March 29, 2019 Legislative Report



SENATE:

The Senate was in session Monday, Tuesday and Wednesday of this week.

On Monday, the Senate passed six bills including:

• **SB 12** by Joan Huffman (R-Houston) shoring up the Teacher Retirement System pension fund.

About SB 12, Lt. Governor Dan Patrick said, "I have repeatedly told our retired teachers that my goal is to keep the Teacher Retirement System (TRS) solvent forever. SB 12, which unanimously passed the Texas Senate today, provides a secure pathway to achieving that goal. SB 12 takes a principled conservative approach to pension reform and will bring actuarial soundness to TRS. Ensuring that Texas doesn't get mired in mounting pension debt, as we see in too many other states, must remain a top priority for Texas. SB 12 will also provide a 13th check for retired teachers in 2020."

On Wednesday, the Senate passed 24 bills including:

- **SB 20** by Joan Huffman (R-Houston) codifying the 14 recommendations from the Texas Human Trafficking Prevention Task Force.
- **SB 72** by Jane Nelson (R-Flower Mound) establishing the Human Trafficking Prevention Coordinating Council.
- **SB 702** by Paul Bettencourt (R-Houston) requiring local political subdivisions to report their lobbying activities.

About the passage of SB 20, Lt. Governor Dan Patrick said, "I congratulate Senator Joan Huffman and the entire Texas Senate on the unanimous passage of CSSB 20 and for her vigilant commitment to ending human trafficking in Texas. CSSB 20 reaffirms our determination to bring human traffickers to justice and stop the scourge of this horrible crime. This legislation will create safer communities across Texas. There are over 234,000 victims of human trafficking in Texas at any given time. CSSB 20 reforms the way we combat human trafficking and strengthens penalties for offenders."

Total number of bills reported out of Senate Committees this week:

Total number of bills passed by the Senate this week:

44

Total number of bills passed by the Senate this session:

72

Next Week: The Senate will reconvene at 2:00 p.m. on Monday, April 1.

HOUSE:

The House was in session on Monday, Tuesday and Wednesday of this week.

On Monday, the House gave preliminary approval to nine bills including:

- **HB 76** by Dan Huberty (R-Humble) requiring school districts to offer info on EKG's to UIL student-athletes.
- HB 165 by Diego Bernal (D-San Antonio) providing endorsements for special education students. (additional information is in the Public Education section)

On Tuesday, the House gave final approval to the nine Monday bills, and gave preliminary approval to six bills including:

• **HB 638** by Giovanni Capriglione (R-Keller) allowing school districts to issue posthumous high school diplomas.

On Wednesday, the House gave final approval to the six bills taken up on Tuesday. They spent 12 hours in debate and after consideration of 307 amendments gave preliminary approval to:

- **HB 1** by John Zerwas (R-Fulshear) is the general appropriations bill.
- **SB 500** by Jane Nelson (R-Flower Mound) and John Zerwas (R-Fulshear) is the supplemental appropriations bill.

Total number of bills reported out of House Committees this week: 101
Total number of bills passed by the House this week: 17
Total number of bills passed by the House this session: 34

Next Week: The House will reconvene at 10:00 a.m. on Monday, April 1. Speaker Dennis Bonnen announced that the House will be in session Monday through Friday next week. Friday is Speaker's Reunion Day when former House members return to visit the House.

BUDGET:

Passed the House:

HB 1 by John Zerwas (R-Fulshear) is the House version of the general **appropriations** bill. It would authorize total appropriations of \$251.1 billion, an increase of 6.5 percent from 2018-2019. General revenue appropriations would total \$116.5 billion, an increase of \$7.9 billion, or 7.3 percent from 2018-1029. The committee substitute and 123 floor amendments were adopted (with the remaining amendments moved to Article XI) and it passed the House by a vote of 149-0.

SB 500 by Jane Nelson (R-Flower Mound) and John Zerwas (R-Fulshear) is the **supplemental appropriations** bill. It would appropriate \$9.3 billion in all funds to several state agencies, including \$4.3 billion from the Economic Stabilization Fund, \$2.7 billion in general revenue, and \$2.3 billion in federal funds for Hurricane Harvey relief and recovery, the Medicaid shortfall, and state employee and teacher retirement. *The committee substitute and two floor amendments were adopted and it passed the House by a vote of 149-0*.

On Thursday, The **Senate Finance Committee** took up workgroup recommendations for **SB 1**, the Senate version of the appropriations bill.

Next Week:

House Calendar:

HB 440 by Jim Murphy (R-Houston) would require a sample ballot for a **local general obligation bond election** to be posted on a taxing unit's website at least 21 days before the election; and would add a new Chapter 1253 in the Government Code, "General Obligation Bonds Issued by Political Subdivisions" which would prohibit a taxing unit from issuing general obligation bonds to purchase, improve, or construct improvements or to purchase personal property if the weighted average maturity of the bonds exceeds 120 percent of the reasonably expected weighted average economic life of the items purchased. *It is on the House calendar for Monday, April 1, 2019 (committee substitute*).

The **Senate Finance Committee** will meet on Wednesday, April 3, 2019 9:00 a.m. in E1.036 of the capitol extension to take up:

SB 1 by Jane Nelson (R-Flower Mound) is the Senate version of the **appropriations** bill.

SB 69 by Jane Nelson (R-Flower Mound) would eliminate the legislative committee that determines the **sufficient balance** for the **Economic Stabilization Fund** (ESF) and require the comptroller to calculate the sufficient balance as 7 percent of the most recent general revenue-related biennial revenue estimate. It would also end federal revenues being deposited into the general revenue fund. It would allow the comptroller to invest up to 75 percent of the ESF in an investment portfolio.

HEALTH:

Reported from Committee:

HB 18 by Four Price (R-Amarillo) would add positive behavior interventions and support into each school district's improvement plan; increase training and curriculum requirements on mental health issues; and expand school counseling programs for **students with mental health conditions**. *It was voted favorably as substituted from the House Public Health Committee*.

HIGHER EDUCATION:

On Wednesday, the **Senate Higher Education Committee** took up: **SB 1923** by Royce West (D-Dallas) would make several changes to promote **credit transfer** by requiring dual credit students to file a degree plan after completing 30 semester credit hours; requiring junior colleges and technical institutes to adopt a field of study curriculum for an academic area in which the college or institute offers courses; and requiring the Coordinating Board to develop a meta-major academic pathway for each broad academic discipline. *It was left pending*.

Reported from Committee:

HB 1891 by Lynn Stucky (R-Sanger) would exempt students from the Texas Success Initiative assessment requirement in a content area if the student receives above a score set by the Texas Higher Education Coordinating Board on a high school equivalency examination in that content area. It was voted favorably as substituted from the House Higher Education Committee.

HB 2140 by Victoria Neave (D-Dallas) would require the Texas Higher Education Coordinating Board to adopt procedures to allow a person to complete and submit the Texas Application for State Financial Aid (TASFA) of a similar application for state student financial assistance by electronic submission through the board's Internet website. It was voted favorably as substituted from the House Higher Education Committee.

Senate Intent Calendar:

SB 1324 by Larry Taylor (R-Friendswood) would require **dual credit students** to file a **degree plan** after completing 15 semester credit hours. *It is on the Senate Intent Calendar for Monday, April 1, 2019.*

PUBLIC EDUCATION:

Passed the House:

HB 76 by Dan Huberty (R-Katy) would require high school **student athletes** to receive a physical exam that includes an **electrocardiogram** before being allowed to participate in a sports activity. *The committee substitute was adopted and it passed the House 145-0*.

HB 165 by Diego Bernal (D-San Antonio) would allow **special education students** to earn an **endorsement** on the student's transcript by successfully completing curriculum and endorsement requirements identified by the State Board of Education, with or without modification by the student's admission, review, and dismissal committee. *It passed the House 148-0*.

HB 638 by Giovanni Capriglione (R-Keller) would establish procedures for a high school **diploma to be issued posthumously** to a student that dies while enrolled in the school district. *The committee substitute was adopted and it passed the House 148-0.*

On Tuesday, the **House Public Education Committee** took up:

HB 17 by Greg Bonnen (R-Friendswood) is a **school safety** bill that includes building and facility security standards, multi-hazard emergency operations plans, communication access, safety and security audits, notification plans, and emergency drills. *It was left pending*.

HB 366 by Mary Gonzalez (D-El Paso) would require the State Board of Education to adopt the Texas Essential Knowledge and Skills (TEKS) for curricula to be used by a school district in providing **healthy relationships education** that is age-appropriate and supported by research that is peer-reviewed, conducted in compliance with accepted scientific methods, and recognized as accurate by leading professional organizations. *It was left pending*.

HB 567 by Giovanni Capriglione (R-Keller) would require the Commissioner of Education to adjust a school district's wealth per student by deducting the amount of revenue per student **costs associated with campus security** in the preceding school year. *It was left pending*.

HB 734 by Dan Huberty (R-Humble) would authorize **school board members** and school superintendents to carry a **concealed handgun** at a meeting of the board of trustees of the school district. *It was left pending*.

HB 973 by Will Metcalf (R-Conroe) would require the Texas School Safety Center to report to the Texas Education Agency (TEA) any school district that fails to require with **school safety and security audits, procedures and requirements**; and would allow TEA to impose an administrative penalty against the district in an amount up to the annual salary of the superintendent. *It was left pending*.

HB 974 by Will Metcalf (R-Conroe) would require school districts to conduct a **safety and security audit** once every two years (instead of three years); and would require (instead of allow) school districts to require a person that enters a campus, other than to attend a school sponsored event that is open to the public, to display the person's driver's license or other form of photo identification, and to cross-check the person with the Department of Public Safety's sex offender registry. *It was left pending*.

HB 975 by Will Metcalf (R-Conroe) would require the State Board of Education to require a **trustee** to complete **training on school safety** on curriculum and materials developed by the board. *It was left pending*.

HB 976 by Will Metcalf (R-Conroe) would require school district **trustees** and charter school governing members to complete **training on school safety** and security provided by the Texas School Safety Center every three years. *It was left pending*.

HB 1026 by Dwayne Bohac (R-Houston) would require the State Board of Education to integrate **positive character traits** into the Texas Essential Knowledge and Skills for kindergarten through 12th grade curriculum. *It was left pending*.

HB 1467 by James Talarico (D-Round Rock) would require school districts and charters to maintain a **mental health professional to school law enforcement ratio** of at least four mental health professionals for each school law enforcement official if the district or school has 5,000 or more students; three to one if the district or school has between 500 and 5,000 students; and two to one if the district or school has less than 500 students. *It was left pending*.

HB 1623 by Garnet Coleman (D-Houston) would require teachers and other school district employees to be trained to recognize **students displaying signs of physical or emotional trauma** and a possible need for early mental health or substance abuse intervention. *It was left pending*.

HB 1640 by Armando "Mando" Martinez (D-Weslaco) would establish a **life skills counselor pilot program** in high schools in the border region to help address emotional and mental health concerns of students. *It was left pending*. **HB 1754** by Greg Bonnen (R-Friendswood) would establish a **school safety allotment** of at least \$50 per student in the foundation school program to be

used to improve school safety and security including securing school facilities through infrastructure, installation of physical barriers, security equipment or cameras, employing peace officers and school marshals, and safety and security training. *It was left pending*.

HB 2195 by Morgan Meyer (R-Dallas) would require a school districts to include in its multihazard emergency operations plan a **policy** for responding to an **active shooter emergency**. *It was left pending*.

HB 2511 by Alma Allen (D-Houston) would require campus improvement plans to include goals and methods for bullying prevention and dropout deterrence, including providing a research-based teacher development program that provides teachers continuing education in creating a nurturing classroom environment; developing respectful and caring relationships with students; promoting student emotional health by providing strategies to help students feel valued; and providing empathetic teaching techniques that may be used to discipline a student's behavior while showing respect and care for the student. It was left pending.

HB 2653 by Jon Rosenthal (D-Houston) would require school districts and charters to adopt policies and procedures in accordance with the guidelines developed by the Texas School Safety Center for establishing a **threat assessment team**. *It was left pending*.

HB 2654 by Jon Rosenthal (D-Houston) would establish new building standards and **safety standards** that apply to new **instructional facilities** constructed after September 1, 2019. *It was left pending*.

HB 2994 by James Talarico (D-Round Rock) would require the Commissioner of Education to develop training materials to assist educators in developing expertise in working with **students with mental health needs**. *It was left pending*.

HB 2997 by James Talarico (D-Round Rock) would require **suicide prevention training** to all school employees that have student contact, including bus drivers. *It was left pending*.

HB 3018 by Steve Allison (R-San Antonio) would require school districts to incorporate **instruction in digital citizenship** into the district's curriculum including instruction on the standards of appropriate, responsible, and healthy online behavior, including the ability to access, analyze, evaluate, create, and act on all forms of digital communication. *It was left pending*.

HB 3235 by Ana-Maria Ramos (D-Dallas) would require **teacher staff development** to include **suicide prevention** training at least every two years. *It was left pending*.

HB 3290 by Steve Toth (R-The Woodlands) would require school districts to include a **special threat response policy** in its multihazard emergency operating plans. *It was left pending*.

HB 3411 by Steve Allison (R-San Antonio) would require (instead of allow) school districts to develop practices and procedures concerning **substance abuse prevention** and intervention and **suicide prevention** that include the return of a student to school following hospitalization or residential treatment for a mental health condition or substance abuse and for suicide prevention,

intervention, and postvention (activities that promote healing necessary to reduce the risk of suicide by a person affected by the suicide of another). *It was left pending*.

Also on Tuesday, the **Senate Education Committee** took up:

SB 1001 by Kirk Watson (D-Austin) would prohibit a **homeless student** from being placed in out-of-school suspension. *It was left pending.* (the companion is HB 692, which was reported favorably from the House Public Education Committee this week)

SB 1451 by Larry Taylor (R-Friendswood) would require the Commissioner of Education to ensure that a teacher may not be assigned an area of deficiency in an appraisal solely on the basis of **disciplinary referrals** made by the teacher. **SB 1679** by Royce West (D-Dallas) would clarify that a child that is eligible for enrollment in a **pre-kindergarten class** at the age of three remains eligible for enrollment at the age of four. *It was left pending*.

Reported From Committee:

HB 692 by James White (R-Hillister) would prohibit a **homeless studen**t from being placed in out-of-school suspension. *It was reported favorably from the House Public Education Committee this week.* (the companion is SB 1001, which was heard in the Senate Education Committee this week)

HB 1388 by Gary VanDeaver (R-New Boston) would add **students who successfully complete a coherent sequence of career and technology courses** to the evaluation criteria for school districts and campuses. *It was voted favorably from the House Public Education Committee*.

HB 1597 by Stan Lambert (R-Abilene) would allow a **student whose parent** or guardian is an active-duty **military member** to establish **residency in a school district** by providing a copy of a military order requiring the parent's transfer to a military installation in or adjacent to the district's attendance zone. *It was voted favorably from the House Public Education Committee*.

HB 2424 by Trent Ashby (R-Lufkin) would require the State Board of Educator Certification to establish a program to issue **micro-credentials** in fields of study related to an educator's certification class. *It was voted favorably from the House Public Education Committee*.

SB 213 by Kel Seliger (R-Amarillo) would eliminate the sunset date (September 1, 2019) on statutes authorizing the use of **individual graduation committees** and alternative methods to satisfy high school graduation requirements. *It was voted favorably as substituted from the Senate Education Committee*.

Next Week:

House Calendar:

HB 678 by Ryan Guillen (D-Rio Grande City) would add a course in **American Sign Language** completed at an elementary school to count for one credit toward an **elective course** for graduation. *It is on the House calendar for Monday, April 1, 2019.*

HB 3 by Dan Huberty (R-Humble) is a comprehensive **school finance reform** bill. It is on the House calendar for Wednesday, April 3, 2019 (committee substitute). Amendments must be filed with the clerk's office by 5:00 p.m. on Monday, April 1, 2019.

Senate Intent Calendar:

SB 674 by Donna Campbell (R-New Braunfels) would require open-enrollment charter schools to be treated the same as school districts for purposes of the exemption provisions related to **municipal drainage requirements**. *It is on the Senate Intent calendar for Monday, April 1, 2019 (first placement*).

The **House Public Education Committee** will meet on Tuesday, April 2, 2019 at 8:00 a.m. in E2.036 of the capitol extension to take up:

HB 963 by Cedil Bell, Jr. (R-Magnolia) would allow the \$50 bonus for two or more advanced career and technology education courses to apply to **advanced technology applications courses**.

HB 1468 by James Talarico (D-Round Rock) would establish the **Public School Mental Health Task Force** to examine the effectiveness of school counseling programs for students in public schools.

HB 1517 by Garnet Coleman (D-Houston) would require schools and charters that do not have a **full-time nurse** assigned to be present at the school for more than 30 consecutive instructional days during the school year to provide written **notice** of the absence **to the parents** of each student enrolled in the school. **HB 2030** by John Turner (D-Dallas) would clarify that **three-year-old children** that qualify for **pre-kindergarten** programs remain eligible the following school year.

HB 2184 by Alma Allen (D-Houston) would establish procedures to transition a student from an alternative education program to a regular classroom. HB 2984 by Steve Allison (R-San Antonio) would require kindergarten through 8th-grade TEKS to include coding, computer programming, computational thinking, and cybersecurity in the technology applications curriculum. HB 3007 by Chris Turner (D-Burleson) would require Texas Education Agency to provide school districts with a copy of all source data submitted to the agency by an entity other than the district that the agency considered in determining the district's or a campus' accountability rating, prior to the initial release of accountability ratings for a school year.

HB 3217 by Trent Ashby (R-Lufkin) would require the State Board of Educator Certification to provide for a minimum amount of **field-based experience** or internship to be included in the required credit hours needed for **teacher certification**.

HB 3323 by DeWayne Burns (R-Cleburne) would require **school districts** to post the district's **employment policy** on the district's Internet website. **HB 3435** by Rhetta Andrews Bowers (D-Rowlett) would designate March 1st as **Texas Girls in STEM Day** to celebrate and encourage the participation of girls in the fields related to science, technology, engineering, and mathematics.

HB 3710 by Keith Bell (R-Forney) would require the Texas Education Agency to develop **interactive electronic tutorials** that provide a comprehensive **review for each end-of-course assessment** required for graduation.

HB 4310 by Harold Dutton (D-Houston) would require school districts to allow sufficient time for teachers to teach and for students to learn the required curriculum; and would prohibit a school district from penalizing a teacher that does not follow a **designated scope and sequence**, if the teacher determines that students need additional time or less time to demonstrate proficiency in a specific set of standards.

The **Senate Education Committee** will meet on Tuesday, April 2, 2019 at 9:00 a.m. in E1.028 to take up:

SB 591 by Kirk Watson (D-Austin) would take away the "pilot" status of the Adult High School Diploma and Industry Certification Charter School Program, making it a full program; and would allow adult students of all ages to participate. SB 676 by Dawn Buckingham (R-Lakeway) would allow a student whose parent or guardian is an active-duty military member to establish residency in a school district by providing a copy of a military order requiring the parent's transfer to a military installation in or adjacent to the district's attendance zone. SB 863 by Kirk Watson (D-Austin) would require the Texas Education Agency to conduct an ongoing study to examine costs associated with dual credit courses offered a public high schools including data on costs associated with tuition, fees, textbooks, transportation, instructor compensation, assessments, and facilities; and including sources of funding. (the companion is HB 3055) SB 1276 by Beverly Powell (D-Burleson) would require agreements between school districts and institutions of higher education to provide a dual credit program.

SB 1323 by Larry Taylor (R-Friendswood) would require **students** who have earned 15 or more semester credit hours through **dual credit** to complete an **application for federal student aid** (FAFSA) or a Texas application for state financial aid (TASFA).

SB 1731 by Angela Paxton (R-McKinney) would eliminate the internship requirement for **teacher certification**.

SB 2073 by Larry Taylor (R-Friendswood) would require school districts that reduce the number of instruction days for students to give a corresponding reduction of **teacher in-service days**.

TAX:

On Tuesday, the **Senate Property Tax Committee** took up:

SB 5 and **SJR 71** by Paul Bettencourt (R-Houston) would propose a constitutional amendment increasing the **homestead exemption** from \$25,000 to \$35,000; and would reduce the amount of revenue that would otherwise be deposited in the Economic Stabilization Fund. *They were left pending*.

Reported From Committee:

HB 2 by Dustin Burrows (R-Lubbock) is the House's **property tax reform** bill. *It was voted favorably as substituted from the House Ways & Means Committee.* **HB 2129** by Jim Murphy (R-Houston) would extend the **Texas Economic Development Act** (Chapter 313 of the Tax Code) from through 2022 to through 2032. *It was voted favorably from the House Ways & Means Committee.*