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UPDATE - B&I Hearing on TRCC Bills - TUESDAY, March 31

On Tuesday the Business and Industry Subcommittee on TRCC, Property, Landlord and Tenant Issues had a hearing on a number of the bills affecting the agency. Thank you to everyone that came in from across the state to testify and support TAB at this hearing. All bills were left pending in the committee. Representative McClendon's HB 2295, TRCC Sunset bill, is still pending in committee but we are hopeful that it will be voted out soon.

TAB testified on behalf of the following bills:

HB 1653 (Marc Veasey, D- Ft. Worth) Relating to issuance of an optional license for certain builders. **Neutral**

HB 2223 (Tan Parker, R- Flower Mound) Relating to notice to certain homeowners regarding residential construction warranties. **Support**

HB 3348 (Dan Gattis, R-Georgetown) Relating to regulation of residential construction. **Support**

HB 3349 (Dan Gattis, R-Georgetown) Relating to the operation of the Texas Residential Construction Commission. **Support**

HB 311 (David Leibowitz, D-San Antonio) Relating to certain fees authorized by the Residential Construction Commission Act. **Against**

HB 1635 (Todd Smith, R-Euless) Relating to the abolition of the Texas Residential Construction Commission. **Against**

HB 2095 (Jessica Farrar, D- Houston) Relating to the regulation of and claims against residential home builders. **Against**

HB 2243 (David Leibowitz, D- San Antonio) Relating to the licensing and regulation of residential construction contractors and the abolition of the Texas Residential Construction Commission. **Against**

HB 2695 (Dan Gattis, R-Georgetown) Relating to the abolition of the Texas Residential Construction Commission. **Against**

HB 3629 (Todd Smith, R-Euless) Relating to the continuation and functions of the Texas Residential Construction Commission and the licensing and regulation of certain builders. **Against**

81st Legislative Session Update

GOVERNOR – House Appropriations Committee chair Jim Pitts had previously expressed concern over Governor Perry making a \$50 million grant to Texas A&M University out of the Emerging Technology Fund without following the expected grant making process or legislative input. This week, the Appropriations Committee learned that grant money originates from the state’s unemployment compensation trust fund. Both a job training fund and the Texas Enterprise Fund are funded from those trust fund monies. The Emerging Technology Fund then received \$50 million from the Texas Enterprise Fund, which made the grant to Texas A&M. While Pitts and his committee colleagues had no issue with the money going to Texas A&M for a pharmaceutical commercialization center, they added language to the House budget bill to require Legislative Budget Board approval of these projects. The unemployment compensation trust fund itself is anticipated to be broke by fall and Governor Perry has rejected \$555 million in federal stimulus funds because Texas would be required to expand unemployment compensation eligibility.

SENATE – The Senate met Monday through Thursday of this week. On Monday, they approved two measures aimed at reducing drunk-driving fatalities in Texas. SB 261 by Senator Bob Deuell (R-Greenville) would expand the circumstances under which a driver can be compelled to give a blood or breath sample to include when a person causes an accident that leads to a person being taken to a hospital, if they are driving with a child in the car, or if they have a prior intoxication felony conviction or two DWI convictions. SB 298 by Senator John Carona (R-Dallas) would allow the use of sobriety checkpoints to randomly stop drivers in an effort to find drunk drivers. Senator Carona said, “The most significant reason that checkpoints have been successful in other states isn’t because of the ability to stop people. It’s because when people know that there are sobriety checkpoints, they begin to change their behavior.” On Wednesday, the Senate approved its version of SB 1, the appropriations bill. It was adopted after several hours of debate. After Senate passage of the budget bill, Lt. Governor David Dewhurst said, “I want to congratulate Chairman Steve Ogden (R-Bryan) and the members of the Texas Senate Finance Committee for crafting a balanced budget that meets our state’s essential needs and invests in our future. While other states are facing huge deficits, SB 1 invests in our state’s future by increasing funding for education, higher education, job training programs and transportation. This budget also uses federal stimulus funds responsibly by working to ensure they will not result in ongoing costs to the state, while allowing us to leave the Rainy Day Fund untouched so it can be used to balance the budget in 2011.” (More detail on SB 1 is in the Budget section below.)

Total number of bills reported out of Senate Committees this week: 172
Total number of bills passed by the Senate this week: 104

Total number of bills passed on the Local and Uncontested Calendar:
80

HOUSE – The House also met Monday through Thursday of this week. On Monday, the House gave preliminary approval to HB 78 by Representative Frank Corte (R-San Antonio), which would institute an e-mail voting program for overseas military personnel. An early rumor was that Representative Betty Brown (R- Athens) was going to try to add a voter ID amendment onto HB 78, but after a lengthy discussion with the parliamentarian, she decided not to make a run at the amendment. On Tuesday, the House had a Local and Consent calendar in addition to their third-reading bills. On Wednesday, the House passed HJR 29 by Representative Gary Elkins (R-Houston) which proposes a constitutional amendment requiring the Legislature to convene after the 20-day deadline for vetoes by the governor in order to reconsider vetoes by the governor. They also gave preliminary approval to HB 670 by Representative Trey Martinez Fischer (D-San Antonio) which would create a qualified privilege for journalists not to testify on information sources. On Thursday, the House gave final approval to HB 1595 by Representative Tracy King (D-Eagle Pass) which would authorize Kickapoo tribe members to hunt white-tailed deer off-season.

Total number of bills reported out of House Committees this week: 133

Total number of bills passed by the House this week: 42

Total number of bills passed on the Local and Consent Calendar: 14

BUDGET – On Wednesday, the Senate passed SB 1, the Senate’s version of the state budget for the next biennium that will start September 1st. The Senate proposal appropriates \$182 billion from all the state’s funding sources. Money to be appropriated out of the state General Revenue Fund is \$87.5 billion, representing a 7.3% increase over the current budget. Education and health and human services spending, as always, comprises almost 75% of the budget. More specifically, SB 1 reflects:

- A \$5.3 billion increase in all funds for the Medicaid program to deal with (1) rising caseload, two-thirds of which are children, (2) a less favorable federal funding match, (3) increased rates for providers, (4) expansion of community-based services and other cost increases).
- Money was not added to allow more families to enroll in the Children’s Health Insurance Program (CHIP), to allow families to “buy-in” or to lengthen the enrollment period from six months to a year.
- A \$1.9 billion increase for public education should legislation be passed to return the state to a formula-driven school finance system to improve equity and reduce recapture.
- A \$453.8 million increase in formula funding for higher education. About \$1.5 million was added to the Texas Grant scholarship program, but still only 36.2% of eligible students

will be able to benefit from the program.

- From federal stimulus package funds, \$10.9 billion is appropriated. These federal funds allowed about \$5.4 billion in General Revenue Fund monies to be freed up and spent on state agencies needs.

Further details on SB 1, as passed by the Senate, can be found on the Legislative Budget Board website at www.lbb.state.tx.us. A rider that prohibits state funds from being used for embryonic stem cell research generated debate on the Senate floor during explanation of SB 1. SB 1 sponsor, Senate Finance Committee chair Steve Ogden (R-Bryan) offered to “tweak” the language to clarify that the prohibition is meant to apply only to work directly funded with state dollars.

The House Appropriations Committee is expected to vote out its version of the budget next week. Full House consideration of the House version is predicted to occur after Easter.

With the effects of the economy finally hitting Texas, there is speculation that Comptroller Susan Combs may be faced with lowering the revenue estimate she presented to the Legislature in January. The Legislature relies on the revenue estimate in crafting the state budget. If the revenue estimate is lowered, the issue of whether to tap into the state’s Rainy Day Fund could resurface. The Senate version of the state budget avoided tapping into those funds.

On Wednesday, The Texas Public Policy Foundation and other research and taxpayer organizations urged legislators not to tap into the Economic Stabilization Fund during the 81st Texas Legislature. The Foundation, along with leaders from Texans for Fiscal Responsibility, Americans for Prosperity-Texas, the Free Market Foundation, and the Texas Conservative Coalition Research Institute, issued a letter to legislators saying, “The Comptroller may transfer money from the economic stabilization fund to general revenue to prevent or eliminate a temporary cash deficiency in general revenue. The Texas Constitution and the ballot language approved by voters illustrate the clear intent for the Economic Stabilization Fund to serve as a mechanism to remedy state budget deficits in existing programs, not to fund one-time spending items when other funds are available. We believe the federal stimulus package was bad policy and the wrong direction for America. As bad as it is that the legislative budget committees have incorporated the stimulus funds into the 2010-11 state budget, doing so while also drawing down the Economic Stabilization Fund could set Texas up for a serious budget crisis two years from now. Last week, the House Appropriations Committee approved HB 6, which would withdraw \$865 million from the Economic Stabilization Fund to reimburse state agencies and institutions of higher education for damages and disruptions caused during last year’s hurricane season. We do not wish HB 6 and hurricane recovery to fail. We simply urge you to save the Economic Stabilization Fund for the next budget cycle, and to repair hurricane-damaged facilities through other means.”

On Tuesday, the **House State Affairs Committee** took up: **HB 1485** by Jim Pitts (R-Waxahachie) would require state agencies to establish a six-year plan to assess the agency's management, accountability, performance, and customer service using the Malcolm Baldrige Criteria for Performance Excellence. *It was left pending.*

Committee Reports:

HB 6 by Craig Eiland (D-Texas City) is the supplemental appropriations bill to pay for damages suffered by state agencies and institutions of higher education caused by natural disasters out of the economic stabilization fund. *It was reported favorably as substituted from the House Appropriations Committee.*

STATE AGENCY SUNSET REVIEW - Each session, the Legislature considers legislation that is derived from the "sunset review" process of state agencies. The reviews are conducted by the Sunset Advisory Commission, a legislative panel. Agencies are rarely actually "sunsetting"; but the bills reflect various recommended improvements in agency operations. This session, 27 agencies were subject to sunset review. Among the most significant:

- Department of Agriculture
- Credit Union Commission
- Texas Department of Insurance and Office of Public Insurance Counsel
- Parks and Wildlife Department
- Department of Public Safety
- Racing Commission
- **Texas Residential Construction Commission**
- Texas Department of Transportation
- Texas Youth Commission

The Texas Department of Transportation has been a controversial agency over the last several sessions, in particular for its perceived preference for toll roads and independence from the Legislature. The sunset bill for the agency proposes changing governance of the agency from the five-member Texas Transportation Commission to a single transportation commissioner. But, this idea is also controversial. Even the bill sponsor and Sunset Advisory Commission chair Carl Isett (R-Lubbock) is quoted as having reservations because the regional representation provided by the current commission structure would be eliminated.

On Monday, the **House Border and Intergovernmental Affairs Committee** took up:

HB 4067 by Veronica Gonzales (D-McAllen) would establish the Bureau for Economic Development of the Border Region. *It was left pending.*

Also on Monday, the **Senate Agriculture and Rural Affairs Committee** took up:

SB 1988 by Craig Estes (R-Wichita Falls) would establish the Texas Rural Investment Fund. *It was left pending.*

Also on Wednesday, the **House Ways and Means Committee** took up: **HB 1127** by Joe Heflin (D-Crosbyton) would authorize counties to enter into a tax abatement agreement with the lessee (rather than just the owner) of property located in a reinvestment zone. *It was left pending.*

HB 1274 by Lois Kolkhorst (R-Brenham) would require school districts that maintain an Internet website to post information on the applications the district receives under the Texas Economic Development Act; and would also require the comptroller to post the information on the comptroller's website. *It was left pending.*

HB 1756 by Rob Eissler (R-The Woodlands) would require the biennial report on the Texas Economic Development Act by the comptroller to include the dollar amount of any payment in lieu of the taxes on the qualified property made by each recipient to each school district or to a foundation or other entity created to benefit the district. *It was left pending.*

HB 2503 by David Swinford (R-Amarillo) would extend the Texas Economic Development Act to December 31, 2015 (rather than 2011). *It was left pending.*

HB 3676 by Joe Heflin (D-Crosbyton) would extend the Texas Economic Development Act to December 31, 2015 (rather than 2011). *It was left pending.*

And on Wednesday, the **Senate International Relations and Trade Committee** took up:

SB 1035 by Juan "Chuy" Hinojosa (D-Mission) would authorize cities in counties with a population of 300,000 (rather than 400,000) or more to create a cultural education facilities finance corporation. *It was reported out favorably and recommended for the Local and Uncontested calendar.*

On Wednesday, the **Senate Veteran Affairs and Military Installations Committee** took up:

SB 1654 by Leticia Van de Putte (D-San Antonio) would add anticipated number of jobs retained (rather than just created) to the criteria for evaluating requests for defense economic adjustment assistance grants. *It was reported out favorably and recommended for the Local and Uncontested calendar.*

ECONOMIC DEVELOPMENT – On Monday, The Texas Conservative Coalition held a press conference to announce their "Jobs for Texans" plan to grow the Texas economy and create jobs. Representative Linda Harper-Brown (R-Irving) said, "It is imperative that the Texas Legislature take a direct and responsible approach to job growth. We must focus our efforts on tax reform, job retention and

workforce development programs that have proven to work. The ‘Jobs for Texans’ policy plan issued by TCC does just that. The plan takes three approaches to helping workers and businesses: reducing the tax burden on businesses; retaining jobs in Texas through targeted incentives; and investing in workforce development. Reducing and reforming the margins tax must be a top priority for the legislature. TCC suggests cutting the rates of margins tax to limit tax liability which encourages short-term and long-term economic growth, lowering the ‘easy-file’ rate to provide additional tax relief and reduce compliance costs, raise the small business exemption since nearly half of Texas’ employees work at companies with less than 500 workers, and allowing deductions for compensation paid to contractors.” Representative David Swinford (D-Amarillo) said, “The current franchise tax couldn’t have hit at a worse time. Tax relief is the best way to relieve the burden on Texas business. By significantly lowering the franchise tax, we can allow businesses to make the investments and take the risks that will create jobs for Texans.” Representative Phil King (R-Weatherford) concluded, “So far, Texas has weathered the current economic crisis relatively well thanks to sound tax policies and targeted job growth programs put in place over the last six years. But we refuse to remain idle. Our ‘Jobs for Texans’ economic recovery plan is to limit taxes and make targeted investments in proven job training programs that give unemployed Texans the support they need to get back to work.”

ENVIRONMENT – On Tuesday, the **House Natural Resources Committee** took up:

HB 1433 by Eddie Lucio, III (D-San Benito) would increase the maximum annual water quality fee imposed on holders of wastewater discharge permits from \$75,000 to \$200,000. *It was left pending.*

HB 2254 by Kelly Hancock (R-North Richland Hills) would prohibit the Railroad Commission or the Texas Commission of Environmental Quality from issuing a permit for a disposal well without the permission of a local government with territory overlying the formation or stratum to be used for the disposal. *It was left pending.*

HB 4299 by Patrick Rose (D-Dripping Springs) would require rainwater harvesting system technology for nonpotable indoor use and landscape watering to be incorporated into the design and construction of each new state or institution of higher education building. *It was left pending.*

On Wednesday, the **House Environment Regulation Committee** took up:

HB 557 by Ana Hernandez (D-Houston) would require the Texas Commission on Environmental Quality to establish and maintain an air pollutant watch list. *It was left pending.*

HB 769 by Ana Hernandez (D-Houston) would require Texas Commission on Environmental Quality to adopt effects screening levels for air contaminants that take into consideration all acute and chronic health effects on a person resulting from exposure to an air

contaminant. *It was left pending.*

HB 1909 by Angie Chen Button (R-Garland) would limit the Texas Commission on Environmental Quality's motor vehicle idling rules only to vehicles with a gross vehicle weight rating of 6,000 pounds or more; and would require them to be enforced year-round. *It was left pending.*

HB 1920 by Carol Kent (D-Dallas) would limit the Texas Commission on Environmental Quality's motor vehicle idling rules only to vehicles with a gross vehicle weight rating of 6,000 pounds or more; and would require them to be enforced year-round.

HB 2748 by Warren Chisum (R-Pampa) would abolish the Texas Environmental Education Partnership Fund. *It was left pending but the committee reconvened on Thursday and voted it out favorably.*

HB 3317 by Warren Chisum (R-Pampa) would require Texas Commission on Environmental Quality to adopt rules establishing an optional nitrogen oxide idling emission standard for heavy-duty diesel engines. *It was left pending.*

HB 3422 by Lon Burnam (D-Fort Worth) would require manufacturers that own a name brand of mercury-containing lights sold in Texas to establish, finance, manage, and maintain a program for the collection, transportation, recycling, and disposal of out-of-service mercury-containing lights either individually or collectively with other manufacturers. *It was left pending.*

HB 3428 by Ana Hernandez (D-Houston) would require Texas Commission on Environmental Quality to establish and maintain an air pollutant watch list. *It was left pending.*

HB 4084 by Jessica Farrar (D-Houston) would require Texas Commission on Environmental Quality to by rule prohibit a person from intentionally or knowingly disposing of used computer equipment in a municipal solid waste landfill or incinerator. *It was left pending.*

HB 4113 by Trey Martinez Fischer (D-San Antonio) would direct the comptroller to adopt a rule requiring state agencies, political subdivisions, and vendors and other contractors of a state agency to develop a program for recycling solid waste the entity produces. *It was left pending.*

Also on Wednesday, the **House Ways and Means Committee** took up:

HB 3119 by Carol Alvarado (D-Houston) would institute a franchise tax credit for the purchase and installation of air quality monitoring devices including a device that employs infrared technology, installed or placed on the perimeter or within the boundaries of a facility to evaluate the emission of air contaminants. *It was left pending.*

On Thursday, the **Senate Natural Resources Committee** took up:

SB 1714 by Glenn Hegar (R-Katy) would define "evidence of beneficial use" relating to the permitting of groundwater to mean evidence that is material and relevant to a determination of the amount of groundwater which will be beneficially used without waste by a permit applicant. *It was left pending.*

SB 1846 by Glenn Hegar (R-Katy) would authorize any entity (rather

than a small business) that owes a civil or administrative penalty to Texas Commission on Environmental Quality to pay in periodic installments over a period of 36 (rather than 12) months. *It was left pending.*

SB 1960 by Jeff Wentworth (R-San Antonio) would give municipalities jurisdiction over all rates, operations, and services provided by a water supply or sewer service corporation within the municipality's corporate limits. *It was left pending.*

GENERAL BUSINESS – On Monday, the **House Technology, Economic Development, and Workforce Committee** took up:

HB 2249 by Todd Hunter (R-Corpus Christi) would regulate staff leasing companies. In support were representatives of Texas National Association of Professional Employer Organizations, HR&P Solutions Inc., Administaff, Unique HR, National Association of Personnel Consultants, and Texas Association of Personnel Consultants. *It was left pending but the committee reconvened on Wednesday and voted it out favorably as substituted.*

Also on Monday, the **House Judiciary and Civil Jurisprudence Committee** took up:

HB 1201 by Burt Solomons (R-Carrollton) would require a person to ascertain that the person holds an occupational license in good standing from a licensing authority in Texas that has before issuing or renewing the license performed a criminal history background check before hiring an officer, employee, or prospective employee in a position whose duties include entry into another person's residence. In support was a representative of Texas Air Conditioning Contractors Association. *It was left pending.*

On Wednesday, the **House Business and Industry Committee's Subcommittee on Consumer and Employee Issues** took up:

HB 3166 by Yvonne Davis (D-Dallas) would require credit card issuers to disclose a change in the terms of a credit card agreement. *It was left pending.*

Committee Reports:

HB 2235 by Helen Giddings (D-DeSoto) would make several updates to the Business Organizations Code. *It was reported favorably from the House Business and Industry Committee.*

SB 338 by Leticia Van de Putte (D-San Antonio) would require businesses that offer plastic checkout bags to customers to make a reusable bag available for sale at a reasonable price. *It was reported favorably as substituted from the Senate Business and Commerce Committee and recommended for the Local and Uncontested calendar.*

HUMAN RESOURCES/EMPLOYMENT – On Monday, the **House Technology, Economic Development, and Workforce Committee** took up:

HB 1858 by Craig Eiland (D-Texas City) would authorize the Texas

Workforce Commission to suspend the unemployment compensation waiting period requirement for individuals unemployed as a direct result of a natural disaster. In support were representatives of Center for Public Policy Priorities, City of Houston - office of the mayor, and Texas AFL-CIO. *It was left pending but the committee reconvened on Wednesday and voted it out as substituted.*

HB 2661 by Drew Darby (R-San Angelo) would require wage claims filed after the 180-day deadline to be dismissed. In support were representatives of Texas AFL-CIO and Texas Watch. In opposition was Texas Employment Law Council. *It was left pending.*

Committee Reports:

HB 2623 - A committee substitute for HB 2623, a bill that would make the changes necessary to qualify for federal stimulus funds for unemployment compensation, was voted out of the House Business & Industry Committee this week. Bill opponents, including the Texas Association of Business, had planned to testify against the bill. However, they were unaware that the time for the hearing had been changed the previous day and missed the hearing. *It was voted out of committee later that day.*

SB 1569 by Kevin Eltife (R-Tyler) would make the base period for unemployment compensation the four consecutive completed calendar quarters; and would establish an alternative base period for individuals with a medically verifiable injury or illness as the first four calendar preceding the illness or injury. *It was reported favorably as substituted from the Senate Economic Development Committee.*

PROPERTY – On Monday, the **House Criminal Jurisprudence Committee’s Subcommittee on Property Crime** took up:

HB 2609 by Doug Miller (R-New Braunfels) would make it a defense to prosecution under the criminal trespass statute if the person committing the offense was an employee or agent of an electric or gas utility performing a duty within the scope of employment who reasonably believed had effective consent to enter the property. In support were the City of New Braunfels, American Civil Liberties Union of Texas, CenterPoint Energy, and Texas Apartment Association. *It was left pending.*

Also on Monday, the **House Business and Industry Committee** took up:

HB 1977/HJR 76 by Burt Solomons (R-Carrollton) proposes a constitutional amendment to allow an encumbrance on a homestead for failure to pay property owners’ association fees for maintenance and ownership of common facilities and services; however, it would protect a homestead from forced sale for the payment of that type of debt. *They were left pending.*

On Wednesday, the **House Land and Resource Management Committee** took up:

HB 417 by Bill Callegari (R-Houston) would amend the Local

Government Code, and repeal sections, regarding procedures a municipality must follow when identifying property as having the characteristics of blight and before exercising powers of eminent domain. In support were representatives of Institute for Justice-Texas Chapter, Texas Public Policy Foundation, Texas Farm Bureau, and Entergy Transfer. In opposition were representatives of City of San Antonio, Texas Municipal League, and City of Fort Worth. *It was left pending.*

HB 2110 by Bryan Hughes (R-Marshall) would require a municipality to prepare a Takings Impact Assessment when considering an ordinance regulating oil and gas drilling. *It was left pending.*

Also on Wednesday, the **Senate Intergovernmental Relations and Trade Committee** took up:

SB 1449 by Royce West (D-Dallas) would authorize municipalities and nonprofit housing organizations to bring an action in district court against an owner of property that is not in substantial compliance with municipal health and safety ordinances. *It was voted out favorably as substituted.*

On Thursday, the **House Transportation Committee** took up 13 bills relating to signs, billboards and advertising.

Also on Thursday, the **Senate State Affairs Committee** took up:

SJR 42 by Robert Duncan (R-Lubbock) proposes a constitutional amendment to prohibit eminent domain for the acquisition of property for the primary purpose of economic development. *It was left pending.*

Committee Reports:

HB 1445 by Dennis Bonnen (R-Angleton) would require subdivisions to conduct and obtain the approval of the Land Commissioner and of a coastal boundary survey before constructing a shore protection structure. *It was reported favorably as substituted from the House Land and Resource Management Committee.*

HB 1680 by Pete Gallego (D-Alpine) would authorize the commissioner's court of counties near an international border to impose a fee based on the cost of processing an application to revise a subdivision plat, including costs associated with required notices. *It was reported favorably from the House Land and Resource Management Committee and recommended for the Local and Consent calendar.*

HB 2387 by Dennis Bonnen (R-Angleton) would require the Land Commissioner to study the removal and relocation of structures from public beaches including the purchase of property located on a public beach and the acquisition by eminent domain of property necessary for the construction, reconstruction, maintenance, widening, or extension of an erosion response project. *It was reported favorably as substituted from the House Border and Intergovernmental Relations Committee.*

SB 1253 by Kel Seliger (R-Amarillo) would repeal the authority of water districts and water supply corporations in the Pecos River

Compact to allow the use of right-of-way easements for energy-related purposes. *It was reported favorably from the Senate Natural Resources Committee and recommended for the Local and Uncontested calendar.*

TAXATION – On Monday, the **Senate Finance Committee** took up:

SB 562 by Mike Jackson (R-La Porte) would allow a tax assessor-collector to request the US postal service to return a tax bill if it is undeliverable as addressed by printing “return service requested” on exterior of the tax bill. *It was voted out favorably and is on the Senate Intent calendar on Monday.*

On Wednesday, the **House Licensing and Administrative Procedure Committee** took up: **HB 2591** by Senfronia Thompson (D-Houston) would regulate property tax consultants. *It was left pending but the committee reconvened on Thursday and it was voted out favorably as substituted.*

And on Wednesday, the **House Ways and Means Committee** took up: **HB 8** by John Otto (R-Dayton) would make several changes to the comptroller’s property value study. *It was left pending.*

HB 133 by Mike Villarreal (D-San Antonio) would require sales price disclosure by sellers of real property on a form adopted by the Comptroller. *It was left pending.*

HB 653 by Dennis Bonnen (R-Angleton) would allow a tax assessor-collector to request the US postal service to return a tax bill if it is undeliverable as addressed by printing “return service requested” on exterior of the tax bill. *It was left pending.*

HB 1203 by Gary Elkins (R-Houston) would require property owners that designate a person to act as the agent of a property owner in a property tax matter to make the authorization on a form prescribed by the comptroller. *It was left pending.*

HB 1274 by Lois Kolkhorst (R-Brenham) would require school districts that maintain an Internet website to post information on the applications the district receives under the Texas Economic Development Act; would also require the comptroller to post the information on the comptroller’s website. *It was left pending.*

HB 1337 by Harvey Hilderbran (R-Kerrville) would require applications for an ad valorem taxation exemption on a residence homestead to include copies of two documents or other forms of identification issued by a governmental entity that indicate the applicant’s residence address. *It was left pending.*

HB 1407 by Charlie Geren (R-River Oaks) would allow the owner of real property sold at a tax sale to redeem the real property by paying the required amount to the tax assessor-collector. *It was left pending.*

HB 2071 by Rene Oliveira (D-Brownsville) would make several technical changes to statutes related to reporting business inventory for persons selling motor vehicles, vessels, manufactured housing. *It was left pending.*

HB 2290 by Dan Gattis (R-Georgetown) would require one member of

the appraisal district board of directors to be elected from each of the four commissioner precincts of the county for which the appraisal district is established. *It was left pending.*

HB 3010 by Garnet Coleman (D-Houston) would authorize the chief appraiser to examine, copy, and photograph the books, records, and papers of a person who files a rendition statement or property report to verify the accuracy of the statement or report every three years; but would prohibit the chief appraiser from employing a person on a contingency fee basis to conduct the audit. *It was left pending.*

HB 3454 by John Otto (R-Dayton) would require appraisal districts to take into account all available evidence that is specific to the value of a property in determining the property's market value. *It was left pending.*

HB 3611 by John Otto (R-Dayton) would authorize the consolidation of two or more appraisal review boards in adjoining appraisal districts. *It was left pending.*

HB 3612 by John Otto (R-Dayton) would require the State Office of Administrative Hearings to develop a three-year pilot program in Bexar, Dallas, El Paso, Harris, Tarrant and Travis counties for property owners to appeal an appraisal review board order to SOAH if the property subject to the protest is more than \$1 million and is real or personal property. *It was left pending.*

HB 3613/HJR 36 by John Otto (R-Dayton) proposes a constitutional amendment to allow the legislature to provide for taxation of a residence homestead solely on the basis of the property's value regardless of whether it is the highest and best use of the property and would authorize consolidation of adjoining appraisal entities. *They were left pending.*

HB 3896 by Rene Oliviera (D-Brownsville) would authorize municipalities and counties to enter into an ad valorem tax abatement agreement that defers the abatement period for a mutually agreed period of time up to 10 years. *It was left pending.*

HB 4041 by Mike Villarreal (D-San Antonio) would authorize the appeal of an appraisal review board order through binding arbitration. *It was left pending.*

On Thursday, the **Senate Finance Committee** took up:

SB 402 by Kevin Eltife (R-Tyler) would authorize the voters of a municipality or a county to adopt a one-quarter cent sales tax (that exceeds the sales tax cap) to offset a property tax reduction. A Coalition of trade associations and companies filed written testimony opposing SB 402, including: Texas Retailers Association, Raytheon, Texas Chemical Council, Association of Electric Companies of Texas, Lockheed Martin, Texas Association of Manufacturers, Hewitt Packard, Texas Association of Business, Texas Instruments, Sabre Holdings, TechAmerica, Texas Taxpayers and Research Association, AT&T, TechNet, JC Penney, and Oxy Chemical. They said, "As representatives of major employers in Texas, we do not support proposals that would allow local governments to take action resulting in a total local sales tax rate above the existing 2% cap. We believe

that allowing the cap to be exceeded would be unsound public policy for the following reasons: The current state and local rate of 8.25% already is among the highest in the country—a situation that would only be made worse by raising local tax rates; It would undermine the competitiveness of all businesses in the impacted areas by increasing their cost of doing business and would doubly impact retailers who also would face the prospect of reduced sales; Higher sales taxes will have a regressive impact on low to moderate income families that make purchases in the impacted areas; It will compromise the ability of future legislatures to use sales taxes to cover budget shortfalls or to address recognized needs to fund programs such as education, health care and property tax relief without eliminating exemptions that are critical to our economic competitiveness.” *It was left pending.*

SB 700 by Dan Patrick (R-Houston) would make several changes to the process for filing for a homestead exemption. *It was left pending.*

SB 771 by Tommy Williams (R-The Woodlands) would require a property’s market value to be based on all available evidence that is specific to the value of the property; and would require “comparable sales” to have occurred within the previous six months. *It was left pending.*

SB 1202 by Bob Deuell (R-Greenville) would clarify that a sale is consummated at the place of business of a retailer where the retailer first accepts payment in person by the purchaser of the taxable item. *It was left pending.*

SB 1497 by Tommy Williams (R-The Woodlands) would prohibit property owners from appealing an appraisal review board order through binding arbitration if the property owner was represented before the appraisal review board by a person who received compensation for representing the property owner and the owner or the person representing the owner did not provide to the chief appraiser at least seven days before the date of the appraisal review board hearing copies of all the evidence the owner or the person representing the owner used in the appraisal review board hearing. *It was left pending.*

TORT REFORM – On Monday, the **House Judiciary and Civil Jurisprudence Committee** took up:

HB 1811 by Craig Eiland (D-Texas City) would provide that a claimant seeking recovery for malignant mesothelioma allegedly caused by exposure to asbestos fibers would have to prove that a defendant’s product or conduct was a substantial factor in causing the injury to the exposed person; if the cause of action is one in which foreseeability is an element of causation; that the exposed person’s cumulative exposure to asbestos fibers was a cause of the person’s mesothelioma; and that a defendant’s product or conduct was a substantial factor in causing the exposed person’s injury.

WORKERS’ COMPENSATION – On Thursday, the **Senate State Affairs Committee** took up:

SB 378 by Leticia Van de Putte (D-San Antonio) would authorize an injured worker to request a second opinion from another doctor referred by the treating doctor after being examined by the designated doctor to

determine maximum medical improvement. *It was left pending.*
SB 1814 by Leticia Van de Putte (D-San Antonio) would require insurance carriers to provide the employer with return-to-work coordination services on an ongoing basis to facilitate an employee's return to employment upon notice that an injured employee is eligible to receive temporary income benefits. *It was left pending.*
SB 1815 by Leticia Van de Putte (D-San Antonio) would amend the Texas Labor Code by clarifying that a person who performs services for the division as a designated doctor, or a doctor performing a required medical examination or an independent medical examination, a doctor performing a medical case review, or a member of a peer review panel all have the same immunity from liability as the commissioner. *It was left pending.*

To look up any bill, visit the [Texas Legislature Online](#).

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Bills of Interest

HB 237 (Eddie Rodriguez, D-Austin) Relating to a deduction under the franchise tax for certain renewable energy devices. This bill allows the cost of renewable energy devices to be deducted from the margin apportioned to the State. The deduction only applies if the cost of the device is amortized and if the amortization schedule is filed with the comptroller.

HB 348 (Aaron Pena, D-Edinburg) Relating to the punishment for theft of certain aluminum, bronze or copper materials. This bill amends the Penal Code making it a state jail felony if property is stolen is less than \$20,000 and is insulated or non-insulated tubing, rods or wire that is at least fifty percent aluminum, bronze or copper.

HB 554 (Jose Menendez, D-San Antonio)/SB 820 (Robert Duncan, R-Lubbock) Relating to the adoption and amendment of model building codes by municipalities. This bill provides that a municipality may establish "Model Codes Advisory Board" to review and recommend the adoption of and amendment to national model codes. The Advisory Board membership is defined and includes, among others, home builder, architect, engineer, HVAC contractor, electrician and master plumber. If a municipality chooses not to create the Advisory Board they must allow a person to register with the city and receive notifications when code issues will be discussed at least thirty days in advance. The bill also includes language that requires cities to wait thirty days before implementing any new code or code amendment.

HB 1288 (Craig Eiland, D –Texas City) Relating to property owner, contractor, and subcontractor liability for certain damages. Increases liability of property owners for injuries to contractors when

the owner has control over the work of the contractors and “created” a danger or had “constructive knowledge” of a danger, and failed to correct the danger. Current law requires “actual knowledge” of the danger when you have control over the work for there to be liability.

HB 1717 (Paula Pierson, D-Arlington) Relating to the regulation of metal recycling entities. This bill enables metal recycling facilities to request a complete setoff fingerprints. The bill also stipulates that the recycler can not pay cash and must instead send a check to the address provided by the metal seller.

SB 1391 (Jeff Wentworth, R-San Antonio) Relating to the prosecution and punishment of the offense of criminal trespass. This bill exempts utility workers from residential trespassing. Also adds that a person commits an offense if they ignored signs and entered the land or if they had notice that entry was forbidden or failed to depart after receiving notice.

SB 1715 (Royce West, D- Dallas) Relating to the requirements for a smoke detector in multifamily residential units. This bill amends the Property Code by requiring a smoke alarm in multi-family units that is audible to a person with normal hearing and is capable of alerting a person that is hearing impaired.

SB 1889 (Mario Gallegos Jr., D-Houston)/HB 1971 (Mike Hamilton, R-Mauriceville) Relating regulation of fire protection sprinkler technicians. This bill defines “fire sprinkler technician” and creates a license program for them. These are the workers of a licensed fire protection sprinkler system contractor.

SB 1935 (Kirk Watson, D- Austin)/HB 1760 (Senfronia Thompson, D-Houston) Relating to the filing of an action in connection with foreclosure of a lien on residential real property. This bill relates to the filing of an action in connection with foreclosure of a lien on residential real property. It states that the owner of real property that is subject to a contract lien may file an action against a lien holder for claims regardless of limitations if the lien holder conducts a foreclosure sale.

SB 1995 (Mario Gallegos Jr., D-Houston) Relating to the adoption of uniform residential building codes b political subdivisions. This bill moves the state building code to the 2006 IRC and gives counties along the coast the authority to adopt and enforce the code.

To look up any bill, visit the [Texas Legislature Online](#).

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Important Upcoming Hearings

House Criminal Jurisprudence Subcommittee on Property Crime: Monday, April 6, 2009 at 8:00 a.m. in room JHR 110. TAB is tracking: **HB 775 (Robert Miklos, R-Dallas)** *Relating to the penalty for theft of a central air-conditioning unit.*

House Ways and Means: Monday, April 6 at 8:30 a.m. or upon final adjournment in JRH 140. TAB is tracking:

HB 1575 (Carl Isett, R- Lubbock)/SB 700 (Dan Patrick, R-Houston) *Relating to ad valorem tax relief.*

HB 1591 (Mike Hamilton, R- Mauriceville) *Relating to exempting sales of certain hurricane preparation supplies in certain counties from the sales tax for a limited period.*

HB 2165 (Patrick Rose, D- Dripping Springs) *Relating to the appraisal for ad valorem tax purposes of certain open-space land devoted principally to ecological research.*

HB 2230 (Tan Parker, Flower Mound) *Relating to liability for interest if land designated for agricultural use for ad valorem tax purposes is sold or diverted to a nonagricultural use.*

HB 2291 (Dan Gattis, R- Georgetown) *Relating to the adoption of an ad valorem tax rate by a taxing unit other than a school district.*

HB 2292 (Dan Gattis, R- Georgetown) *Relating to the repeal of the additional ad valorem taxes imposed as a result of certain changes in the use of open-space land appraised as agricultural land.*

HB 1465 (Ken Paxton, R- McKinney) *Relating to the joinder of a tax lien transferee in a suit to collect a delinquent ad valorem tax.*

House Business and Industry: Monday, April 6 at 9:00 a.m. in room E2.026. TAB is tracking:

HB 2394 (Kirk England, D-Grand Prairie)/SB 1919 (Royce West, D-Dallas) *Relating to the requirements for recording a property owners' association management certificate.*

HB 2395 (Kirk England, D-Grand Prairie)/SB 1918 (West, D-Dallas) *Relating to disclosure of certain information by a property owners' association.*

HB 3945 (Rob Orr, R-Burleson) *Relating to a title insurance company affidavit as a release of lien.*

HB 4219 (Drew Darby, R-San Angelo) *Relating to the prohibition or disclosure of a fee associated with the transfer of real property.*

SB 234 (Royce West, D-Dallas) *Relating to real property subject to restrictive covenants.*

SB 235 (Royce West, D-Dallas) *Relating to prohibition a restrictive covenant granting a right to first refusal to a property owners' association in certain circumstances.*

SB 236 (Royce West, D-Dallas) *Relating to the regulation of solar energy devices by a property owner's association.*

SB 239 (Royce West, D-Dallas) *Relating to notice requirements in certain enforcement actions initiated by property owners' associations.*

House Technology, Economic Development, Workforce: Monday, April 6 at 9:00 a.m. in room E2.030. TAB is tracking: **HB 2492 (Mark**

Strama, D-Austin) *Relating to the creation, operation, and funding of the Texas YouthBuild Program.*

Senate Finance: Monday, April 6 at 9:00 a.m. in room E1.036. TAB is tracking: **SB 679 (Eddie Lucio Jr., D- Brownsville)** *Relating to the administration of certain housing funds by the Texas Department of Housing and Community Affairs.*

SB 966 (Rodney Ellis, D-Houston)/HB 1403 (Mike Villarreal, D-San Antonio) *Relating to the repeal of state sales tax and franchise tax refunds for certain ad valorem tax payers.*

SJR 48 (Tommy Williams, R-The Woodlands)/HJR 36 (John Otto, R-Dayton) *Ad valorem taxation of a residence homestead solely on the basis of the properties value as a residence homestead; authorizing a single board of equalization for two or more adjoining appraisal entities.*

Senate Government Organization: Monday, April 6 at 9:00 a.m. in room 2E.20. TAB is tracking:

SB 1002 (Robert Deuell, R-Greenville) *Relating to the continuation and functions of the Texas State Affordable Housing Corporation.*

SB 1007 (Glenn Hegar, Jr., R-Katy) *Relating to the continuation and operation of the Texas Department of Insurance and the operation of certain insurance programs.*

SB 1011 (Craig Estes, R-Wichita Falls) *Relating to the continuation and functions of the Texas Commission on Fire Protection.*

SB 1862 (Rodney Ellis, D-Houston) *Relating to state purchasing of certain environmentally friendly items.*

SB 1973 (Rodney Ellis, D-Houston) *Relating to the creation and duties of the state energy savings performance contract advisory council.*

SB 2169 (Rodney Ellis, D-Houston) *Relating to the establishment of a smart growth policy for this state.*

House Border and Intergovernmental Relations: Monday, April 6 at 2:00 p.m. or upon adjournment in room E1.010. TAB is tracking: **HB 3929 (Ryan Guillen, D-Rio Grande City)** *Relating to subdivision platting requirements in counties near an international border.*

HB 4542 (Richard Raymond, D-Laredo) *Relating to the exercise of urban renewal powers by certain counties.*

House County Affairs: Monday, April 6 at 2:00 p.m. or upon adjournment in room E2.016. TAB is tracking:

HB 736 (Chente Quintanilla, D-Tornillo) *Relating to authorizing county regulation of nuisances and disorderly conduct.*

HB 793 (Phil King, R- Weatherford) *Relating to the authority to charge reasonable fees for emergency services performed by volunteer fire departments.*

HB 1507 (Valinda Bolton, D- Austin) *Relating to authorizing certain populous counties to adopt noise regulations.*

HB 1730 (Jim Pitts, R-Waxahachie) *Relating to authorizing the*

issuance of bonds for the reimbursement of the cost of public improvements located in public improvement districts in certain counties.

HB 2874 (Jim Keffer, R-Eastland) *Relating to granting certain counties authority to regulate the cutting of certain trees; providing a penalty.*

*****HB 3265 (Patrick Rose, D- Dripping Springs)** *Relating to granting Hill Country counties regulatory authority and the authority to impose certain development fees.*

*****HB 3734 (Garnet F. Coleman, D-Houston)** *Relating to the imposition by an emergency services district of an impact fee on new development to be used for capital improvements and equipment.*

HB 3735 (Garnet Coleman, D-Houston) *Relating to authorizing counties to enact ordinances to protect the public health, safety, or welfare.*

HB 4474 (Bill Callegari, R-Houston) *Relating to the applicability of a fire code in an unincorporated area of a county.*

HB 4475 (Bill Callegari, R-Houston) *Relating to fire code certificates of compliance, violations, and enforcement.*

HB 4607 (Ryan Guillen, D-Rio Grande City) *Relating to regulation of certain areas bordering on Falcon Lake and the Rio Grande River.*

HJR 95 (Pete Gallego, D-Alpine) *Proposing a constitutional amendment authorizing the adoption of county home-rule charters.*

HJR 95 (Pete Gallego, D-Alpine) *Proposing a constitutional amendment authorizing the adoption of county home-rule charters.*

House Judiciary and Civil Jurisprudence: Monday, April 6 at 2:00p.m. or upon adjournment in room E2.010. TAB is tracking: HB 556 (Edmund Kuempel, R-Seguin) *Relating to the payment of attorney's fees in certain actions to recover possession of real property.*

*****HB 818 (Craig Eiland, D- Texas City)/SB 555 (Robert Duncan, R-Lubbock)** *Relating to indemnification provisions in construction contracts.*

HB 3995 (Todd Hunter, R-Corpus Christi) *Relating to the operation of the judiciary.*

House Natural Resources: Tuesday, April 7 at 8:00 a.m. in room E2.010. TAB is tracking:

HB 604 (David Farabee, D-Wichita Falls) *Relating to projects that may be undertaken by certain development corporations in connection with water conservation programs.*

HB 3031 (Jim Keffer, R- Eastland) *Relating to the sale by the Brazos River Authority of certain residential and commercial leased lots and other real property in the immediate vicinity of Possum Kingdom Lake.*

HB 3032 (Jim Keffer, R- Eastland) *Relating to the sale by the Brazos River Authority of certain property at Possum Kingdom Lake.*

HB 3541 (Eddie Lucio, III, D-San Benito) *Relating to the colonia self-help program.*

HB 3773 (Jose Menendez, D-San Antonio) *Relating to the Bexar*

Metropolitan Water District.

HB 4043 (Bill Callegari, R-Houston) *Relating to notifications to certain purchasers of real property that may be located in an area subject to a certificate of convenience and necessity for water or sewer service.*

House Transportation: Tuesday, April 7 at 8:00 a.m. in room E2.014. TAB is tracking:

HB 768 (Lois Kolkhorst, R-Brenham) *Relating to the requirement that a new road ordered by the commissioners court of a county be laid out by a jury of view.*

HB 875 (Rob Eissler, R- The Woodlands) *Relating to civil liability for erecting or maintaining certain outdoor sign or advertising.*

HB 876 (Rob Orr, R-Burleson) *Relating to the installation of natural gas pipelines in controlled access highway rights-of-way.*

House Business and Industry Subcommittee on TRCC, Property and Landlord & Tenant Issues: Tuesday, April 7 at 10:00 a.m. in room E2.016. TAB is tracking: **HB 2896 (David Liebowitz, D-San Antonio)** *Relating to requiring the Texas Residential Construction Commission to adopt forms to be used by builders for contracts for the sale or construction of a new home.*

HB 2949 (Craig Eiland, D-Texas City) *Relating to insurance, financing, and rights of redemption for condominium associations.*

HB 3019 (David Liebowitz, D-San Antonio) *Relating to provision of construction documents to purchasers of newly constructed homes.*

HB 3059 (David Farabee, D-Wichita Falls) *Relating to persons subject to liability for residential construction defects or regulation as a builder of residential construction.*

HB 3128 (Sylvester Turner, D-Houston) *Relating to service of process or notices by a municipality with a population of more than 1.9 million on certain condominiums.*

HB 3400 (Drew Darby, R-San Angelo) *Relating to certain construction liens under the Texas Residential Construction Commission Act.*

HB 3440 (Tim Kleinschmidt, R-Lexington) *Relating to amendment and enforcement of restrictive covenants in certain areas.*

HB 3441 (Tim Kleinschmidt, R- Lexington) *Relating to certain construction liens under the Texas Residential Construction Commission Act.*

HB 3502 (Joe Pickett, D-El Paso) *Relating to certain information on a seller's disclosure notice.*

House Insurance: Tuesday, April 7 at 2:00 p.m. or adjournment in room E2.026. TAB is tracking:

HB 3640 (Todd Hunter, R-Corpus Christi) *Relating to the operation and alternative funding sources for the Texas Windstorm Insurance Association.*

HB 3648 (Todd Hunter, R-Corpus Christi) *Relating to the operation and funding of the Texas Windstorm Insurance Association; transfer of*

state revenue to the Catastrophe Reserve Trust Fund for excess losses caused by natural disasters.

HB 3853 (Craig Eiland, D-Texas City) *Relating to the operation of the Texas Windstorm Insurance Association.*

HB 4733 (John Smithee, R-Amarillo) *Relating to the operation and funding of the Texas Windstorm Insurance Association, including funding of coverage for certain catastrophic events through the issuance of public securities.*

Licensing and Administrative Procedures: Wednesday, April 8 at 8:00 a.m. in room E2.016. TAB is tracking:

HB 1854 (John Davis, R-Houston) *Relating to the registration of roofing contractors.*

HB 2649 (Wayne Smith, R-Baytown) *Relating to the regulation and practice of engineering.*

HB 3436 (Mike Hamilton, R-Mauriceville) *Relating to the licensing and regulation of plumbers.*

HB 4323 (Warren Chisum, R-Pampa) *Relating to the regulation of multipurpose residential fire protection sprinkler specialists by the Texas State Board of Plumbing Examiners.*

House Land and Resource Management: Wednesday, April 8 at 8:00 a.m. in room E2.012. TAB is tracking:

HB 2436 (Larry Phillips, R-Sherman) *Relating to the zoning authority of counties around certain bodies of water.*

HB 2692 (Eddie Rodriguez, D-Austin) *Relating to the preservation and creation of affordable housing opportunities near commuter rail stations.*

HB 3093 (Patricia Harless, R-Irving) *Relating to the authority of certain counties to adopt commercial development regulations for unincorporated areas of the county; providing a penalty.*

HB 3577 (Wayne Christian, R-Center) *Relating to the authority of a municipality or county to define the line of vegetation bordering a public beach.*

HB 3709 (Garnet Coleman, D-Houston) *Relating to certain charitable corporations granted eminent domain power, repealing eminent domain and condemnation of residential property adjacent or contiguous to such medical center.*

HB 4175 (Valinda Bolton, D-Austin) *Relating to authorizing certain counties to adopt buffer zone regulations and comprehensive land development plans.*

*****HB 4262 (Eddie Rodriguez, D-Austin)** *Relating to authorizing municipalities and counties to regulate land development in certain unincorporated areas.*

House Environmental Regulation: Wednesday, April 8 at 10:30 a.m. or upon adjournment in room E1.014. TAB is tracking:

HB 1717 (Paula Pierson, D-Arlington) *Relating to the regulation of metal recycling entities.*

HB 2769 (Charles Anderson, R-Waco) *Relating to the requirement that*

a seller of regulated material to a metal recycling entity present of an occupational license.

HB 3681 (Debbie Riddle R-Houston) *Relating to the regulation of metal recycling entities; providing penalties.*

HB 4524 (Larry Phillips, R-Sherman) *Relating to the regulation of metal recycling entities; providing penalties.*

HB 4454 (Joe Driver, R-Garland) *Relating to the regulation of metal recycling entities.*

HB 4346 (Warren Chisum, R-Pampa) *Relating to "no regrets" greenhouse gas emission reduction strategies.*

House Urban Affairs: Wednesday, April 8 at 10:30 a.m. or upon adjournment in JHR 120. TAB is tracking:

HB 3070 (Burt Solomons, R-Carrollton) *Relating to the administration and powers of a coordinated county transportation authority.*

HB 3661 (Sylvester Turner, D-Houston) *Relating to standards for installing fire hydrants in certain residential areas.*

HB 4648 (Garnet Coleman, D-Houston) *Authorizing municipalities located in counties having a population of more than three million to create residential management districts under Chapter 375, Local Government Code, and prescribing their powers and authority.*

House Ways and Means: Wednesday, April 8 at 10:30 a.m. or upon adjournment in room E2.010. TAB is tracking:

HB 146 (Todd Smith, R-Bedford) *Relating to the implementation of a project plan or financing plan for reinvestment zones.*

HB 413 (Carl Isett, R-Lubbock) *Relating to the authority of certain municipalities to extend the termination date for a reinvestment zone created under the Tax Increment Financing Act.*

HB 752 (Kirk England, D-Grand Prairie) *Relating to the authority of certain municipalities to enter into an agreement with a school district to dedicate revenue from a tax increment fund to the acquisition, construction, or reconstruction of an educational facility. Relating to the authority of certain municipalities to extend the termination date for a reinvestment zone created under the Tax Increment Financing Act.*

HB 1134 (Kirk England, R-Grand Prairie) *Relating to the authority of the Dallas County Flood Control District No. 1 to enter into a tax abatement agreement and to designate a reinvestment zone.*

HB 1004 (Delwin Jones, R-Lubbock)

HB 1159 (Edmund Kuempel, R-Seguin) *Relating to the extension of the term of a reinvestment zone created under the Tax Increment Financing Act.*

HB 1237 (Robert Miklos, D- Dallas) *Relating to the authority of certain municipalities to extend the termination date for a reinvestment zone created under the Tax Increment Financing Act.*

HB 1770 (Robert Miklos, D- Mesquite) *Relating to the designation of an area as a reinvestment zone under the Tax Increment Financing Act.*

HB 3222 (Kelly Hancock, R- North Richland Hills) *Relating to the*

authority of two or more municipalities to designate a joint tax increment financing reinvestment zone.

HB 3477 (Valinda Bolton, D-Austin) *Relating to authorizing an emergency services district to impose an ad valorem tax for the acquisition of land, equipment, or apparatus or the construction of capital improvements.*

HB 3983 (Eddie Rodriguez, D-Austin) *Relating to certain homestead preservation reinvestment zones.*

HB 4613 (Rene O. Oliveira, D-Brownsville) *Relating to the creation, operations and financing of tax increment reinvestment zones.*

HJR 78 (Tan Parker, R- Flower Mound) *Requiring a two-thirds vote of the legislature to enact and submit to the voters a law imposing an income tax or increasing that tax.*

HJR 91 (Ralph Sheffield, R-Temple) *Relating to establishing a limit on the amount of ad valorem taxes that may be imposed on the residence homestead of a disabled or elderly person that is constructed under the federal community development block grant program.*

HJR 112 (Valinda Bolton, D-Austin) *Authorizing the imposition of an additional ad valorem tax for emergency services districts, subject to voter approval, at a rate not to exceed five cents for the acquisition of land, equipment, or apparatus or capital improvements.*

To review committee schedules and to further research a bill, visit the [Texas Legislature Online](#).

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The 2009 Star Awards Call for Entries is Open!

The Calls for Entries are now available for download at www.TexasBuilders.org. This year we have separate Calls for Entries for the following: Custom Builder, Volume Builder, Remodeler, Developer, Green Building and Individual Achievement.

The Star Awards recognizes excellence in all areas of the home building industry. Both members of the Texas Association of Builders (TAB) and non-members may enter to win one of these prestigious awards that recognize the industry's best from the Southwest region of the United States: Texas, Arkansas, Louisiana, New Mexico and Oklahoma.

All home building, remodeling and promotional projects completed between January 1, 2008 and July 13, 2009 may be entered for consideration. If you meet our Early Bird submission deadline of 5 p.m., June 22, 2009, the entry fees are \$100 per entry for members, and \$200 per entry for non-members. The final deadline to receive entries is 5 p.m., Monday, July 13, 2009. The TAB member fee is \$125 per entry; the non-member fee is \$225 per entry.

The entries will be judged by a distinguished panel of industry experts.

Finalists will be notified in September, and the 2009 Star Awards Gala will be held on Friday, October 30, at the Gaylord Texan Resort in Grapevine, Texas. The awards ceremony is held in conjunction with the annual Sunbelt Builders Show™ and Education Conference (www.SunbeltBuildersShow.com).

If you have questions or need additional information after you have downloaded the entries from www.TexasBuilders.org, please call TAB at (800) 252-3625.

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