

## November 2022 Report

### ELECTIONS:

**VOTER TURNOUT** – The following are results of the November 8, 2022 Texas General Election. 45.68% of registered voters (8,072,188) cast ballots. That compares to:

#### Historical General Election Turnout:

- 2020 turnout – 66.24% (11,231,799 voters)
- 2018 turnout – 52.72% (8,326,216 voters)
- 2016 turnout – 59.16% (8,934,718 voters)
- 2014 turnout – 33.57% (4,708,556 voters)
- 2012 turnout – 58.37% (7,993,851 voters)
- 2010 turnout – 37.47% (4,972,895 voters)
- 2008 turnout – 59.37% (8,053,036 voters)
- 2006 turnout – 33.64% (4,399,068 voters)
- 2004 turnout – 56.56% (7,410,749 voters)
- 2002 turnout – 36.24% (4,553,979 voters)
- 2000 turnout – 51.81% (6,407,637 voters)

**STATEWIDE** - Almost all statewide races were on the ballot in 2022.

Republicans currently hold all statewide offices in Texas. **Republicans won all statewide races on the ballot in this election.** Democrats have not won a statewide office in Texas since 1994. Governor Greg Abbott, Lt. Governor Dan Patrick, Attorney General Ken Paxton, Comptroller Glenn Hegar, Agriculture Commissioner Sid Miller, and Railroad Commissioner Wayne Christian were all re-elected. Senator Dawn Buckingham won the Land Commissioner race to replace Land Commissioner George P. Bush. The Texas Supreme Court Justices and the Texas Court of Criminal Appeals Justices on the ballot were also re-elected.

#### TEXAS SENATE:

The Texas Senate currently has 18 Republicans and 13 Democrats. **The 2023 Texas Senate will have 19 Republicans and 12 Democrats.**

- State Representative Phil King (R-Weatherford) picked up Senate District 10 for the Republicans. He is replacing Senator Beverly Powell (D-Burleson).

#### 6 Incumbent Members of the Texas Senate Did Not Seek Re-election:

- S-10 Beverly Powell (D-Burleson)
- S-11 Larry Taylor (R-Friendswood)
- S-12 Jane Nelson (R-Flower Mound)
- S-24 Dawn Buckingham (R-Lakeway)
- S-27 Eddie Lucio, Jr. (D-Brownsville)

S-31 Kel Seliger (R-Amarillo)

**1 Senator is Returning to the Senate:**

S-24 former State Senator Pete Flores (R-Pleasanton)

**New Senators in 2023:**

S-10 State Representative Phil King (R-Weatherford)

S-11 State Representative Mayes Middleton (R-Wallisville)

S-12 State Representative Tan Parker (R-Flower Mound)

S-27 Morgan LaMantia (D-Harlingen)

S-31 Kevin Sparks (R-Midland)

**TEXAS HOUSE OF REPRESENTATIVES**

The Texas House has 85 Republicans and 65 Democrats. After the 2020 election, the House had 83 Republicans and 67 Democrats. Representative Ryan Guillen switched from Democrat to Republican on November 15, 2021; and Representative John Lujan picked up House District 118 for the Republicans in a Special Election on November 2, 2021. **In 2023, the Texas House will have 86 Republicans and 64 Democrats.**

- Janie Lopez (R-San Benito) picked up House District 37 for the Republicans. She will replace Representative Alex Dominguez (D-Brownsville)
- Mihaela Plesa (D-Dallas) picked up House District 70 for the Democrats. She will replace Representative Scott Sanford (R-McKinney).

**25 Incumbent Members of the Texas House Did Not Seek Re-election:**

H-9 Chris Paddie (R-Marshall)

H-13 Ben Lemam (R-Brenham)

H-17 John Cyrier (R-Lockhart)

H-19 James White (R-Hillister)

H-22 Joe Deshotel (D-Beaumont)

H-23 Mayes Middleton (R-Wallisville)

H-37 Alex Dominguez (D-Brownsville)

H-38 Eddie Lucio, III (D-Brownsville)

H-50 Celia Israel (D-Austin)

H-51 Eddie Rodriguez (D-Austin)

H-61 Phil King (R-Weatherford)

H-63 Tan Parker (R-Flower Mound)

H-65 Michelle Beckley (R-Carrollton)

H-70 Scott Sanford (R-McKinney)

H-73 Kyle Biedermann (R-Fredericksburg)

H-84 John Frullo (R-Lubbock)

H-92 Jeff Cason (R-Bedford)

H-93 Matt Krause (R-Fort Worth)

H-100 Jasmine Crockett (D-Dallas)

H-114 John Turner (D-Dallas)

H-122 Lyle Larson (R-San Antonio)

H-124 Ina Minjarez (D-San Antonio)

H-127 Dan Huberty (R-Humble)

H-133 Jim Murphy (R-Houston)

H-147 Garnet Coleman (D-Houston)

**1 Incumbent House member was Defeated in the Primary:**

H-79 Representative Art Fierro (D-EI Paso) lost to Representative Claudia Ordaz Perez (D-EI Paso)

**1 Incumbent House member was Defeated in the Run-Off:**

H-85 Phil Stephenson (R-Wharton) – Republican Primary Run-Off with Stan Kitzman

**1 Representative is returning to the House:**

H-114 former Congressman and State Representative John Bryant (D-Dallas)

**New Representatives in 2023:**

H-13 Angelia Duke Orr (R-Itasca)

H-17 Stan Gerdes (R-Smithville)

H-19 Ellen Troxclair (R-Austin)

H-22 Christian Manuel Hayes (D-Beaumont)

H-23 Terri Leo Wilson (R-Galveston)

H-37 Janie Lopez (R-San Benito)

H-38 Erin Elizabeth Gamez (D-Brownsville) elected in Special Election on May 7, 2022

H-51 Maria Luisa “Lulu” Flores (D-Austin)

H-52 Caroline Harris (R-Round Rock)

H-57 Richard D. Hayes (R-Hickory Creek)

H-61 Frederick Frazier (R-McKinney)

H-63 Ben Bumgarner (R-Flower Mound)

H-65 Kronda Thimesch (R-Lewisville)

H-70 Mihaela Plesa (D-Dallas)

H-73 Carrie Isaac (R-Dripping Springs)

H-76 Suleman Lalani (D-Sugar Land)

H-84 Carl Tepper (R-Lubbock)

H-85 Stan Kitzman (R-Pattison)

H-92 Salman Bhojani (D-Eules)

H-93 Nate Schatzline (R-Fort Worth)

H-100 Venton Jones (D-Dallas)

H-118 John Lujan (R-San Antonio) – elected in a Special Election on November 2, 2021

H-122 Mark Dorazio (R-San Antonio)

H-124 Josey Garcia (D-San Antonio)

H-127 Charles Cunningham (R-Humble)

H-133 Mano DeAyala (R-Houston)

H-147 Jolanda Jones (D-Houston) – elected in a Special Election on May 18, 2022

**Notes:**

- Representative Trent Ashby (R-Lufkin) currently represents House District 57, but he ran for re-election in House District 9.
- Representative James Talarico (D-Round Rock) currently represents House District 52, but he moved to Austin and ran for re-election in House District 50.

- Representative Claudia Ordaz Perez (D-El Paso) currently represents House District 76, but she ran against and defeated Representative Art Fierro (D-El Paso) in House District 79.

### **STATE BOARD OF EDUCATION**

The State Board of Education has 9 Republicans and 6 Democrats. **In 2023, the State Board of Education will have 10 Republicans and 5 Democrats.**

- L.J. Francis (R-Corpus Christi) picked up SBOE District 2 for the Republicans. He will replace Ruben Cortez, Jr. (D-El Paso).

### **4 Incumbent Members of the SBOE Did Not Seek Re-election:**

SBOE-1 Georgina Celia Perez (D-El Paso)

SBOE -2 Ruben Cortez, Jr. (D-El Paso)

SBOE -4 Lawrence Allen, Jr. (D-Houston)

SBOE -7 Matt Robinson (R-Friendswood)

### **2 Incumbent Members of the SBOE were Defeated in the Republican Primary**

SBOE -14 Sue Melton-Malone (R-Robinson) lost to Evelyn Brooks

SBOE -15 Jay Johnson (R-Pampa) was defeated by Aaron Kinsey

### **New Members of the SBOE in 2023:**

SBOE-1 Melissa Ortega (D-El Paso)

SBOE -2 L.J. Francis (R-Corpus Christi)

SBOE -4 Staci Childs (D-Houston)

SBOE -7 Julie Pickren (R-Manvel)

SBOE -14 Evelyn Brooks (R-Frisco)

SBOE -15 Aaron Kinsey (R-Midland)

### **HOUSE:**

**Speaker Phelan’s Response to the General Election** – On November 9<sup>th</sup>, House Speaker Dade Phelan said, “I am extremely proud of the hard work and resources our team devoted to support our Republican House incumbents and open seat candidates in the General Election. We strived to ensure our message reached every corner of the state, and our efforts on the campaign trail yielded tremendous victories for our party up and down the ballot. Our message resonated with the people of South Texas where we made significant gains this election cycle that will impact the political climate in the region for years to come. We also doubled the number of Republican women in the Texas House. As we look to January, we have a strong group of Republicans and an incredible freshman class that I look forward to working with during the 88<sup>th</sup> Legislative Session to lead Texas into a brighter future.”

**House Rules Amendments** – On November 15<sup>th</sup>, House Administration Chairman Will Metcalf (R-Conroe) sent a letter to Members and Members-elect of the House of Representatives asking them to submit recommendations on modifications to House Rules. The letter said, “In preparation for the 88<sup>th</sup> Legislature, the Committee on House Administration invites all returning Members and Members-elect of the 88<sup>th</sup> Legislature to submit to us your proposals for modifications to the House Rules of Procedure for the 88<sup>th</sup>

Legislature. Development of our House Rules must be an open, collaborative process, and all members must be afforded an opportunity to have their proposals discussed and fully vetted. The committee will hold a public hearing on December 6, 2022, for the sole purpose of hearing invited testimony only from each Member or Member-elect who submits a suggested rules change to the committee. This public hearing process takes the place of the informal rules working group sessions used in prior legislatures. Any member submitting a proposal should plan to attend the December 6<sup>th</sup> public hearing to present their proposal and answer questions from Committee members about the proposal. The attached form may be used to submit proposals for suggested modifications. You may describe your proposed modification conceptually; draft rules language is not required. If you choose to submit draft language with your proposal, you may ask the House Parliamentarians or the Texas Legislative Council attorneys to draft any of your ideas for rules modifications.”

#### **BUDGET:**

**State of Texas Annual Cash Report** – On November 7<sup>th</sup>, Comptroller Glenn Hegar announced the publication of the State of Texas Annual Cash Report for fiscal 2022. The report presents the state’s financial condition and details revenues and expenditures on a cash basis, as required by Texas Government Code Section 403.013. The report reflects revenue and expenditure details for all funds in the state treasury. Revenue is reported in the period when cash is collected, and expenditures are reported in the period when cash disbursements are made. Funds held outside the state treasury are not included in the report, with the exception of petty cash, investments and Fund 0938 – Unemployment Trust Fund Account (in the federal Treasury).

[Here](#) is a link to the report.

**Funds Transferred to SHF and ESF** – On November 29<sup>th</sup>, Comptroller Glenn Hegar announced he has completed the transfer of about \$7.3 billion into the State Highway Fund (SHF) and the Economic Stabilization Fund (ESF; commonly known as the “Rainy Day Fund”). Each fund received nearly \$3.64 billion, or 50 percent of the total transfer. Comptroller Hegar said, “Texas’ strong economic recovery continues but inflation and supply chain issues coupled with ongoing geopolitical unrest point to uncertainty on the horizon. Additionally, our economic strength and business friendly environment continue to attract people and businesses to Texas. In order to meet the needs of these new Texans and continue to attract business investment, it is critical that we invest in the infrastructure needed to keep our state fiscally healthy. The ESF and SHF are critical assets for the people of Texas, and these transfers represent a tremendous opportunity to continue to invest in Texas’ future and safeguard our state against uncertainty.” The transfer amounts are based on crude oil and natural gas production tax revenues in excess of 1987 collections. If either tax generates more revenue than the 1987 threshold, an amount equal to 75 percent of the excess is transferred. In November 2014, voters approved a constitutional

amendment allocating at least half of these severance taxes to the ESF, with the remainder going to the SHF for use on non-toll highway construction, maintenance and right-of-way acquisition. According to the Texas Constitution, the ESF transfer must occur within 90 days after the end of the fiscal year. When fiscal 2022 ended on August 31, the ESF balance was \$10.7 billion. With this most recent transfer, the new balance will be about \$14.1 billion, not accounting for currently outstanding spending authority of approximately \$872.1 million. The balance in the ESF will change as agencies spend down the remaining appropriation authority and investment earnings are realized.

### **HIGHER EDUCATION:**

**Texas Commission on Community College Finance** – On November 17<sup>th</sup>, The Texas Commission on Community College Finance (TxCCCCF) issued its report and recommendations. They found that Texas must develop an innovative new model to fund community colleges that rewards colleges for awarding degrees, certificates, and other “credentials of value” that will soon be required in more than 60 percent of the state’s jobs. The TxCCCCF – made up of 12 lawmakers, business leaders, and community college officials – was established by the legislature last year through SB 1230 to help the state update its decades-old community college funding model to meet the changing needs of employers and the Texas economy.

**Summary Recommendations** - TxCCCCF offers three sets of recommendations for a new model that support the goals of Building a Talent Strong Texas, the state’s strategic plan for higher education:

- Reward community colleges for positive student outcomes
- Increase affordability and financial aid, including for low-income students
- Increase capacity at colleges to meet changing workforce needs

**Measurable Student Outcomes** - The TxCCCCF recommendations would position Texas as a national leader in tying funding for community colleges to measurable student-focused outcomes. These include:

- The number of credentials of value awarded, including badges, certificates, and degrees, that position graduates for well-paying jobs.
- Credentials of value awarded in high-demand fields where employers are looking for skilled employees.
- Successful student transfers from community colleges to four-year universities.
- Completion of a sequence of dual credit courses, which are offered to high school students and can set them on early pathways to success.

**Affordability** - In addition to the focus on rewarding community colleges for positive outcomes, the TxCCCCF recommends that the state make community colleges more affordable by increasing financial aid through Texas Educational Opportunity Grants (TEOG); providing more aid for dual credit courses for economically disadvantaged students; and supporting apprenticeships, work-study, internships, and other work-based learning opportunities.

**Increased Capacity** - If implemented, the recommendations would also increase capacity in community colleges by providing seed grants for programs in high-

demand fields; supporting shared services and partnerships for colleges to become more efficient; and helping them provide high-quality, noncredit credentials that are convertible and stackable with credit-bearing programs. **Current System** - Under Texas's current community college funding model, most revenue is generated by tuition and property taxes, which are set and collected locally. Over the past decade, local property tax collections have increased significantly. The state also contributes funding through a formula that considers how colleges perform in relation to one another. The system was developed to meet the needs of colleges when they were established in the early 20<sup>th</sup> century. It does not fully recognize the role community colleges play today in awarding the credentials of value that are now a statewide priority under Building a Talent Strong Texas.

**Woody Hunt**, a longtime business leader and public and higher education advocate, who was appointed TxCCCCF chairman by Governor Greg Abbott said, "We need a funding model for our 50 community college districts that is bold, strategic, and fully aligned with our emerging workforce needs. Colleges must have the resources to help more Texas students enroll and earn credentials that will create new opportunities for their families and for the entire state."

**Governor Greg Abbott** said, "Texas is an economic powerhouse, creating more new jobs and attracting more new businesses every day. Community colleges are key to our great state's competitiveness and the future of the dynamic Texas workforce, equipping thousands of Texans with the skills needed to succeed in high-demand careers. By compensating community colleges based on their positive student outcomes, we are recognizing the efforts they are making in providing educational opportunities and secure a brighter future for Texans across the state."

**Texas Higher Education Commissioner Harrison Keller** said, "The accelerating pace of change in our economy requires bold new approaches to support our community colleges. The new funding model must empower community colleges across the state - from the largest urban colleges to small, rural-serving colleges - to educate many more students from all backgrounds so they can earn credentials of value in the Texas workforce of today and tomorrow."

### **Specific Recommendations:**

#### **1-State Funding for Outcomes Recommendation:**

**Recommendation #1.1** - Develop a modern community college finance model that distributes the majority of state funding based on measurable outcomes aligned with regional and state workforce needs and state goals for Building a Talent Strong Texas. This new outcomes-based formula should be dynamic, with adjustments through an annual settle-up process. Funding levels should be based on individual colleges' current outcomes with specified fixed dollar amounts for:

- Credentials of value, including degrees, certificates, and other credentials from credit and non-credit programs that equip Texas students for continued learning and greater earnings in the state economy;
- Credentials of value awarded in high-demand fields;

- Students who transfer to four-year universities; and
- Students who complete a sequence of dual credit courses that apply toward academic and workforce program requirements at the collegiate level.

The Commission recommends that the outcomes-based formula include robust incentives for completions and transfers of students who are economically or educationally disadvantaged and adult learners to promote improved outcomes for populations that historically have completed postsecondary credentials at significantly lower rates. The formula should include evidence-based incentives tied to students' progress toward credentials, including incentives tied to students' completion of dual credit courses that apply toward academic or workforce program requirements. As the state continues to improve its data infrastructure and capabilities, additional outcome metrics such as job placement should be considered for inclusion in the new formula.

**Recommendation #1.2** - Ensure community colleges across Texas can access foundational levels of funding for instruction and operations through a state-funded guaranteed yield for colleges with low taxable valuations. Since the inception of the Texas community college funding formula, the relative shares of funding from state and local revenue sources have shifted over time. As community colleges are locally governed institutions, providing foundational funding for instruction and operations should primarily be a local responsibility, supported through a combination of tuition and local property taxes, with state funding focused primarily on rewarding outcomes aligned with regional and state workforce needs. However, some colleges are unable to generate sufficient local funding for instruction and operations due to low taxable property values. This lack of resources puts these colleges' students at a disadvantage in the state workforce while also negatively impacting local communities' abilities to grow their regional economies. To ensure community colleges across the state can access funding for instruction and operations, a foundational amount of funding should be established for each college based on student enrollments and the types of contact hours taught in different fields of study across non-credit and credit-bearing programs. This calculation should include adjustments to recognize higher costs of educating students who need additional support services, such as low-income or academically under prepared students, as well as adult students who are making efforts to reskill and upskill. The calculation should also include adjustments to recognize the higher costs of operating small colleges. The Commission recommends that colleges unable to generate foundational levels of funding through tuition and local property taxes due to the colleges' available tax bases or student enrollments should be leveled up via a state-funded guaranteed yield on an initial portion of these colleges' property tax effort. Colleges receiving this additional state funding must meet certain requirements that can be measured through clear metrics. These will include participation in shared services or other interinstitutional partnerships to improve operational and programmatic efficiency and provide students with broader opportunities to earn credentials of value.



**Recommendation #1.3** - Ensure transition to the new funding model does not negatively impact students or community colleges. In particular, the Commission recommends that in initial implementation of a new model, hold harmless funds should be made available to facilitate transition to a dynamic, primarily outcomes-based funding formula. In addition, the Commission recommends that the Commissioner of Higher Education should be authorized to create a process through which unintended negative consequences that result from implementation of the new funding model may be addressed.

**2-Affordability for Students Recommendation:**

**Recommendation #2.1** - Increase funding for Texas Educational Opportunity Grants (TEOG) and link state performance measures for eligible students served through TEOG at two-year institutions and TEXAS Grants at universities to establish a state goal of supporting at least 70 percent of qualified low-income college students in pursuing postsecondary credentials of value at both public two- and four-year institutions. The TEOG program should also be restructured to provide colleges greater flexibility in meeting the needs of non-traditional students pursuing a wide variety of credentials of value, including credentials produced by non-credit and short-term programs.

**Recommendation #2.2** - Provide financial aid through colleges to cover tuition and required fees in dual credit courses for economically disadvantaged students. This new targeted financial aid for dual credit funding should be administered by the Coordinating Board, with support from the Texas Education Agency (TEA), for dual credit courses that apply toward academic or workforce education program requirements. The administration of this targeted financial aid should minimize procedural barriers to student participation, for example by leveraging existing data about students' eligibility for the National School Lunch Program. It should also incorporate a maximum tuition rate for dual credit courses set annually by the Coordinating Board to help ensure equitable access for high school students across the state to dual credit courses.

**Recommendation #2.3** - Expand partnerships among colleges and private employers for paid work-based learning opportunities, including work-study, apprenticeships, and internships related to students' programs of study, utilizing the work-based learning strategic framework developed by the Governor's Tri-Agency Workforce Initiative. Work-based learning is a proven strategy to provide financial support while giving students opportunities to apply and develop skills through real work experiences in industry settings. The state should leverage existing federal funding and provide targeted state support for programs developed in partnership with employers and offered through colleges to expand paid work-based learning.

**3-Investments in College Capacity Recommendation:**

**Recommendation 3.1** - Provide one-time seed grants for programs in high-demand fields to support community colleges in rapidly standing up or expanding programs to meet regional and state workforce needs. These grants would be administered through the Coordinating Board in consultation with the Texas Workforce Commission. Drawing on insights from the initial implementation of the Texas Reskilling and Upskilling through Education (TRUE) program, the state

should give priority to short-term workforce programs developed in partnership with employers.

**S.F. Austin State University Board Votes to Join UT System** – On November 29<sup>th</sup>, the Stephen F. Austin State University Board of Regents voted to accept an invitation to join the University of Texas System. The university received offers from all four of the state’s university systems - the Texas A&M University System, the Texas State University System, the Texas Tech University System and the University of Texas System. University of Texas System Board of Regents Chair Kevin Eltife said, “We are honored and enthusiastic about taking the next steps together in this process with confidence that this union will make each of us stronger. Our proposal to SFA outlined our sincere commitment to helping the university build upon its programs, traditions and culture that have made the university unique for nearly a century, while adding resources to help amplify those strengths and ultimately serve more Texans.” The Texas legislature will have to take up the issue in the next session, which begins January 10, 2023.

**PUBLIC EDUCATION:**

**School Financial Accountability Ratings** – On November 10<sup>th</sup>, the Texas Education Agency (TEA) announced final financial accountability ratings for more than 1,200 school districts and charter schools across the state, with 85 percent earning the highest rating possible for 2021-2022. Created in 2001 by the 77<sup>th</sup> Texas Legislature, the Financial Integrity Rating System of Texas (FIRST) is designed to encourage public schools to improve their management of financial resources to provide the maximum allocation possible for direct instructional purposes. The FIRST ratings are calculated using twenty (20) financial indicators for school districts and twenty-one (21) financial indicators for open-enrollment charter schools, such as administrative cost expenditures; the accuracy of a district’s or charter school’s financial information submitted to TEA; and any financial vulnerabilities or material weaknesses in internal controls as determined by an external auditor. Ratings for 2021-2022 are based on annual financial reports provided to TEA by districts and charter schools for the 2021 fiscal year. The financial accountability rating system requires TEA to review the audited financial reports from all districts and charter schools. A school district or charter school is assigned one of four letter grades (A, B, C, or F), as well as a coinciding financial management rating (Superior Achievement, Above Standard Achievement, Meets Standard Achievement, or Substandard Achievement).

For 2021-2022, the final FIRST ratings are as follows:

Final Rating	Districts	Charter Schools	Total	Pct
A – Superior Achievement	890	129	1,019	85%
B – Above Standard Achievement	87	27	114	10%
C – Meets Standard Achievement	36	10	46	4%
F – Substandard Achievement	6	9	15	1%
<b>Total</b>	<b>1,019</b>	<b>175</b>	<b>1,194</b>	<b>100%</b>

There are five critical indicators that result in an automatic F or Substandard Achievement rating should a school district or charter school fail in that specific category – regardless of overall score. In addition, FIRST ratings for charter schools operated by a public institution of higher education (IHE) are assigned separately. Based on 7 indicators, IHEs are assigned either a Pass or Fail rating. For 2021-2022, every public institution of higher education operating a charter school (7) received a final FIRST rating of Pass. For IHEs, there are two critical indicators that result in an automatic Fail rating should an IHE fail in that specific category – regardless of the overall score. All school districts and charter schools are required to report information and financial accountability ratings to parents and taxpayers. In addition, districts and charter schools must hold a public discussion or hearing regarding its financial report.

[Here](#) is a link to the 2021-2022 FIRST ratings for school districts and charters.

**TEA Proposes School Safety Standards** – On November 10<sup>th</sup>, the Texas Education Agency (TEA) proposed an update to its school safety standards in three key areas: facility, operating, and maintenance requirements. The proposed rule would require that all facilities have access points that are secured by design, maintained to operate as intended, and appropriately monitored. Based on the new changes, school districts would be able to apply for grants from TEA over the next two years based on pupil count with districts receiving at least \$200,000. The public comment period is November 11 - December 12, 2022. Specifics of the proposed rule:

**Exterior doors, exterior classroom doors, and portable doors:**

- All doors are to remain closed, latched and locked, and allow for emergency exit from the inside while remaining locked.
- Roof doors should remain closed and locked when not in use.
- Doors can be unlocked during the instructional day if they are actively monitored or within a secured area.

**Windowed doors:**

- Doors on the ground level or windows that are adjacent to or near a door and are large enough to allow someone to enter if broken must be reinforced with entry-resistant film unless within a secured area.

**Panic alert system:**

- All schools must have a panic alert system that can be manually triggered by campus staff. When set off, the system would immediately call 911 with

a location of where the alert was triggered, alert administrators who can also direct law enforcement, and can simultaneously send an alert to all staff.

**Other facility components:**

- All exterior doors must be numbered.
- Radio signal repeaters must be placed where needed.
- Schools must ensure there is an exterior secure master key lock box.

Schools would also be required to update their operations and maintenance protocols.

**Proposed Educational Choice Bill** – On November 15<sup>th</sup>, Senator-elect Mayes Middleton (R-Wallisville) filed SB 176, which would allow parents to direct their child's education. Representative Middleton said, “SB 176, empowers parents to choose the educational opportunity that best suits their child's needs, with the money following the child. Our rights as parents are from God, not government. Educational choice is about trusting Texas parents by putting more tools on the table for them to decide which educational options work best for their children whether public school, private school, homeschool, or a hybrid of each. Parents deserve more options, and no zip code or income level should prevent Texas children from receiving a high-quality education - this is about equality of opportunity. The reasons parents choose a particular education option are as diverse as our children - whether it be special needs services, safety concerns, religious reasons, or any other purpose. This bill puts all of the tools on the table for Texas parents. Allowing the money to follow the child to the educational option of their choice is not a new concept. Currently, public dollars that can be used at private institutions include: Pell Grants, GI Bill, Pre-K programs, food stamps, Medicaid, Section 8, Social Security, WIC, Head Start, and many more. Expanding educational opportunities will not only benefit Texas students but will also benefit Texas teachers. Increasing educational options has been proven to increase student outcomes, strengthen schools, and create more opportunities for teachers. This includes providing teachers with competitive compensation and a variety of working environments that best suit their needs. This Legislative Session, Texas has an opportunity to pass the most expansive educational choice bill in the country.”

**Texas Early Learning Council** – On November 17<sup>th</sup>, Governor Greg Abbott appointed Tori Lee and Marisela Nava to the Texas Early Learning Council for terms set to expire at the pleasure of the governor. The Texas Early Learning Council serves as Texas' State Advisory Council as required by the Improving Head Start for School Readiness Act of 2007. The council utilizes its breadth of stakeholder representation to increase coordination and collaboration across state agencies and local program and service providers in order to improve the quality of and access to early childhood services across Texas. In 2019, the council led a statewide birth-five needs assessment and developed the Early Learning Strategic Plan as part of Texas' Preschool Development Grant project.

**Tori Lee** of Oak Cliff is the Division Director of Early Childhood Education for the Texas Education Agency. She was previously an elementary and high school principal. Lee received a Bachelor of Social Work from the University of North Texas and a Master of Arts in Teaching from Georgia State University.

**Marisela Nava** of Brownsville is the Director of the Texas Southmost College Child Care Center. She is a Vice President of the Southmost Association for the Education of Young Children Chapter and a member of the National Coalition for Campus Children's Centers, the National Association for the Education of Young Children, and the Texas Association for the Education of Young Children. She also volunteers at the Children's Museum of Brownsville as a Focus Group Member and serves as Chair of the Texas Southmost College Child Development Program Advisory Committee. Nava received an Associate of Applied Science in Child Care and Development from Texas Southmost College, a Bachelor of Applied Arts and Sciences from the University of Texas at Brownsville, and is currently pursuing a Master of Education in Early Childhood from the University of Texas Rio Grande Valley.

**Bills Filed in Response to Uvalde School Shooting** – On November 14<sup>th</sup>, Senator Roland Gutierrez (D-San Antonio) pre-filed three bills to address lingering state issues in the aftermath of the Uvalde school shooting on May 24, 2022. The bills would establish high risk protective orders to keep guns out of the hands of potentially dangerous individuals, raise the age limit to buy any firearm from 18 to 21, and create a state fund to compensate Uvalde victims. Senator Gutierrez said, "We are doing what should have been done after the shootings at Sutherland Springs, Santa Fe, El Paso, and Midland-Odessa. Making sure that young killers cannot get their hands on the weaponry that is used in most of these shootings. Making sure that people who are a risk to harm themselves and others do not have the opportunity to do so. Ensuring that the Uvalde victims are compensated for the harm that the State of Texas has caused them. It's time for the killing in Texas to stop. We cannot continue to live in fear of going to school, going to church, shopping for groceries, and just living our lives." The bills include:

- SB 144 - High Risk Protective Orders – It would establish HRPOs as a civil service that empowers law enforcement to remove firearms from individuals that are at risk of harming themselves and/or others. Firearm removal is temporary and will be given back to the owner once the crisis period has passed.
- SB 145 - Age Limit Increase – It would increase the age limit to purchase firearms from 18 to 21.
- SB 146 - Uvalde Victims' Compensation Fund – It would establish a \$300 million fund to compensate Uvalde victims and families for DPS negligence. It would waive sovereign immunity for the State of Texas and qualified immunity for state and local law enforcement individuals and entities that were present at Robb Elementary on May 24, 2022.

Senator Gutierrez concluded, "We must take steps to address the issue of gun violence in our state. What happened on May 24, 2022 must never be allowed to

happen again. The children and parents of Texas deserve better than having to live in fear of being gunned down.”

**TAX:**

**October Sales Tax Revenue** – On November 1<sup>st</sup>, Comptroller Glenn Hegar announced that state sales tax revenue totaled \$3.82 billion in October, 11.9 percent more than in October 2021. The majority of October sales tax revenue is based on sales made in September and remitted to the agency in October. That compares to:

- September 2022 collections were \$3.69 billion, 17.2 percent more than September 2021;
- August 2022 collections were \$3.77 billion, 13 percent more than August 2021;
- July 2022 collections were \$3.88 billion, 14.7 percent more than July 2021;
- June 2022 collections were 3.68 billion, 16.5 percent more than June 2021;
- May 2022 collections were \$3.69 billion, 8.6 percent more than May 2021;
- April 2022 collections were \$3.83 billion, 12.8 percent more than April 2021;
- March 2022 collections were \$3.37 billion, 28.5 percent more than in March 2021;
- February 2022 collections were \$3.23 billion, 28.6 percent more than in February 2021;
- January 2022 collections were \$3.85 billion, 25.3 percent more than January 2021;
- December 2021 collections were \$3.56 billion, 24.4 percent more than December 2020;
- November 2021 collections were \$3.56 billion, 19.4 percent more than November 2020;
- October 2021 collections were \$3.41 billion, 25.2 percent more than October 2020; and
- September 2021 collections were \$3.15 billion, 22.3 percent more than September 2020.

Comptroller Hegar said, “Rapid growth in state sales tax revenue was again led by business spending. Double-digit growth in receipts continued from the mining, construction, manufacturing and wholesale trade sectors, fueled in part by high inflation in the prices of building materials and other business inputs. Receipts from restaurants and retail trade were up from a year ago at about the respective rates of inflation in prices for those sectors, possibly indicating a reduction in real per capita spending for those items as rising costs for housing and groceries claim larger shares of household budgets. Within retail trade, the greatest growth was in receipts from automobile and parts dealers, online shopping and general merchandise stores. Receipts from furniture and home furnishings stores, and sporting goods and hobby stores, were down from the previous year.” Total sales tax revenue for the three months ending in October 2022 was up 14 percent

compared to the same period a year ago. Sales tax is the largest source of state funding for the state budget, accounting for 56 percent of all tax collections.

Texas collected the following revenue from other major taxes:

- motor vehicle sales and rental taxes - \$588 million, up 8 percent from October 2021;
- motor fuel taxes - \$312 million, down 3 percent from October 2021;
- oil production tax - \$544 million, up 33 percent from October 2021;
- natural gas production tax - \$410 million, up 59 percent from October 2021;
- hotel occupancy tax - \$66 million, up 22 percent from October 2021; and
- alcoholic beverage taxes - \$150 million, up 16 percent from October 2021.

**Key Dates – 88<sup>th</sup> Legislative Session:**

Prefiling Legislation Begins: 3 Days (November 14, 2022)

88<sup>th</sup> Legislative Session Begins: 60 Days (January 10, 2023)

Bill Filing Deadline: 120 Days (March 10, 2023)

88<sup>th</sup> Legislative Session Ends: 200 Days (May 29, 2023)

**State Websites** - Additional information can be obtained via the Senate, House, and capitol websites:

[www.senate.state.tx.us](http://www.senate.state.tx.us)

[www.house.state.tx.us](http://www.house.state.tx.us)

[www.capitol.state.tx.us](http://www.capitol.state.tx.us)