. The

Vetoes by the Governor

bill additionally makes supplemental appropriations for the 2016-2017 state fiscal biennium totaling \$37.3 million from the general revenue fund.

Pursuant to the governor's "line-item" veto authority, the governor objected to the appropriation of \$500,000 for planning costs related to the construction of a facility for the Texas Department of Motor Vehicles. The governor also objected to items related to funding the construction of that facility in the General Appropriations Act, House Bill 1.

House Bill 184
Effective: Vetoed

House Author: Dale et al.
Senate Sponsor: Schwertner

House Bill 184 amends the Code of Criminal Procedure to make the state responsible for costs incurred in conducting a court of inquiry if the subject of the inquiry was an officer or employee of the state at the time of the alleged offense.

Governor's Reason for Veto: "Courts of inquiry are criminal proceedings initiated by a local district judge. Current law appropriately requires the costs of these proceedings to be borne by the county where they take place, just as the costs of other criminal proceedings are largely borne by counties. Because the decision to conduct a court of inquiry rests with a local district judge, it makes sense for the costs of the proceeding to be borne at the local level. House Bill 184 would inappropriately shift these costs to the State in certain cases."

House Bill 225
Effective: Vetoed

House Author: Guillen et al.
Senate Sponsor: Watson et al.

House Bill 225 amends the Health and Safety Code to establish a defense to prosecution for certain drug-related offenses if the actor sought emergency medical assistance in response to another's possible overdose or was the victim of a possible overdose for which assistance was requested. The bill provides for the prescription, distribution, possession, and administration of an opioid antagonist and for certain related grants.

Governor's Reason for Veto: "HB 225 has an admirable goal, but it does not include adequate protections to prevent its misuse by habitual drug abusers and drug dealers. Although my office suggested amendments to this legislation that would have eliminated the bill's protections for habitual drug abusers and drug dealers -- while maintaining protections for minors and first-time offenders -- those amendments were not adopted during the legislative process. Consequently, it was necessary to veto this bill."

House Bill 499
Effective: Vetoed

House Author: Guillen
Senate Sponsor: Garcia

House Bill 499 amends the Transportation Code to revise the composition and terms of the public transportation advisory committee.

Governor's Reason for Veto: "House Bill 499 unnecessarily limits the field of candidates available for appointment to the Public Transportation Advisory Committee by the Governor, Lieutenant Governor, and the Speaker of the House. The bill also guarantees committee members a term of six years, which eliminates the appointing officers' ability to replace members at any time for poor performance. The appointment limitations in House Bill 499 would impede the appointing officers' ability to provide effective committee members to serve Texas."

House Bill 973
Effective: Vetoed

House Author: Hernandez et al.
Senate Sponsor: Garcia

House Bill 973 amends the Health and Safety Code to entitle an emergency services commissioner of an emergency services district located wholly in Harris County to receive compensation or per diem compensation for each day the commissioner actually spends performing the duties of a commissioner.

Governor's Reason for Veto: "Emergency services districts provide necessary fire and EMS services to unincorporated areas of the state. The commissioners who run these districts on a part-time basis

receive modest compensation that is set by statute and is uniform throughout the state. House Bill 973 would more than double the compensation for commissioners in Harris County while leaving all other commissioners throughout the state under the existing compensation limits. This would be an unnecessary expenditure of taxpayer money and an inappropriate departure from the uniform statewide compensation limits currently in effect.”

House Bill 1015
Effective: Vetoed

House Author: Canales
Senate Sponsor: Hinojosa

House Bill 1015 amends the Code of Criminal Procedure to require the Texas Department of Criminal Justice to notify a sentencing court by electronic communication of the date on which a defendant received into state jail felony facility custody following a violation and subsequent revocation of the defendant’s community supervision will have served 75 days in the facility.

Governor’s Reason for Veto: “House Bill 1015 requires the Texas Department of Criminal Justice to notify the sentencing court of the date on which a defendant convicted of a state jail felony will have served 75 days in a correctional facility. This mandated notification adds needless administrative bureaucracy to seemingly encourage a judge to exercise discretionary authority to grant “probation” to certain convicted felons, thereby shortening the offender’s time in prison. Issuing potential early release reminders should not be the mandated responsibility of the Department of Criminal Justice. This duty has been already properly placed where it belongs: on the judges and attorneys taking part in the original criminal proceeding. Furthermore, House Bill 1015 has the potential to inappropriately increase the number of convicted felons granted early probation. Crime victims and the public deserve better.”

House Bill 1119
Effective: Vetoed

House Author: Hernandez
Senate Sponsor: Garcia

House Bill 1119 requires the Texas Department of Transportation to conduct a study regarding the replacement of mile markers on certain highways.

Governor’s Reason for Veto: “The Texas Transportation Code requires the Texas Department of Transportation to maintain a safe and efficient highway system. Pursuant to this statutory obligation, TxDOT has promulgated rules that require maintenance of ‘normal markings and signs necessary for directing highway traffic in a safe and efficient manner.’ Existing law already gives TxDOT the authority to study the signs on our highways and take remedial action where appropriate, so House Bill 1119 is unnecessary. Additional laws and studies are not needed to address issues that the law already accommodates.”

House Bill 1363
Effective: Vetoed

House Author: Johnson et al.
Senate Sponsor: Whitmire et al.

House Bill 1363 amends the Code of Criminal Procedure, Family Code, Health and Safety Code, and Penal Code to revise the conduct that constitutes a prostitution offense and to reduce certain penalties associated with the offense. The bill provides for the dismissal of certain prostitution offenses pending successful completion of a prostitution prevention program and expands the required components of such a program.

Governor’s Reason for Veto: “House Bill 1363 provides useful tools for courts when distinguishing between the offenses of prostitution and soliciting the services of a prostitute. This is a supportable goal, however this bill also reduces penalties for individuals convicted of prostitution on multiple occasions. Reducing penalties for willful repeat offenders is not in the best interest of the offender or the people of Texas. A better option for addressing the difference between prostitution and soliciting the services of a prostitute is Senate Bill 825, which does more to protect the victims of human trafficking and forced prostitution.”

House Bill 1628
Effective: Vetoed

House Author: Johnson et al.
Senate Sponsor: Rodríguez et al.

House Bill 1628 amends the Business & Commerce Code, Finance Code, Occupations Code, and Penal Code to establish the Texas Savings Promotion Act to authorize a credit union or financial institution to conduct a savings promotion raffle in which the sole action required for

Vetoes by the Governor

a chance of winning a designated prize is the deposit of at least a specified amount of money in a savings account or other savings program offered by the credit union or financial institution.

Governor's Reason for Veto: "The Texas Constitution authorizes raffles to be conducted only for charitable purposes. When non-charitable businesses conduct drawings, they typically allow entry with 'no purchase necessary,' which generally exempts the drawing from the constitutional restrictions on raffles or lotteries. House Bill 1628 authorizes banks and credit unions to conduct raffles in which raffle tickets are offered only in exchange for opening a savings account. Opening an account and paying any customary fees associated with the account amounts to consideration paid for the raffle ticket and places such a raffle squarely within the gambling prohibitions of the Texas Constitution and Penal Code. The bill would therefore require a conforming constitutional amendment in order to be effective. No such constitutional amendment was proposed by the Legislature."

House Bill 1633
Effective: Vetoes

House Author: Romero, Jr.
Senate Sponsor: Uresti

House Bill 1633 amends the Natural Resources Code to require the Railroad Commission of Texas to adopt rules to require that an application for a permit to drill an oil or gas well include an affirmation as to whether or not the well is located in or near an easement held by the Texas Department of Transportation.

Governor's Reason for Veto: "Oil and gas companies are already required to report the location of their wells to the State, via the Texas Railroad Commission. The problem House Bill 1633 seeks to solve is that the Texas Railroad Commission and the Texas Department of Transportation do not communicate effectively with one another when an oil and gas producer asks the Railroad Commission for a permit to drill near a right-of-way owned by TxDOT. Instead of requiring these two state agencies to work more effectively together, House Bill 1633 thrusts a new and unnecessary hurdle onto oil and gas producers to solve the State's internal communication challenges. It is within the existing power of the two state agencies to solve this problem, and they should do so."

House Bill 1855
Effective: Vetoes

House Author: Rose
Senate Sponsor: Whitmire et al.

House Bill 1855 amends the Government Code to establish training, continuing education, and weapons proficiency requirements for correctional officers employed by the Texas Department of Criminal Justice.

Governor's Reason for Veto: "Texas rightly holds its state correctional officers to the highest standards of professional excellence. The Texas Department of Criminal Justice meets those standards through numerous training and continuing education programs, including training for mental health crisis intervention. TDCJ must continue those efforts. House Bill 1855 unnecessarily micromanages the state prison system by requiring officers to meet rigid and arbitrary training and education quotas. TDCJ should retain the flexibility to adjust its training and education methods and requirements to meet the prison system's evolving needs."

House Bill 2068
Effective: Vetoes

House Author: Coleman et al.
Senate Sponsor: Garcia

House Bill 2068 amends the Government Code to authorize a hospital district created under general or special law that offers a deferred compensation plan to the district's employees, at the district's option, to elect to require automatic employee participation in the plan unless the employee affirmatively elects not to participate in the plan. Among other provisions, the bill sets out provisions relating to participating employee contributions, changes to employee participation, required notice to employees, and the transfer and investment of an employee's deferred amounts and investment income.

Governor’s Reason for Veto: “House Bill 2068 provides for the automatic enrollment of hospital district employees in a retirement plan at a contribution level of one percent unless the employee elects not to participate. Studies have shown, however, that automatic enrollment at a very low contribution percentage actually ends up reducing employees’ overall retirement savings. This is because automatically enrolled employees are unlikely to voluntarily elect to contribute more than the automatic contribution. If required to choose a contribution amount, many employees will select an amount much greater than the automatic contribution. See Ryan Bubb & Richard H. Pildes, *How Behavioral Economics Trims Its Sails And Why*, 127 HARV. L. REV. 1593, 1609 (2014) (‘[I]n practice these programs appear to reduce overall retirement savings.’); see also Eleanor Laise, *Automatic 401(k) Plans Might Not Save Enough*, WALL STREET JOURNAL (Jan. 8, 2008). One of the largest retirement plan administrators in the country has reported that between 2007 and 2011, the percentage of plans using automatic enrollment—usually with a default contribution of three percent—nearly doubled, while overall retirement savings rates declined. VANGUARD, HOW AMERICA SAVES 2012, at 29 fig.3I (2012) (attributing this decline in part ‘to the growing use of automatic enrollment and the tendency of participants to stick with the default deferral’). Thus, House Bill 2068 would likely undermine its stated goal of increasing retirement savings and investment returns.”

House Bill 2084
Effective: Vetoed

House Author: Muñoz, Jr. et al.
Senate Sponsor: Hinojosa et al.

House Bill 2084 amends the Government Code to establish measures for ensuring transparency of the premium payment rate-setting process for the Medicaid managed care program and the child health plan program by requiring the Health and Human Services Commission to publish actuarial reports containing specific information regarding the rate-setting process.

Governor’s Reason for Veto: “Managed care organizations (MCOs) are paid by the taxpayers to insure Texas’s Medicaid population. The rate the State pays MCOs per Medicaid recipient is determined in large part by federal law, but there is substantial room for negotiation. Both the state and the MCOs conduct internal actuarial analyses that are critical to the rate-setting process.

“The Texas Health and Human Services (HHSC) represents the taxpayer in rate negotiations with MCOs. House Bill 2084 would require HHSC to reveal the details of the internal actuarial analysis it uses when negotiating rates on behalf of the State. This would hamper HHSC’s ability to negotiate for the best possible rate. Billions of dollars in taxpayer funds are at stake. Where there is room for negotiation, HHSC should have all available tools at its disposal to protect Texas taxpayers.”

House Bill 2100
Effective: Vetoed

House Author: Hernandez
Senate Sponsor: Garcia

House Bill 2100 amends the Special District Local Laws Code to create the East Houston Management District.

Governor’s Reason for Veto: “Determining the boundaries of new taxing districts should be a fair and transparent process. The boundaries of the management district created by House Bill 2100 received particular attention during legislative deliberations. In particular, questions were raised regarding the exclusion of certain large parcels from the district.”

House Bill 2282
Effective: Vetoed

House Author: Guillen
Senate Sponsor: Uresti

House Bill 2282 amends the Tax Code to require an appraisal review board and chief appraiser of an appraisal district to review the evidence or argument provided by a property owner protesting certain property tax appraisal determinations before the hearing on the protest. The bill also sets out temporary provisions authorizing a property owner, as an alternative to bringing an appeal of an order issued by an appraisal review board located in Atascosa County to a district court, to bring the appeal to a justice court in the county if the appeal relates only to a determination of appraised value or eligibility for a property tax exemption and the amount of tax in dispute is \$5,000 or less.

Vetoes by the Governor

Governor's Reason for Veto: "The Texas Tax Code allows all property owners in Texas to bring an appeal in district court to challenge an appraisal district decision regarding their property. These appeals are important matters for property owners, who deserve a fair and predictable process by which to challenge the actions of appraisal districts.

"House Bill 2282 departs from the uniform, statewide rules governing appraisal appeals by allowing property owners in just one of the State's 254 counties to file their appeals with a justice of the peace instead of a district court. Unlike district courts, justices of the peace generally do not serve an entire county; instead they serve a particular geographic district within the county. Yet House Bill 2282 would allow property owners to choose any justice of the peace in the county to hear their appeal. This would invite forum shopping and would allow a justice of the peace to make rulings about property in a part of the county he or she does not represent."

House Bill 2381
Effective: Vetoed

House Author: Reynolds
Senate Sponsor: Rodríguez

House Bill 2381 amends the Election Code to change the process for appointing election judges and for selecting early voting election officers for primary elections.

Governor's Reason for Veto: "The Election Code allows the county chairs of each major political party to select election judges to represent the political party at polling places, subject only to the county commissioners court's review of the legal eligibility of the county chairs' selections. House Bill 2381 would enable partisan county clerks to override the selection of the party county chair in some cases. The selection of a political party's representative at a polling place should be left to party leadership and should not be subject to any influence by elected county clerks whose interests may not align with the party's interest. Other sections of House Bill 2381 contain reforms that would be worthy of reconsideration by the next Legislature."

House Bill 2466
Effective: Vetoed

House Author: Collier et al.
Senate Sponsor: Eltife

House Bill 2466 amends the Labor Code to require the commissioner of workers' compensation to establish a safety reimbursement program designed to assist eligible employers in the creation of safe and healthy workplaces for employees of Texas.

Governor's Reason for Veto: "One way for government to grow is by the addition of large, high-profile new state programs. That kind of government growth is easy to spot and relatively simple to guard against. Perhaps more often, however, government growth takes place through the accumulation over time of many small additions to the bureaucratic state. Each one may seem like a benign, low-cost effort to address discrete problems thought to be facing society. But when viewed together, they amount to a massive expansion of the size, scope, and cost of government. Once in place, these programs tend only to get bigger and more costly. Many people come to rely on or become financially interested in the program's continued existence, which makes it difficult to reduce in size, much less eliminate.

"House Bill 2466 creates just such a program. Texas has been doing pretty well without a safety reimbursement program run by the Department of Insurance. To stay strong, we should resist the needless growth of government even in small ways."

House Bill 2647
Effective: Vetoed

House Author: Ashby et al.
Senate Sponsor: Estes

House Bill 2647 amends the Water Code to entitle an owner or operator of a well that produces groundwater used to support the operation of a power generation facility or a mine that provides fuel to such a facility to petition a groundwater conservation district for a delay in the effective date of any district action that would reduce or curtail production from the well or limit the groundwater production rate of the well to less than certain amounts.

Governor's Reason for Veto: "Texas landowners have a constitutionally protected right to access the groundwater under their property. Government action affecting that vested right must be based only on very careful deliberation, which ideally should take place at the local level based on local needs and concerns. Statewide groundwater rules are less able to take vitally important local interests into account.

“Under current law, local groundwater conservation districts have the ability to implement specific management strategies, such as curtailment, that prioritize certain users as deemed appropriate after local deliberation. House Bill 2647 eliminates local discretion by mandating the preferential treatment of certain types of groundwater use over other important uses. If one class of landowners is automatically exempt from curtailment, others will have to bear an unequal burden when water is scarce. Enshrining in state law the rule that groundwater conservation districts will give priority to one class of water users could result in the abridgement of other users’ groundwater rights. Groundwater management should be based on sound science and public input at the local level, not on one-size-fits-all state mandates like House Bill 2647.”

House Bill 2775
Effective: Vetoed

House Author: Rodriguez, Eddie
Senate Sponsor: Zaffirini

House Bill 2775 amends the Election Code to provide for the correction and supplementation of a candidate’s petition filed in connection with an application for a place on the ballot and to validate under certain circumstances a single notarized affidavit by a person who obtained signatures for such a petition.

Governor’s Reason for Veto: “The Election Code requires those seeking a place on the ballot for certain races to submit to the Secretary of State a petition containing signatures of registered voters who support the candidacy. House Bill 2115 would allow candidates who submit deficient petitions to update their petitions in a piecemeal fashion, rather than requiring the submission of a single, legally compliant petition. This could increase the risk of erroneous or fraudulent petitions. To the extent there are concerns about the Secretary of State’s current policies on candidate petitions, the Legislature should work with the Secretary of State’s office to address this issue in the next session.”

House Bill 2788
Effective: Vetoed

House Author: Springer et al.
Senate Sponsor: Perry

House Bill 2788 amends the Water Code to authorize a retail public utility to require the operator of a correctional facility that receives retail water or sewer utility service from the utility to comply with water conservation measures adopted or implemented by the utility.

Governor’s Reason for Veto: “Texas’ prison system and the many county-level correctional facilities across the state should seek to conserve water whenever doing so is consistent with their core purpose—the secure and lawful incarceration of inmates. While water conservation is a worthy goal, House Bill 2788 goes too far by subjecting prisons and jails to the conservation mandates of local water utilities that do not share the correctional facilities’ penological mission. Ceding control of the state’s correctional facilities’ water use to local water utilities creates the potential for interference with a core function of government. If the legislature wishes to require prisons and jails to use less water, it should do so directly rather than outsourcing the decision to local water utilities. Moreover, this bill would mandate unfunded costs on state and local correctional facilities. Any savings touted through reduced water consumption can, and should, be realized today through prudent water conservation measures that are not driven by regulation.”

House Bill 2826
Effective: Vetoed

House Author: Murphy et al.
Senate Sponsor: Huffman

The Texas Economic Development Act allows a school district to offer a temporary limitation on the property value of certain new projects for school district property tax purposes. House Bill 2826 amends the Tax Code to provide for the application of the act to a single unified project that is located in two or three school districts, each of which is contiguous to another school district in which the project is located. The bill also requires the comptroller of public accounts to verify a random sample of the data submitted as part of the report on compliance with agreements under the act using information from sources the comptroller considers reliable and establishes information provided in connection with the report as confidential and not subject to disclosure under state public information law or tax collection law.

Vetoes by the Governor

Governor's Reason for Veto: "Chapter 313 of the Tax Code allows for certain businesses to negotiate with school districts for lower appraisal valuations and, as a result, lower school property taxes. While the program may sometimes have a positive impact on local economic development, serious concerns exist about its oversight, its transparency, and its value to the taxpayers. According to a 2013 report by the Comptroller's Office, Chapter 313 cost the taxpayers \$341,363 for every new job created by the program. The Comptroller estimates that House Bill 2826 will ultimately cost State taxpayers \$100 million per biennium. I cannot support expansion of an incentive program that has not been proven to deliver the value taxpayers deserve."

House Bill 2830
Effective: Vetoed

House Author: Martinez et al.
Senate Sponsor: Hinojosa

House Bill 2830 amends the Local Government Code to establish that a county is not required to refund an amount overpaid or otherwise paid in error to the county clerk or district clerk by a person if that amount is \$2 or less unless the person requests the refund in writing.

Governor's Reason for Veto: "House Bill 2830 allows counties to refuse to refund to taxpayers amounts less than two dollars unless the person owed the refund requests it in writing. Placing this burden on the person owed the money will cause the vast majority of small refunds never to be paid. That is unacceptable. Citizens are legally entitled to any money owed them by the government, no matter how small the amount."

House Bill 3043
Effective: Vetoed

House Author: Thompson, Senfronia
Senate Sponsor: Garcia

House Bill 3043 amends the Occupations Code to expand the type of electrical work that falls under the scope of a journeyman lineman license and to require the Texas Department of Licensing and Regulation to accept, develop, or contract for a journeyman lineman examination that meets specified criteria.

Governor's Reason for Veto: "State licensure of occupations in many cases impedes free market competition and drives up the costs of services for consumers. Texas law currently allows for the licensure of journeymen linemen. Only 33 individuals have applied for the license since it was authorized in 2013. Current law does not require a license in order to conduct journeyman lineman work, nor should it. The license serves no imperative public purpose, requires unnecessary government bureaucracy, and creates the potential for unionized workers to artificially increase prices for consumers.

"House Bill 3043 is an attempt to increase the number of applicants seeking to be licensed and regulated by the state for conducting lineman work. This would only increase the potential for the license to be used in an anti-competitive manner. Raising the barriers to entry into an occupation should be avoided whenever possible."

House Bill 3060
Effective: Vetoed

House Author: Anchia
Senate Sponsor: West

House Bill 3060 amends the Local Government Code to authorize the commission panel of a municipal building and standards commission to order action to be taken as necessary to remedy, alleviate, or abate a violation of an ordinance relating to animal care and control or a water conservation measure, including a water restriction.

Governor's Reason for Veto: "Local governments generally should have flexibility to respond to local concerns, including the need to conserve water. House Bill 3060 goes too far, however, by granting broad authority to local enforcement commissions to interfere with private property rights. Lawn-watering restrictions can already be enforced by fines. The additional enforcement authority provided by this bill would allow the government to insert itself too deeply into what a private property owner chooses to do on his or her own land. Local governments already have sufficient tools at their disposal to encourage their residents to use less water."

House Bill 3184
Effective: Vetoes

House Author: McClendon et al.
Senate Sponsor: Menéndez

House Bill 3184 amends the Code of Criminal Procedure, Family Code, Government Code, and Human Resources Code to provide for the establishment, operation, and funding of pretrial victim-offender mediation programs.

Governor's Reason for Veto: "Mediation is a process available in civil lawsuits by which parties can work out their disputes without using courts. House Bill 3184 imports the civil law process of mediation into criminal law, allowing for mediation between the victim of the crime and the criminal to take the place of prosecution by the State, even in some violent felony cases. This 'victim-offender mediation' leaves out a key party in criminal litigation -- the State of Texas. Criminal indictments in Texas allege that a crime has been committed 'against the peace and dignity of the State.' The State, not the victim of crime, brings criminal litigation against the defendant. And while prosecutors do seek justice for victims, their primary duty is to represent the broader public interest in deterring and punishing crime for the good of all Texans. Making amends with the victim of a crime does not absolve the criminal of his legal debt to the State. Mediation is not well-suited to the criminal context and should be reserved for civil cases."

House Bill 3193
Effective: Vetoes

House Author: Bernal
Senate Sponsor: Menéndez

House Bill 3193 amends the Local Government Code to authorize the City of San Antonio, in making an authorized purchase of any personal property that is not affixed to real property or services other than professional services, to consider an offeror's principal place of business as a percentage of the evaluation factors established by the bill unless the contract is for construction services that exceed a specified amount.

Governor's Reason for Veto: "I previously vetoed Senate Bill 408, explaining that government has an obligation to spend no more of the taxpayers' money than necessary. The practice of competitive bidding forces government officials to put the taxpayers' interests ahead of any temptation to steer the people's business to favored vendors. House Bill 3193 would allow the City of San Antonio, and only that City, to reject the best bid and instead spend more money on a San Antonio-based vendor. Like Senate Bill 408 before it, House Bill 3193 improperly relieves government officials of their duty to seek the best possible value for the taxpayers. The bill is made worse because it creates different rules for different cities without any legitimate reason to do so."

House Bill 3291
Effective: Vetoes

House Author: Raymond
Senate Sponsor: Zaffirini et al.

House Bill 3291 amends the Natural Resources Code to make it a second-degree felony offense for a person who is not a pipeline operator or gatherer authorized to operate by the Railroad Commission of Texas to recklessly possess, transport, remove, deliver, accept, purchase, sell, or physically move oil, gas, or condensate as part of a regulated transaction without an applicable permit, approval, or authorization or a pending request for such a permit, approval, or authorization.

Governor's Reason for Veto: "Theft of oil and gas is a serious problem facing one of our state's most vital industries. Those responsible should be prosecuted to the fullest extent of the law. I support increasing the criminal penalties for these crimes. And I support providing prosecutors with new tools targeted at theft of oil and gas.

"House Bill 3291 shares these goals, but unfortunately its overly broad language creates severe criminal penalties for conduct that may have nothing to do with theft of oil and gas. For example, the bill would make it a second-degree felony to possess, purchase, or sell oil or gas without the proper Railroad

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Commission permit. Under current law, such a violation results only in a civil fine - like most other violations of state permitting rules. But under House Bill 3291, the penalty for not having the appropriate Railroad Commission paperwork could be as much as 20 years in prison. And because the crime created by the bill requires only a reckless mental state, a felony conviction could be obtained even if the defendant did not know his paperwork was out of order. Turning paperwork errors into felonies is not the right solution to the very real problem of oil and gas theft."

House Bill 3390
Effective: Vetoes

House Author: Larson
Senate Sponsor: Perry

Current law prescribes the contents of a written agreement between a property owner and a person engaging in hunting or recreational shooting that allows the person to discharge a firearm on, over, or across the owner's property or property line and that acts as a defense to prosecution for the offense of discharging a firearm across a property line. House Bill 3390 amends the Parks and Wildlife Code to include among the required contents the telephone number and mailing address of the person allowed to hunt or engage in recreational shooting.

Governor's Reason for Veto: "Under current law, it is already a crime for hunters to fire across a property line unless the hunter owns both plots of land or has a written agreement with the property owner on either side of the property line. House Bill 3390 would require expanded agreements that contain more of the hunter's personal information. These new requirements could result in increased prosecution of hunters who are attempting to comply with the law but are not aware the law has changed. There are already severe criminal and civil penalties for the dangerous discharge of a firearm. Increased regulation of hunters is not necessary."

House Bill 3511
Effective: Vetoes

House Author: Davis, Sarah
Senate Sponsor: Huffman

Current law requires the personal financial statement of a state officer, a candidate for an office as an elected officer, and a state party chair filed with the Texas Ethics Commission to include an account of the financial activity of not only the individual required to file such a statement but also the individual's spouse and dependent children, if the individual had actual control over that activity. The bill revises that provision to remove the requirement that the statement include the account of the financial activity of the individual's spouse, to condition the requirement to include an account of the financial activity of the individual's dependent children on the individual exercising or holding the right to exercise any degree of legal or factual control over that activity, and to include in the required statement an account of financial activity regarding certain separate and community property.

In addition, the bill exempts a person who electronically files a verified financial statement with the commission or another filing authority from the requirement to include a notarized affidavit with the statement if the person has requested and received an electronic filing password under the rules of the commission or other authority and uses that password to file the financial statement. An affidavit, with the language specified by the bill, must accompany a statement that is not filed electronically. Among other provisions, the bill establishes that a statement is considered to be under oath by the person required to file the financial statement and subjects the person to Penal Code provisions governing perjury and other falsification, regardless of the absence of or a defect in the affidavit.

Governor's Reason for Veto: "Texans deserve accountability and transparency from their public officials. House Bill 3511 weakens the ethics laws governing officeholder financial disclosures. I cannot allow that."

House Bill 3579
Effective: Vetoes

House Author: Alonzo et al.
Senate Sponsor: Rodríguez

House Bill 3579 amends the Business & Commerce Code, Code of Criminal Procedure, Government Code, and Occupations Code to establish a procedure for petitioning a court for

an order of nondisclosure for certain fine-only misdemeanors, to expand the criminal record information that a person is entitled to have expunged, and to provide for a judge's modification of a conviction record to reflect a lesser offense under certain circumstances.

Governor's Reason for Veto: "I previously signed Senate Bill 1902, which increases the ability of those who have been convicted of misdemeanors to have their criminal records sealed from public disclosure. The purpose of that legislation is to expand the employment prospects of individuals whose minor criminal records may be unduly limiting their ability to pursue an honest living.

"House Bill 3579 has a similar goal, but it goes too far by allowing courts to expunge dismissed criminal charges—including serious felony charges—even when the defendant was convicted of other, related charges. This would be problematic for two reasons. First, dismissal of a criminal charge is not necessarily an indicator of the defendant's innocence of that crime, particularly when a multi-charge arrest results in a plea agreement. Second, unlike orders of non-disclosure, which seal records from public view, expunction seals the records even from law enforcement. Under House Bill 3579, even those convicted of serious felonies could have parts of their criminal record expunged. This would deprive law enforcement of information about the offense history of habitual criminals, which may be useful in the investigation of future crimes."

House Bill 3736
Effective: Vetoed

House Author: Davis, Sarah et al.
Senate Sponsor: Huffman

House Bill 3736 amends the Government Code to require a state agency governing board member or officer, in each matter before the governing board of the state agency or the officer who governs the agency, to disclose in writing a conflict of interest, as defined by the bill, to the agency and to prohibit the member or officer from participating in the decision on the matter, with certain exceptions. The bill establishes that such a written disclosure is public information and requires a state agency that receives such a disclosure to file a copy of the disclosure with the Texas Ethics Commission. The bill makes it a misdemeanor for such a board member or officer to knowingly fail to disclose a conflict of interest or fail to refrain from participating in the decision on the matter.

Current law requires the personal financial statement of a state officer, a candidate for an office as an elected officer, and a state party chair filed with the commission to include an account of the financial activity of not only the individual required to file such a statement but also the individual's spouse and dependent children, if the individual had actual control over that activity. The bill revises that provision to remove the requirement that the statement include the account of the financial activity of the individual's spouse, to condition the requirement to include an account of the financial activity of the individual's dependent children on the individual exercising or holding the right to exercise any degree of legal or factual control over that activity, to include in the required statement an account of financial activity regarding certain separate and community property, and to provide for the amendment of the statement. Among other provisions related to the account of financial activity, the bill requires the account to include the identification of certain contracts for the sale of goods and services exceeding specified monetary amounts, identification of specified information about each issuance for which a member of the legislature served as bond counsel, and identification of any other source of earned or unearned income not otherwise reported.

Governor's Reason for Veto: "At the beginning of this legislative session, I called for meaningful ethics reform. This legislation does not accomplish that goal. Provisions in this bill would reduce Texans' trust in their elected officials, and I will not be a part of weakening our ethics laws. Serious ethics reform must be addressed next session—the right way. Texans deserve better."

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House Bill 4025 **Effective: Vetoes**

House Author: Keffer et al.
Senate Sponsor: Uresti et al.

House Bill 4025 amends the Transportation Code to clarify the authority of a county to designate a county energy transportation reinvestment zone. Among other provisions, the bill revises the distribution of grants from the Texas Department of Transportation for transportation infrastructure projects located in areas of Texas affected by increased oil and gas production.

Governor's Reason for Veto: "In the 2011 statewide election, the voters of Texas rejected a constitutional amendment that would have given counties the authority to create tax-increment reinvestment zones. The Legislature's attempts to confer this authority on counties without a constitutional amendment have been found by three separate Attorney-General opinions to violate article VIII, section 1(a) of the Texas Constitution. House Bill 4025, in part, is an attempt to do what the Texas Constitution and multiple Attorney-General opinions prohibit. If the Legislature wants counties to have the authority to create tax-increment reinvestment zones, it must again ask the voters to amend the Constitution."

House Bill 4103 **Effective: Vetoes**

House Author: Guillen
Senate Sponsor: Garcia

House Bill 4103 amends the Government Code to authorize a judge of a municipal court who continues to serve for another term in office to continue to perform the duties of the office without taking an additional oath or affirmation.

Governor's Reason for Veto: "The Texas Constitution requires all elected or appointed officers to take the following oath: 'I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of _____ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.' The oath is commonly re-taken when an existing officeholder begins a new term. House Bill 4103 would exempt municipal judges from the need to take the oath for a subsequent term of office. Judges, of all offices, should never be excused from the obligation to swear to preserve, protect, and defend the Constitution."

Senate Bill 130 **Effective: Vetoes**

Senate Author: West
House Sponsor: Canales et al.

Senate Bill 130 amends the Government Code and Occupations Code to establish the eligibility for an order of nondisclosure of certain persons placed on community supervision on a conviction that is subsequently set aside.

Governor's Reason for Veto: "After convicted criminals complete their sentences and repay their debts to society, their criminal records do not disappear. The reality for some individuals who have been charged with relatively minor crimes is that their records can follow them forever, making it difficult for them to find employment and reintegrate into society. That is why I previously signed into law Senate Bill 1902, which authorizes courts in limited circumstances to seal the records of certain first-time misdemeanor offenders, to ensure that a minor criminal record is not a road block to an individual becoming a productive member of society even decades later. But the State's interest in reintegrating one-time, petty offenders must be balanced with an employer's right to know what they are getting when they make a hire. Senate Bill 130 goes too far because it would permit individuals who have committed even serious felonies (including crimes like manslaughter, arson, enticing of a child, and improper photography of a minor) to hide their heinous acts from employers. And it places no limits on the number of times repeat offenders can attempt to erase their past."

Senate Bill 313 **Effective: Vetoes**

Senate Author: Seliger
House Sponsor: Aycock

Senate Bill 313 amends the Education Code and Government Code to require the State Board of Education (SBOE) to conduct a one-time review of the Texas Essential Knowledge and Skills (TEKS) in the foundation curriculum subjects and modify the TEKS to narrow the content

and scope of standards and skills for the subjects at each grade level. Among other provisions, the bill changes the instructional materials allotment from an annual allotment to a biennial allotment and restricts the issuance of proclamations requesting instructional materials by the SBOE to proclamations in which the total projected cost of instructional materials does not exceed 75 percent of the total amount used to fund the instructional materials allotment for each state fiscal biennium.

Governor's Reason for Veto: "While Senate Bill 313 is intended to provide additional flexibility to school districts when purchasing classroom instructional materials, the bill potentially restricts the ability of the State Board of Education to address the needs of Texas classrooms. Portions of Senate Bill 313 may have merit, but serious concerns were raised about other parts of the bill. I look forward to working with the Legislature and other stakeholders to ensure this issue is vigorously evaluated before next Session."

Senate Bill 359
Effective: Vetoed

Senate Author: West et al.
House Sponsor: Workman

Senate Bill 359 amends the Health and Safety Code to establish the authority of certain facilities and physicians to temporarily detain a person with mental illness who expresses a desire to leave or attempts to leave the facility before the examination or treatment is completed. The bill authorizes a peace officer to take a person with mental illness who has been admitted to such a facility into custody without a warrant.

Governor's Reason for Veto: "The Fourth, Fifth, and Fourteenth Amendments to the United States Constitution limit the state's authority to deprive a person of liberty. Under our constitutional tradition, the power to arrest and forcibly hold a person against his or her will is generally reserved for officers of the law acting in the name of the people of Texas. By bestowing that grave authority on private parties who lack the training of peace officers and are not bound by the same oath to protect and serve the public, SB 359 raises serious constitutional concerns and would lay the groundwork for further erosion of constitutional liberties.

"Medical facilities have options at their disposal to protect mentally ill patients and the public. Many hospitals already keep a peace officer on site at all times. For smaller facilities, law enforcement are always just a phone call and a few minutes away. Medical staff should work closely with law enforcement to help protect mentally ill patients and the public. But just as law enforcement should not be asked to practice medicine, medical staff should not be asked to engage in law enforcement, especially when that means depriving a person of the liberty protected by the Constitution."

Senate Bill 408
Effective: Vetoed

Senate Author: Rodríguez et al.
House Sponsor: Blanco

Senate Bill 408 amends the Local Government Code to extend to a county the authority granted to a municipality to consider the location of a bidder's principal place of business when entering into a contract for certain purchases of real property, personal property that is not affixed to real property, or services.

Governor's Reason for Veto: "Government has an obligation to spend no more of the taxpayers' money than necessary. All government contracts should be competitively bid, and the vendor who offers the best value to the taxpayers should be chosen every time. Senate Bill 408 would authorize counties to reject the best bid and instead spend 5 percent extra in order to select an in-county vendor. The needs of taxpayers should come before the needs of government or vendors. County governments should focus on protecting the public fisc — not steering business to local vendors who are not offering the value the taxpayers deserve."

Senate Bill 496
Effective: Vetoed

Senate Author: Watson
House Sponsor: Howard

Senate Bill 496 amends the Education Code to require the commissioner of education, in calculating the average daily attendance for students served by an optional flexible school day program, to ensure that funding for attendance in a course under such a program is based

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on the same instructional hour requirements of the regular program rather than a full-time equivalent student basis that requires six hours of student contact time to qualify for a full day of attendance. The bill removes the requirement that a school district apply to the commissioner in order to provide a flexible school day program and authorizes a district to provide such a program for a campus or campuses that would benefit from the program. The bill also authorizes the use of compensatory education allotment funds for the provision of child-care services or assistance with child-care expenses to students at risk of dropping out of school due to being pregnant or a parent or for the payment of costs associated with certain services provided through a life skills program for student parents.

Governor's Reason for Veto: "Currently, a school district can apply to the Texas Education Agency and request permission to offer a flexible school day program for the district's at-risk students. As filed, Senate Bill 496 addressed the financing of these programs. I am supportive of the original intent of the legislation; therefore, I have signed the bill's companion legislation, House Bill 2660.

"Unfortunately, an objectionable piece of legislation that did not ultimately pass on its own merit was added to Senate Bill 496 and significantly changed the bill's focus. Senate Bill 496 was amended to allow a school district to establish a flexible school day for entire campuses without approval from the Texas Education Agency. Allowing districts to drastically change the school calendar without TEA approval could cause unanticipated and untenable problems."

Senate Bill 1032
Effective: Vetoes

Senate Author: Watson et al.
House Sponsor: Israel

Senate Bill 1032 amends the Government Code to authorize a state agency to adopt a policy that authorizes an employee's supervisor to permit the employee to work from an alternative work site as the employee's regular or assigned temporary place of employment.

Governor's Reason for Veto: "Under current law, state employees are authorized to maintain flexible work schedules--including work from home, where appropriate--if the head of their state agency provides written approval. This policy provides flexibility for those employees who need it while imposing management controls that minimize the potential for abuse of these privileges.

"Senate Bill 1032 takes this process further and would allow an employee's immediate supervisor, rather than the agency head, to authorize flexible schedules and work from home. This would result in reduced accountability, inconsistent application, and greater potential for abuse. The bill's provisions regarding overtime and compensatory time earned away from the office are also problematic. Authorizing employees to earn overtime or compensatory time for work performed at home raises legitimate record-keeping and management concerns."

Senate Bill 1034
Effective: Vetoes

Senate Author: Rodríguez et al.
House Sponsor: Miller, Rick

Senate Bill 1034 amends the Election Code to establish that the cancellation by personal appearance of an application for an early voting ballot that is submitted to the county clerk indicating the ground of eligibility is age or disability and that does not specify the election for which the ballot is requested does not cancel the application with respect to certain subsequent elections. The bill provides for the redesign of the official carrier envelope for an early voting ballot and for the receipt of certain ballots by a person eligible to apply for more than one election in the same application for an early voting ballot.

Governor's Reason for Veto: "The integrity of the vote-by-mail process must be strengthened, not called into question. Amendments added to Senate Bill 1034 late in the legislative process would create confusion as to how counties should administer mail-in ballot applications. To ensure this important matter is addressed with the clarity it deserves, the Legislature should reconsider the issue and eliminate the uncertainty and ambiguity contained in this bill."

Senate Bill 1408
Effective: Vetoed

Senate Author: Lucio et al.
House Sponsor: King, Tracy O.

Senate Bill 1408 amends the Agriculture Code to require the Department of Agriculture, subject to the availability of federal and state funds, to create a community development matching grant program to foster community and economic development in certain municipalities and counties.

Governor's Reason for Veto: "Senate Bill 1408 creates new authorities to issue state funds to local units of governments similar to, and in some cases identical to, grants already made under the federal Community Development Block Grant program. The stated intent of the new programs is to offset reductions in federal funding with new state funding. Our federal government's addiction to spending Texas taxpayer dollars must be brought under control, and when it is, the State of Texas should not find ways to tax our citizens to continue funding services our federal elected officials have deemed worthy of curtailing."

Senate Bill 1655
Effective: Vetoed

Senate Author: West
House Sponsor: Morrison

Senate Bill 1655 amends the Education Code to authorize the Texas Higher Education Coordinating Board to establish a fee, capped at specified amounts, to be charged by the board to cover all or a portion of the coordinating board's costs associated with issuing, maintaining, or revising a certificate of authorization or certificate of authority and maintaining a repository for student transcripts from closed institutions that were authorized to operate under a certificate of authorization or certificate of authority. The bill requires the coordinating board to maintain a repository for student transcripts from such closed institutions and authorizes the coordinating board to discontinue maintenance of the repository under certain conditions and to charge a fee to students requesting transcript copies.

Governor's Reason for Veto: "The Texas Higher Education Coordinating Board already has the legal authority to perform the services described in Senate Bill 1655. The primary purpose of the bill is to raise more revenue for the Board by creating new fees that will ultimately be paid for by students through increased tuition. These fees would be unnecessary burdens on institutions of higher education and their students. The Board should operate within its existing resources."

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