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### 81st Legislative Session Update

**GOVERNOR** – On Wednesday, Governor Rick Perry reiterated his request that lawmakers enhance Texas’ recovery efforts related to the 2008 hurricane season and its preparedness efforts for the upcoming season at the 2009 National Hurricane Conference, a nationwide forum for federal, state and local officials to exchange ideas and recommend new policies to improve emergency management. The Governor said, “2008 was a tough year in the storm business, but I believe we held up our end of the deal. In 2009, I think we’ll do even better. Four of my six emergency items at the beginning of this legislative session had to do with storm issues and I hope lawmakers will agree with me and devote the necessary funds to not only complete the recovery from the 2008 storms, but also prepare us for whatever disasters might hit Texas in the future.”

On Thursday, Governor Rick Perry joined State Representative Brandon Creighton (R-Conroe) and other sponsors - Representatives Leo Berman (R-Tyler), Bryan Hughes (R-Mineola), Dan Gattis (R-Georgetown), and Ryan Guillen (D-Rio Grande City) of HCR 50 in support of states’ rights under the 10<sup>th</sup> Amendment to the U.S. Constitution. The press release said, “A number of recent federal proposals are not within the scope of the federal government’s constitutionally designated powers and impede the states’ right to govern themselves. HCR 50 affirms that Texas claims sovereignty under the 10<sup>th</sup> Amendment over all powers not otherwise granted to the federal government. It also designates that all compulsory federal legislation that requires states to comply under threat of civil or criminal penalties, or that requires states to pass legislation or lose federal funding, be prohibited or repealed.” Governor Perry said, “I believe that our federal government has become oppressive in its size, its intrusion into the lives of our citizens, and its interference with the affairs of our state. That is why I am here today to express my unwavering support for efforts all across our country to reaffirm the states’ rights affirmed by the Tenth Amendment to the U.S. Constitution. I believe that returning to the letter and spirit of the U.S. Constitution and its essential 10<sup>th</sup> Amendment will free our state from undue regulations, and ultimately strengthen our Union.”

**SENATE** – The Senate met Monday through Wednesday of this week. On Monday, the Senate approved two measures aimed at codifying the way the state funds and develops toll roads. SB 17 by Senator Robert Nichols (R-Jacksonville) would set guidelines for comprehensive development agreements and would give a regional toll authority first right of refusal to decide whether or not to develop a toll road as a public project. Senator Nichols said, “Truly, there have been so many types of toll entities put together over a relatively short period of time - how they interact with each other, who has first right, what terms should be in the agreements – none of that has ever been established. Eventually, those entities are going to collide.” The Senate also passed SB 404 by Senator John Carona (R-Dallas), which would extend the ability of entities to enter into comprehensive development agreements from the sunset date of September, 2009 to 2015.

On Tuesday, the Senate passed SB 482 by Senator Rodney Ellis (D-Houston) which would establish the Texas Holocaust and Genocide Commission to provide advice and assistance to public and private primary and secondary schools and institutions of higher education regarding implementation of Holocaust and genocide courses of study and awareness programs.

On Wednesday, the Senate gave preliminary approval to SB 16 by Senator Kip Averitt (R-Waco) which is the omnibus air quality and energy efficiency bill. It was passed to third reading by a vote of 22 to 9. Also on Wednesday, the Senate spent hours debating SB 855 by Senator John Carona (R-Dallas), which would allow local-option election in regions around the state to raise fees or taxes for local transportation projects. 14 Senate floor amendments were added to the bill before Senator Steve Ogden (R-Bryan) raised questions about the constitutionality of the bill. Senator Carona then agreed to wait until Tuesday before asking the Senate to give its final approval to give the senators time to consider Senator Ogden’s concerns. The Senate adjourned from Wednesday until next Tuesday at 11:00 a.m. to allow Senators time to celebrate Passover and Easter with their families.

Total number of bills reported out of Senate Committees this week: 177  
Total number of bills passed by the Senate this week: 143  
Total number of bills passed on the Local and Uncontested Calendar: 109

**HOUSE** – The House was in session Monday through Thursday of this week. The House passed HB 38 by Representative Frank Corte (R-San Antonio), which would allow veterans, their spouses, and children to pay in-state tuition at Texas colleges and universities. Representative Marc Veasey (D-Fort Worth) added an amendment to exempt from tuition the children of military personnel who are deployed in a foreign combat zone. They also passed SB 769 by Senator Tommy Williams (R-The Woodlands) and Representative

Senfronia Thompson (D-Houston) which would enable an electric utility to recover weather-related system restoration costs. SB 769 was substituted for HB 1378 on the House floor, so it is on its way to the governor. Other bills included: HB 1404 by Robert Miklos (D-Mesquite) would allow the establishment of a columbarium on land owned by a religious organization; and HB 328 by Representative Joe Heflin (D-Crosbyton) would abolish the county office of inspector of hides and animals. On Thursday, the House adjourned until next Tuesday at 10:00 a.m. for the holidays.

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

Total number of bills passed by the House this week: 73

Total number of bills passed on the Local and Consent Calendar: 53

**BUDGET** – The House Appropriations Committee has voted out both the House version of the state budget and supplemental appropriations bills. Originally, there was a third bill that addressed the costs incurred by the state due to last year’s hurricanes. Now, covering those costs have been rolled into the supplemental appropriations bill.

The House budget proposal totals \$178.4 billion from all funding sources, including \$87.2 billion from the General Revenue Fund. The Senate version includes \$182.2 billion from all sources with \$87.5 billion from General Revenue. Like the Senate version, education and health and human services spending represents around 75% of overall spending. Both versions utilize about \$11 billion in federal stimulus funds. Neither the House nor the Senate tapped into the state savings account known as the “rainy day fund,” which is expected to grow to \$9.1 billion in the next two years and is expected to be needed in future sessions to balance the budget. The main differences between the House and Senate versions:

- under the House version, state workers and retired teachers would get \$1,000 bonuses, and college students would get more help with education costs;
- the Senate budget proposal is bigger mainly because it projects bigger Medicaid case loads and costs than the House budget;
- the Senate measure also provides more bond proceeds for roads and for cancer bonds;
- the Senate proposal provides less for student financial aid and does not include the bonuses for state workers;
- the House version provides funding for a proposed expansion of the Children’s Health Insurance Program;
- the House version gives more legislative oversight to the Enterprise Fund and the Emerging Technology Fund administered by the governor’s office; and
- the Senate version includes a ban on state funding for embryonic stem-cell research.

**STIMULUS FUNDS** – Led by Senator Keith Eltife (R-Tyler), an effort is underway to pass legislation (SB 1569) that will enable the Texas unemployment compensation program to receive \$555 million in stimulus funds. Governor Perry, supported by the Texas Association of Business and Texas Federation of Independent Business, has rejected the money on the basis that he opposes the federal government dictating the terms of Texas unemployment benefits.

The Texas Public Policy Foundation, headed by former GOP legislator and House Appropriations Committee chair Talmadge Heflin, released a study that argues that public spending, such as the federal stimulus package, will actually cost jobs because those funds will crowd out private investment. Arduin, Laffer and Moore Econometric is the firm that was commissioned to perform the study which used historic data from the past 60 years.

Veteran Houston Congressman Gene Green delivered a letter from his Democratic colleagues in the Texas congressional delegation alerting the Governor, Lieutenant Governor and House Speaker that the Senate budget proposal is not in compliance with the intent of the stimulus package. Senate leaders dispute this claim, saying they have consulted with the Legislative Budget Board staff and feel assured that the money is not being misspent.

**ECONOMIC DEVELOPMENT** – On Tuesday, Syndiant, which received a \$3.5 million investment from the Texas Emerging Technology Fund (ETF) announced that it has increased its staff by 53% due to explosive demand for its pico projector technology, according to Electronics World. The ETF investment was for commercialization of its smart panel projection display technology, VueG8, which uses chip on chip parallel processing to enable the world's smallest high resolution light modulators. The technology enhances the pico projector market for cell phones, personal computers and accessory products. Syndiant CEO Mark Howard said, "It is well known that investment in innovative small companies is the way to grow jobs, and this serves as a prime example. Our growth reflects an increasing recognition among our customers that we have the best and most cost effective technology to address the pico projector market. We were able to add experienced engineering staff thanks to the \$3.5 million Technology Commercialization investment by TETF."

**GENERAL BUSINESS** – On Monday, the **House Business and Industry Committee** took up:

**HB 4621** by Joe Deshotel (D-Beaumont) would require businesses to provide the customer with a paper invoice or similar document for the goods or services purchased free of charge. *It was left pending.*

On Tuesday, the **House Transportation Committee** took up:  
**HB 2533** by Dennis Bonnen (R-Angleton) would require liquidated

damages to be paid by a contractor to business entities located in a project area that are adversely affected by transportation project completion delays. *It was left pending.*

On Wednesday, the **House Pensions, Investments, and Financial Services Committee** took up:

**HB 801** by Ryan Guillen (D-Rio Grande City) would prohibit the investment of the permanent university fund in business entities doing business in the Sudan. *It was left pending.*

Also on Wednesday, the **House Business and Industry's Subcommittee on Consumer and Employee Issues** took up: **HB 2014** by Hubert Vo (D-Houston) would prohibit postsecondary educational institutions from disclosing to a credit card issuer contact information regarding any student of the institution. *It was left pending.*

**HB 3042** by Joe Farias (D-San Antonio) would require the comptroller to conduct a study regarding changing the state minimum wage to the living wage. *It was left pending.*

**HB 3155** by David Leibowitz (D-San Antonio) would prohibit fees charged in connection with a stored value card. *It was left pending.*

And, on Wednesday, the **House Environmental Regulation Committee** took up:

**HB 1867** by Rafael Anchia (D-Dallas) would require businesses that offer plastic checkout bags to customers to make a reusable bag available for sale at a reasonable price; and would require businesses that offer plastic checkout bags to have a checkout bag recycling program. *It was left pending.*

Also on Wednesday, the **House Environmental Regulation Committee** took up metal recycling bills:

**HB 3427** by Ana Hernandez (D-Houston) would require businesses that offer plastic checkout bags to customers to make a reusable bag available for sale at a reasonable price; and would require businesses that offer plastic checkout bags to have a checkout bag recycling program. *It was left pending.*

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

**HB 3159** by Mark Strama (D-Austin) would set the ceiling of the unemployment compensation fund at 1% rather than 2% of the total covered (rather than taxable) wages. *It was left pending.*

**HB 4125** by Patricia Harless (R-Spring) would define improper benefit for unemployment compensation purposes as any benefit or payment obtained by a person who was or is subsequently disqualified or otherwise determined to be ineligible to receive the benefit or payment for any reason under a final determination or decision. *It was left pending.*

On Thursday, the **House Criminal Jurisprudence Committee's Subcommittee on Victims Rights and Violence Against Women** took up:

**HB 2966** by Garnet Coleman (D-Houston) would prohibit discrimination based on gender identity or expression. *It was left pending.*

**INSURANCE** – On Tuesday, the **House Insurance Committee** took up:

**HB 3640** by Todd Hunter (R-Corpus Christi) would authorize the Texas Windstorm Insurance Association to accept funds from alternative funding sources including disaster recovery from the state economic stabilization fund, funds generated through public securities, legislative appropriation, or other permissible sources. *It was left pending.*

**HB 3648** by Todd Hunter (R-Corpus Christi) would authorize excess losses in the Texas Windstorm Insurance Association to be paid out of the economic stabilization fund. *It was left pending.*

**HB 3853** by Craig Eiland (D-Texas City) would make several changes relating to the operation of the Texas Windstorm Insurance Association. *It was left pending.*

**HB 4733** by John Smithee (R-Amarillo) would make several changes relating to the operation of the Texas Windstorm Insurance Association. *It was left pending.*

**PROPERTY** – On Monday, the **House County Affairs Committee** took up:

**HB 489** by Joe Pickett (D-El Paso) would allow a county or municipality to remove graffiti from private property at the owner's expense. *It was left pending.*

**HB 3265** by Patrick Rose (D-Dripping Springs) would grant Hill Country counties regulatory authority and the authority to impose development fees. *It was voted out favorably as substituted.*

**HB 3735** by Garnet Coleman (D-Houston) would grant counties ordinance making authority to protect health, safety and welfare in unincorporated areas. *It was left pending.*

Also on Monday, the **Senate Government Organization Committee** took up:

**SB 2169** by Rodney Ellis (D-Houston) would establish the work group on smart growth policy to develop a comprehensive smart growth plan for the state. *It was reported out favorably and recommended for the Local and Uncontested calendar.*

On Tuesday, the **House Business and Industry's Subcommittee on Property and Landlord & Tenant Issues** took up:

**HB 3502** by Joe Pickett (D-El Paso) would delete the requirement that seller's disclosure notices must acknowledge that the property complies with smoke detector requirements. *It was left pending.*

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

**HB 3709** by Garnet Coleman (D-Houston) would prohibit the use of eminent domain and condemnation in a residential area; and would prohibit a medical center from purchasing property in a residential area whose property values have been substantially diminished by blockbusting activity. *It was left pending.*

**HB 4175** by Valinda Bolton (D-Austin) would authorize the commissioner's court in counties with a population between 800,000 and 1.3 million to require a buffer zone between an industry and a residential area, hospital, elder-care facility, school, day-care facility, church, or similar land use that the commissioner's court finds to be incompatible with the industry. *It was left pending.*

**HB 4262** by Eddie Rodriguez (D-Austin) would authorize municipalities and counties to regulate land development in unincorporated areas. *It was left pending.*

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

**SB 978** by Royce West (D-Dallas) would authorize the establishment of public improvement districts. *It was left pending.*

On Thursday, the **Senate State Affairs Committee** took up:

**SB 96** by Leticia Van de Putte (D-San Antonio) would require a person who sells or installs a residential swimming pool to provide a pool yard enclosure and gate that will effectively prevent a small child from gaining unsupervised and unfettered access to the pool, a device or system to prevent entrapment by a pool drain, and after September 1, 2010 either more than one drain, one or more unblockable drains, or no main drain. *It was voted out favorably as substituted.*

**TAXATION** – On Monday, the **House Ways and Means Committee** took up:

**HB 1205** by Angie Chen Button (R-Garland) would increase the threshold from \$2,500 to \$5,000 the amount of tax refund that can be made by the tax collector without approval by the governing body of a county. *It was left pending but the committee reconvened on Thursday and voted it out favorably.*

**HB 1575** by Carl Isett (R-Lubbock) would make several changes regarding the procedure for filing for a homestead exemption. *It was left pending.*

**HB 1591** by Mike Hamilton (R-Mauriceville) would institute a sales tax holiday for hurricane preparation supplies in first and second tier coastal counties from May 21 through June 1. *It was left pending.*

**HB 2061** by Pete Gallego (D-Alpine) would require (rather than allow) county tax assessor-collectors to accept a check, credit card invoice, or electronic payment for the payment of motor vehicle registration fees, motor vehicle sales taxes, occupation taxes, motor vehicle title transfer fees, license or permit fees, and property taxes. *It was left pending.*

**HB 2230** by Tan Parker (R-Flower Mound) would delete the provision requiring interest to be paid on the additional taxes owed when land designated for agricultural use is sold or diverted to a nonagricultural use. *It was left pending.*

**HB 2292** by Dan Gattis (R-Georgetown) would eliminate the penalty for change in use of appraised property. *It was left pending.*

And, on Monday, the **Senate Finance Committee** took up:

**SB 1355** by Eddie Lucio, Jr. (D-Brownsville) would authorize a tax assessor-collector to waive penalties if a dealer or retailer exercised reasonable diligence to comply with the business inventory requirement. *It was left pending.*

**SJR 48** by Tommy Williams (R-The Woodlands) 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. *It was left pending.*

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

**HB 2908** by Ken Paxton (R-McKinney) would authorize the Consumer Credit Commissioner or the commissioner's representative to examine each place of business of a property tax lender and investigate the lender's transactions. *It was left pending.*

**HB 3477/HJR 112** by Valinda Bolton (D-Austin) proposes a constitutional amendment to authorize emergency services districts to impose an ad valorem tax of up to ten cents per \$100 valuation for the operating capital support and five cents per \$100 valuation for the acquisition of land, equipment, or apparatus or the construction of capital improvements. *They were left pending.*

**HB 3699** by Carl Isett (R-Lubbock) would authorize an ad valorem tax exemption for pollution control property necessary to comply with a local, state, or federal governmental entity's rule regulating carbon dioxide as a pollutant including property used to transport carbon dioxide from a source; and would adjust the rollback tax rate of a taxing unit to compensate for the costs of compliance with pollution control requirements. *It was left pending.*

**HJR 78** by Tan Parker (R-Flower Mound) proposes a constitutional amendment to require a supermajority of two-thirds of the legislature and a vote of the people in a statewide referendum to impose or increase a personal income tax. *It was left pending.*

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

**SB 19** by Dan Patrick (R-Houston) would increase the small business franchise tax exemption from \$300,000 to \$1 million. *It was left pending.*

**SB 483** by Kel Seliger (R-Amarillo) would institute a franchise tax credit to promote research and development activities related to implementing the first three clean energy projects that qualify for the credit. *It was left pending.*

**SB 1221** by Florence Shapiro (R-Plano) would exempt payments received by a landlord of commercial real property from a tenant of the property to reimburse the landlord for ad valorem taxes, franchise taxes, any tax or excise imposed on rents, general or special assessments or other taxes, operating expenses, including property and other insurance expenses, utilities, maintenance expenses, management expenses, and similar amounts generally expended for commercial property. *It was left pending.*

Also on Thursday, the **House County Affairs Committee** took up: **HB 3731** by Garnet Coleman (D-Houston) would require counties to conduct two public hearings before creating a county assistance district. *It was left pending.*

**WORKERS' COMPENSATION** – On Monday, the **House Business and Industry Committee** took up:

**HB 3625** by Gary Elkins (R-Houston) would change the timeframe of when utilization review determinations must be issued to require a notice of adverse determination to be sent out within three business days, not calendar days. Saturday, Sunday and official holidays would not count. *It was left pending.*

**HB 4372** by Gary Elkins (R-Houston) would require the Division of Workers' Compensation to establish rules to resolve the issue of overpayments and underpayments of income benefits. *It was left pending.*

**HB 4398** by Joe Deshotel (D-Beaumont) would lower the current initial threshold requirement for supplemental income benefits from fifteen percent to ten percent. *It was left pending.*

**HB 4545** by Richard Raymond (D-Laredo) would extend the time period to file judicial review to no later than the 40th day after the latest date on which any party receives the decision of the appeals panel, regardless of when the decision was filed with the division. *It was left pending.*

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

**HB 2429** by Joe Deshotel (D-Beaumont) 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.*

**HB 2547** by Helen Giddings (D-DeSoto) would require an injured worker's employer (if the employer has 75 or more employees) to provide the treating doctor, upon request, a specific description of the scope of the injured employee's employment and any specific tasks the injured employee was required to perform or specific duties the injured employee was required to fulfill in the course of the injured employee's employment prior to the compensable injury. *It was left pending.*

**HB 2815** by Helen Giddings (D-DeSoto) would confer jurisdiction upon the Division of Workers' Compensation to address whether an

employee received proper notice of an employer's workers' compensation healthcare network, in addition to other avenues available under the Insurance Code to the employee/claimant. *It was left pending.*

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

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## **Bills of Interest**

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**HB 37 (Frank J. Corte, Jr. R-San Antonio) Relating to certain municipal development programs involving areas having characteristics of blight or a slum.** This bill requires that before a municipality adopts a community development program it must identify each unit of real property in the municipality that has characteristics of blight. The bill also provides that a municipality may not exercise the right of eminent domain to acquire property for community development unless the condition of the property is an immediate threat to public health and safety.

**HB 369 (Betty Brown, R-Terrell) Relating to assessment of damages in a condemnation proceeding.** This bill provides procedures that must be used when determining the amount to awarded property owners for damage caused by condemnation. The damage award is based on a before and after market value and any increase or decrease of market value caused by the *proposed* condemnation can not be used in the estimating the damage award. The bill also addresses how damages will be decided by TxDOT when the condemnation involves roadway projects.

**HB 417 (Bill Callegari, R-Houston) Relating to the acquisition of and compensation for real property, including blighted property, for public purposes through condemnation or certain other means.** This bill reforms how local governments may condemn run-down, deteriorating properties. Requires that a property meet several specific, measurable criteria before it may be condemned on grounds that it is blighted. Prohibits local governments from condemning homes for aesthetic reasons and requires that blighted properties be condemned on a property-by-property basis. Requires that displaced homeowners be compensated for their relocation costs, and provides that homeowners be compensated for their property in an amount that allows them to maintain their standard of living before their property was condemned.

**HB 1385 (Yvonne Davis, D- Dallas) Relating to the assessment of damages to a property owner from condemnation.** Amends the Property Code to allow property owners the ability to admit evidence on relocating damages in eminent domain proceedings.

**HB 1389 (Yvonne Davis, D-Dallas) Relating to the acquisition of real property for public use.** This bill relates to the acquisition of private property for public use. It strikes the term “slum” and replaces it with “blighted area” and identifies the criteria for the blighted designation. One criteria is danger from hurricanes or other natural disasters. The bill also outlines procedures that must be followed with regard to notices to the property owner before the blight designation is given.

**HB 2685 (Bill Callegari, R-Houston) Relating to the landowner's bill of rights.** Requires an eminent domain authority to send the landowner’s bill of rights statement when the entity makes an offer to a property owner, as opposed to the current beginning of negotiations.

**SB 18 (Craig Estes, R- Wichita Falls) Relating to the use of eminent domain authority.** Provides for certain changes, additions, and deletions to various codes and provisions in Texas law in order to reform the limitations, process, and other aspects of the power of eminent domain and condemnation in this state. Limits the use of eminent domain if it is not for a public use. Provides that there must be a public vote before a governmental entity may initiate a condemnation proceeding. Raises the standards of compensation, including the requirement of a bona fide offer. Raises the evidentiary standards in favor of the property owner regarding the value of a property. Enacts provisions for "diminished access" to property because of new roads or road construction. Provides more requirements when a common carrier initiates condemnation proceedings. Provides that a property owner whose property is acquired through the use of eminent domain for the purpose of creating an easement through that owner's property, may construct streets or roads at any location above the easement that the property owner chooses. Provides that a water and sewer utility that is operating in accordance with its certificate of convenience and necessity may acquire by condemnation only easements or lesser property interests reasonably necessary to comply with federal and state regulations relating to sanitation.

**SB 219 (Robert Nichols, R-Jacksonville) Relating to prohibiting the use of eminent domain to take private property for recreational purposes.** Amends Chapter 2206 of the Government Code to prohibit eminent domain actions if the taking is for a recreational purpose (park, greenbelt, trail). Makes a conforming change to the Parks and Wildlife Code.

**SB 728 (John Carona, R- Dallas) Relating to the exercise of eminent domain authority by private entities.** Adds private entities to Sec. 21.0111, Property Code, which requires the disclosure of certain information to and by the property owner at the time an offer is made to the property owner by an entity with eminent domain power. Amends Chapter 21 of the Property Code to require a private entity with

eminent domain power to provide certain information in a condemnation petition, including the public use contemplated. Allows a private entity, with the owner's consent, to agree to pay a landowner a percentage of the entity's profits associated with the use of the easement, in place of damages.

**SB 1615 (Jeff Wentworth, R- San Antonio) Relating to the authorization of airport authorities and the issuance of bonds and the exercise of eminent domain by the authorities.** Creates airport authorities with numerous powers. State or local government may create an airport authority to acquire or improve airports through various financing mechanisms, including bonding power. Allows an airport authority to exercise eminent domain power and have the zoning powers in an incorporated area within two miles of the airport that a city that owns or maintains an airport has.

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### Important Upcoming Hearings

**House Natural Resources:** Tuesday, April 14 at 8:00 a.m. in room E2.010. TAB is tracking: **HB 3575 (Jerry Madden, R-Plano)** *Relating to energy and water conservation measures of state agencies.*

**Senate Business and Commerce:** Tuesday, April 14 at 9:00 a.m. in the Betty King Room. TAB is tracking:

**SB 472 (Craig Estes, R-Wichita Falls)** *Relating to notice required before and period to vacate after foreclosure sale of real property.*

**SB 1596 (Kirk Watson, D-Austin)** *Relating to a title insurance company affidavit as a release of lien.*

**SB 1982 (Dan Patrick, R-Houston)** *Relating to the licensing and regulation of pool-related electrical maintenance technicians and pool-related electrical maintenance contractors.*

**House Business and Industry:** Tuesday, April 14 at 10:00 a.m. in room E1.014. TAB is tracking: **HB 2309 Yvonne Davis, D-Dallas)** *Relating to reporting of certain information regarding foreclosure sales of residential real property.*

**HB 3482 (Garnet Coleman, D-San Antonio)** *Relating to the notice required by mortgage servicers before foreclosing a contract lien on certain real property; providing civil penalties.*

**HB 4618 (Dan Flynn, R-Canton)** *Relating to limitations on certain non-express easements.*

**House Public Education:** Tuesday, April 14 upon adjournment in room E2.036. TAB is tracking: **HB 1555 (Diane Patrick, R-**

**Arlington)/SB 982 (Leticia Van de Putte, D-San Antonio)** *Relating to public school finance.*

**HB 2563 (Ken Paxton, R-McKinney)** *Relating to determination and notification regarding the state compression percentage under the public school finance system and elimination of property taxes for school district maintenance and operations.*

**HB 3646 (Scott Hochberg, D-Houston)** *Relating to public school finance.*

**House Judiciary and Civil Jurisprudence:** Tuesday, April 14 upon final adjournment in room E1.030. TAB is tracking: **HB 1083 (Gary Elkins, R-Houston)** *Relating to mediation orders in certain arbitration proceedings.*

**Senate Criminal Jurisprudence:** Tuesday, April 14 at 1:30 p.m. in room E1.016. TAB is tracking: **SB 224 (Royce West, D-Dallas)/HB 2808 (Senfronia Thompson, D-Houston)** *Relating to power of a licensing authority to revoke, suspend, or deny a license on the basis of certain criminal proceedings.*

**SB 1391 (Jeff Wentworth, R-San Antonio)** *Relating to the prosecution and punishment of the offense of criminal trespass.*

**House State Affairs:** Tuesday, April 14 at 2:00 p.m. in JHR 140. TAB is tracking: **HB 34 (David Leibowitz, D-San Antonio)** *Relating to the enforceability of certain contracts between an employer who does not have worker's compensation coverage and an employee of the employer.*

**HB 4261 (Eddie Rodriguez, D-Austin)** *Relating to establishing a no-interest loan program to promote the use of energy efficiency measures and renewable energy technology in certain residential dwellings and commercial buildings.*

**House Insurance:** Tuesday, April 14 at 2:00 p.m. in room E2.026. TAB is tracking:

**HB 2203 (Carl Isett, R-Lubbock)** *Relating to the continuation and operation of the Texas Department of Insurance and the operation of certain insurance programs.*

**HB 2233 (Carl Isett, R-Lubbock)** *Relating to the continuation and operation of the office of public insurance counsel.*

**HB 2487 (Craig Eiland, D-Texas City)** *Relating to the establishment, funding, and operation of the Texas natural disaster catastrophe fund and the disaster preparedness and mitigation grant council.*

**HB 2552 (Abel Herrero, D-Robstown)** *Relating to public notice of building requirements and inspection standards in first tier coastal counties.*

**HB 4338 (John Smithee, R-Amarillo)** *Relating to insolvency requirements regarding title insurance agents.*

**Senate Transportation and Homeland Security:** Wednesday, April 15 at 7:30 a.m. in room E1.016. TAB is tracking: **SB 357 (Dan**

**Patrick, R-Houston)** *Relating to a prohibition against the knowing employment of persons not lawfully present in the U.S.*

**SB 358 (Dan Patrick, R-Houston)** *Relating to the enforcement of state and federal laws governing immigration by certain government entities.*

**\*\*SB 967 (Glenn Hegar, R-Katy)** *Relating to the disclosure by the developer of the subdivision of planned highway projects that will go through or be adjacent to a subdivision.*

**SB 1609 (Glenn Hegar, R-Katy)** *Relating to the control of access to state highways by the Texas Department of Transportation.*

**House Defense and Veteran's Affairs:** Wednesday, April 15 at 8:00 a.m. in room E2.026. TAB is tracking: **HB 3857 (Abel Herrero, D-Robstown)** *Relating to foreclosure of liens on real or personal property owned by members of the military.*

**HB 4130 (Frank Corte, R-San Antonio)** *Relating to municipal and county financing of the acquisition of buffer areas or open spaces adjacent to a military installation for certain purposes.*

**HJR 132 (Frank Corte, R-San Antonio)** *Proposing a constitutional amendment relating to municipal and county financing of the acquisition of buffer areas or open spaces adjacent to a military installation for certain purposes.*

**House Licensing and Administrative Procedures:** Wednesday, April 15 at 8:00 a.m. in room E2.016. TAB is tracking: **HB 1971 (Mike Hamilton, R-Mauriceville)** *Relating to regulation of fire protection sprinkler technicians.*

**HB 2808 (Senfronia Thompson, D-Houston)/SB 224 (Royce West, D-Dallas)** *Relating to the power of a licensing authority to revoke, suspend or deny a license on the basis of certain criminal proceedings.*

**HB 3028 (Garnet Coleman, D-Houston)** *Relating to the regulation of air conditioning and refrigeration technicians.*

**HB 3982 (Eddie Rodriguez, D-Austin)** *Relating to exceptions from the registration requirement for the practice of landscape architecture.*

**HB 4142 (Jim Dunnam, D-Waco)** *Relating to the purchase of copper parts by air conditioning and refrigeration contractors and technicians.*

**Senate International Relations and Trade:** Wednesday, April 15 at 9:00 a.m. in room 2E.20. TAB is tracking:

**SB 1371 (Eddie Lucio Jr., D-Brownsville)** *Relating to the colonia self-help program.*

**SB 2391 (Eliot Shapleigh, D-El Paso)** *Relating to the management and control of utility system.*

**Senate Intergovernmental Relations:** Wednesday, April 15 at 9:30 a.m. in room E1.028. TAB is tracking:

**SB 1299 (Kirk Watson, D-Austin)** *Relating to the regulation of stormwater management by certain counties.*

**SB 1717 (Royce West, D-Dallas)** *Relating to prohibition of certain practices by owners of developments supported with low income housing tax credit allocations.*

**SB 1861 (Rodney Ellis, D-Houston)** *Relating to certain programs and pilot programs administered by the Texas Department of Housing and Community Affairs.*

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

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

**SB 1945 (Royce West, D-Dallas)** *Relating to the personal liability of, and acceptance of service of citation by, an employee of the owner of real property or of a company that manages real property.*

**SB 2099 (Jeff Wentworth, R-San Antonio)** *Relating to a requirement to provide sufficient water pressure for fire suppression in certain special utility districts.*

**SB 2121 (Royce West, D-Dallas)** *Relating to the persons entitled to redeem property after the foreclosure of a property owners' association's assessment lien.*

**SB 2144 (Royce West, D-Dallas)** *Relating to the manner of sale of bonds issued by municipal utility districts*

**SB 2481 (Glenn Hegar, R-Katy)** *Relating to an exception to prohibition of fees for future transfer of real property.*

**SB 1943 (Royce West, D-Dallas)** *Relating to state and municipal actions to ensure compliance with fair housing requirements.*

**House Business and Industry Subcommittee on TRCC, Property and Landlord Tenant Issues:** Wednesday, April 15 at 10:00 a.m. in JHR 120. TAB is tracking: **HB 690 (Burt Solomons, R-Carrollton)** *Relating to the right of a tenant to hold a landlord liable for falsely advertised square footage or amenities.*

**HB 3020 (David Liebowitz, D-San Antonio)** *Relating to disclosure of the cause of and remediation of construction defects resulting in resale by certain homebuilders.*

**\*\*HB 3871 (Marc Veasey, D- Fort Worth)** *Relating to the operation of the Texas Residential Construction Commission; providing an administrative penalty.*

**HB 4148 (Patrick Rose, D-Dripping Springs)** *Relating to the operation of a property owners' association.*

**HB 4151 (Patrick Rose, D-Dripping Springs)** *Relating to prohibiting the foreclosure of property owners' association assessment liens for a certain period.*

**House Environmental Regulation:** Wednesday, April 15 at 10:30 a.m. in room E1.014. TAB is tracking: **HB 229 (Jim Pitts, R-Waxahachie)** *Relating to bond or insurance requirements for applicants for or holders of certain on-site sewage disposal system-related licenses.*

**House Ways and Means:** Wednesday, April 15 at 10:30 a.m. in room E2.010. TAB is tracking:

**HB 277 (John Zerwas, R-Houston)** *Relating to the franchise tax and alternative revenue sources and spending priorities.*

**HB 720 (Brandon Creighton, R-Conroe)** *Relating to the total revenue exemption for the franchise tax.*

**HB 1036 (Ken Paxton, R-McKinney)** *Relating to the method of computing the franchise tax and the rates of the tax.*

**HB 1220 (Todd Hunter, R-Corpus Christi)** *Relating to the total revenue exemption for the franchise tax.*

**HB 1667 (Al Edwards, D-Houston)** *Relating to the computation and rates of the franchise tax.*

**HB 1788 (Phil King, R-Weatherford)** *Relating to the minimum franchise tax amount for which no tax payment is due.*

**HB 1825 (Ken Paxton, R-McKinney)** *Relating to the computation of the franchise tax.*

**HB 2227 (Tan Parker, R-Flower Mound)** *Relating to the total revenue for the franchise tax.*

**HB 2534 (Dennis Bonnen, R-Angleton)** *Relating to the total revenue exemption for the franchise tax.*

**HB 2828 (Joe Menendez, D- San Antonio)** *Relating to the ad valorem taxation of property used to provide low-income or moderate-income housing. Relating to the franchise tax rates.*

**HB 2944 (Linda Harper-Brown, R-Irving)** *Relating to the franchise tax rates.*

**HB 2945 (Linda Harper-Brown, R-Irving)/SB 2157 (Florence Shapiro, R- Plano)** *Relating to the total revenue exemption from the franchise tax.*

**HB 2980 (Harvey Hilderbran, R-Kerrville)** *Relating to the ad valorem taxation of property used to provide low-income or moderate-income housing.*

**HB 3104 (Ken Paxton, R-McKinney)** *Relating to the ad valorem taxation of property used to provide low-income and moderate-income housing.*

**HB 3176 (Phil King, R-Weatherford)** *Relating to the abolition of school district maintenance and operations ad valorem taxes.*

**HB 3189 (Brian McCall, R-Plano)** *Relating to the exclusion of certain commercial lease revenue in determining a taxable entity's total revenue for purposes of the revised franchise tax.*

**HB 3206 (Al Edwards, D- Houston)** *Relating to the implementation of the exemption from ad valorem taxation for pollution control property.*

**HB 3237 (Bill Callegari, R-Houston)** *Relating to the franchise tax*

**HB 3778 (Charlie Howard, R-Sugar Land)** *Relating to the exclusion of certain flow-through funds in determining total revenue for purposes of the franchise tax.*

**HB 3835 (Harvey Hilderbran, R-Kerrville)** *Relating to the exclusion of flow-through funds from total revenue for purposes of the franchise tax.*

**HB 4003 (Ken Paxton, R-McKinney)** *Relating to the rates and computation of the franchise tax.*

**HB 4269 (Charlie Howard, R-Sugar Land)** *Relating to the definition of passive entity for purposes of the franchise tax.*

**HB 4765 (Rene Oliviera, D-Brownsville)** *Relating to the total revenue exemption for the franchise tax.*

**HB 4766 (Rene Oliviera, D-Brownsville)** *Relating to the computation of the franchise tax.*

**HJR 97 (Phil King, R-Weatherford)** *Proposing a constitutional amendment abolishing school district maintenance and operations ad valorem taxes.*

**House Judiciary and Civil Jurisprudence:** Wednesday, April 15 upon adjournment in room E1.030. TAB is tracking:

**\*\*HB 2696 (Dan Gattis, R-Georgetown)** *Relating to arbitration proceedings.*

**House Urban Affairs:** Thursday, April 16 at 10:30 a.m. in room E2.028. TAB is tracking: **HB 37 (Frank J. Corte, Jr. R-San Antonio)** *Relating to certain municipal development programs involving areas having characteristics of blight or a slum.*

**HB 1389 (Yvonne Davis, D-Dallas)** *Relating to the acquisition of real property for public use.*

**HB 2121 (Dora Olivo, D-Missouri City)** *Relating to participation in the process for evaluating an application for a low income housing tax credit.*

**HB 2308 (Yvonne Davis, D-Dallas)** *Relating to the establishment of the Texas secure loan pilot program by the Texas Department of Housing and Community Affairs.*

**HB 2315 (Patrick, Diane, R-Arlington)** *Relating to authorizing municipalities to assess fees on vacant commercial buildings.*

**HB 2350 (Dwayne Bohac, R-Houston)** *Relating to the authority of certain municipalities to require trust accounts for certain commercial buildings.*

**HB 2792 (Mark Homer, D-Paris)** *Relating to the regulation of signs by municipalities.*

**HB 3162 (Yvonne Davis, D-Dallas)** *Relating to the development of a long-range state low income housing plan.*

**HB 3215 (Joe Farias, D-San Antonio)** *Relating to the establishment of a down payment assistance program for certain professional educators by the Texas State Affordable Housing Corporation.*

**HB 3240 (Mando Martinez, D-Weslaco)** *Relating to a municipal program for foreclosure on an improvement of certain property, and the subsequent sale of the property as affordable housing.*

**HB 3458 (Dan Branch, R-Dallas)** *Relating to the requirements for a petition proposing an amendment to the charter of a home-rule municipality.*

**HB 3682 (Debbie Riddle, R-Houston)** *Relating to the regulation of uninhabitable, unsafe, or abandoned structures by certain counties.*

**House County Affairs:** Thursday, April 16 at 2:00 p.m. in room E2.026. TAB is tracking:

**HB 2665 (Allan Ritter, D-Nederland)** *Relating to authorizing the commissioners court of a county to adopt and impose standards and*

*specifications for the design and installation of address number signs to identify properties located in unincorporated areas of the county.*  
**HB 2693 (Eddie Rodriguez, D-Austin)** *Relating to the authority of a county to assess certain costs for roadway 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](http://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](http://www.SunbeltBuildersShow.com)).

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

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