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Update on Major Bills of Interest

Workers Comp Hearing – HB 1739 (Walle) and HB 1987 (Workman)

HB 1739 by Representative Armando Walle (D-Houston) and HB 1987 by Representative Paul Workman (R-Austin) were heard in the House State Affairs Committee last Wednesday. Both of these bills would require workers comp for construction. Government Relations Committee Chairman, Eddie Martin testified in opposition on behalf of TAB. Both bills were left pending in committee.

Vested Rights – SB 1442 (Shapiro) Passes Senate

SB 1442 by Senator Florence Shapiro (R-Plano) passed the Senate on the Local and Uncontested calendar on Thursday and has been sent over to the House. The bill defines “fair notice” for local project permit purposes as the minimum amount of information necessary to enable a reasonably prudent person to understand the general nature and objective of a project.

82nd Legislative Session Update

GOVERNOR – Last Tuesday, Governor Rick Perry called on leaders in higher education and technology to continue working to make Texas the nation’s next hub for innovation, collaboration and competition in **technology development and manufacturing**. He spoke at the Governor’s Technology and Economic Development Forum, hosted by the Austin Chamber of Commerce, where he was joined by business, technology and higher education leaders including Austin Chamber Chairman Bobby Jenkins, Cisco Systems Chairman John Chambers (via telepresence), Tokyo Electron Holdings U.S. President Barry Mayer and University of Texas System Chancellor Francisco Cigarroa. Governor Perry underscored the importance of ensuring Texans have access to a quality, affordable higher education, and reiterated his higher education goals for this legislative session.

On Thursday, Governor Perry proclaimed the three-day period from Friday, April 22, to Sunday, April 24 as **Days of Prayer for Rain** in the State of Texas, following extreme drought conditions that have sparked dangerous wildfires across the state, which have taken lives, engulfed more than 1.8 million acres and destroyed nearly 400 homes. The governor is urging Texans of all faiths and religious traditions to offer prayer for the healing of the land, rebuilding of communities and the “restoration of our normal and robust way of life in Texas.” He said, “Throughout our history, both as a state and as individuals, Texans have been strengthened, assured and lifted up through prayer. It is fitting that Texas should join together in prayer to humbly seek an end to this ongoing drought and these devastating wildfires, and for the safety of the brave firefighters and emergency management officials who have worked tirelessly to protect lives and property around the state.”

Bills passed both houses and sent to the governor this session: 22

Bills sent to the governor this week: 14

SENATE – Last Monday, the Senate gave approval to **SB 1420** by Juan “Chuy” Hinojosa (D-McAllen) the sunset bill for the **Texas Department of Transportation**. It preserves the current five member governing structure with members reflecting the regional and demographic makeup of the state, with at least one member being from a rural area. It also requires TxDOT to publish a

comprehensive development plan that sets out priorities and costs of transportation projects. Last Tuesday, the Senate adopted another sunset bill, **SB 661** by Robert Nichols (R-Jacksonville) which continues the **Public Utility Commission** until 2023. It also continues the **Office of Public Utility Counsel** and the **Electric Reliability Council of Texas** (ERCOT). Also on Tuesday, the Senate passed SB 7 and SB 8 by Jane Nelson (R-Flower Mound) designed to control rising health care costs and improve patient outcomes. **SB 7** restructures the payment system for **Medicaid and the Children’s Health Insurance Program** to focus on healthy outcomes and to reduce costs associated with waste, inefficiency and preventable medical errors. **SB 8** develops a statewide plan for improving **health care transparency**, quality and efficiency; establishes the **Health Care Collaborative** certificate for providers who join together to provide care that promotes quality, patient engagement and coordination of services; and requires public reporting of potentially preventable readmissions and complications.

On Wednesday, the Senate passed a third sunset bill, **SB 660** by Juan “Chuy” Hinojosa continuing the **Texas Water Development Board** until 2003. Quite a few House bills had been stacking up in the Secretary of the Senate’s office (to the dismay of House members who have passed 36 Senate bills while the Senate – until Thursday’s Senate Local and Uncontested calendar where they passed three House bills – had passed only three House bills all session.) On Wednesday, the Senate referred 160 House bills to Senate committees. Senate committees are expected to focus on hearing House bills when they return from Easter break.

This Week: The Senate is expected to debate HB 1, the **appropriations bill** on Wednesday of next week.

Total number of bills reported out of Senate Committees this week: 106
Total number of bills passed by the Senate this week: 141
Total number of bills passed on the Local and Uncontested calendar: 79

HOUSE – Last Monday, the House debated **HB 2605** by Larry Taylor (R-Friendswood) which is the sunset bill for the **Division of Workers’ Compensation**. It continues the office until 2017. Last Tuesday, they took up the **Texas Commission on Environmental Quality** sunset bill, **HB 2694** by Wayne Smith (R-Baytown), which continues the agency until 2023. It would also abolish the On-site Wastewater Treatment Research Council and transfer its duties to TCEQ. The House also gave preliminary approval to **HB 2131** by Charlie Geren (R-Fort Worth) which would require the Department of Public Safety to create a **pass for expedited access to the Capitol** that would function similarly to the concealed handgun license but would not require handgun proficiency. It would allow persons who have already been screened by a background check to bypass the lines at capitol metal detectors.

On Wednesday, the House debated **HB 5** by Lois Kolthorst which directs Texas to join the **Interstate Health Care Compact** with other states to secure from the federal government primary responsibility to regulate health care in the state. They also took up **HB 115** by Ruth Jones McClendon which would create an **innocence commission** to investigate wrongful convictions. It passed to third reading on Wednesday by a vote of 82 to 54, but when it was taken up for final passage on Thursday, it failed by a vote of 91 to 51. A procedural motion was made to allow it to be taken up again for another vote later in the session. On Wednesday, the House also gave preliminary approval to **HB 1137** by Drew Darby (R-San Angelo) which would require an **online registry for sales of pseudoephedrine**; and **HB 1633** by Dennis Bonnen (R-Angleton) which would **require trial jurors to have the ability to read and write English**.

On Thursday, there were fireworks in the House as **HB 1451** by Senfronia Thompson (D-Houston), which would establish minimum **standards for “puppy mills”** and would require the Texas Department of Licensing and Regulation to license and regulate dog and cat breeders, was knocked off the Local and Consent calendar by freshman Representative David Simpson (R-Longview).

Thompson, who chairs the Local and Consent Calendar Committee, gave a rare personal privilege speech defending the committee and the integrity of its members and concluded with a quote from the Bible saying, “The Lord is my light and my salvation, whom shall I fear?” Also on Thursday, the House gave preliminary approval to **HB 1666** by Joaquin Castro (D-San Antonio) expanding the **offense of online harassment** to include creating a web page and sending a message through a commercial networking site in another’s name without consent and with the intent to harm, defraud, intimidate or threaten another person.

This Week: On Wednesday, the House is expected to take up **HB 150** by Burt Solomons, the **House redistricting** bill. It was originally slated to be on Tuesday’s calendar but was moved to Wednesday at the request of House members that wanted more time to submit amendments. **SB 655**, the **Railroad Commission sunset** bill, is on Thursday’s House calendar, and **HB 2675**, the **Texas Department of Transportation sunset** bill, is on Friday’s calendar.

Total number of bills reported out of House Committees this week: 180
Total number of bills passed by the House this week: 131
Total number of bills passed on the Local and Consent calendar: 66

BUDGET – On Wednesday, the Senate Finance Committee voted out **SB 1811** by Robert Duncan (R-Lubbock) which identifies 20 items adding up to \$4.8 billion in additional revenue lawmakers can use to help fund the state budget. Senator Duncan said, “This is a pretty major bill, as far as a way to help fund the decisions we’ve made in markup.” It includes deferral of payments including moving state payments to the public education system from August to September and moving forward tax collection dates for sales and franchise taxes; liquidating funds; sale of state properties; changing the tax method for small cigars; and reversing the Blue Cross/Blue Shield court decision. Also on Wednesday, the committee approved **SB 22** by Florence Shapiro (R-Plano) which would **move public schools into a formula system of funding** and away from the current target revenue model.

On Thursday, the committee voted out its version of **HB 1**, the **general appropriations bill**. The Senate version appropriates approximately \$12 billion more in state and federal funds than the House version. It includes an additional \$5.7 billion for public education; smaller cuts to nursing home reimbursement rates, textbook funding, additional money in the TEXAS Grants program; and \$2 billion in additional funding for transportation. The Senate bill included a provision that \$3 billion from the Rainy Day Fund could be used if growth in the state’s revenue is not sufficient to fund appropriations made by the bill. Chairman Steve Ogden (R-Bryan) said, “This is a heroic effort on the part of the Senate. The Senate bill is not better, it is enormously better than the House bill. This bill keeps Texas government functioning, and essential services available to Texans, without doing harm to the private-sector economy. It is adequate, and I think, in these circumstances, adequate is a pretty big deal.” Four members of the committee voted against adopting the bill including Senators Dan Patrick (D-Houston), John Whitmire (D-Houston), Eddie Lucio, Jr. (D-Brownsville), and Judith Zaffirini (D-Laredo).

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

SB 1589 by Steve Ogden (R-Bryan) would authorize **payment of claims and judgments** against the state. *It was left pending.*

On Tuesday and Wednesday, the **Senate Finance Committee** took up several fiscal matters bills **allowing state agencies to reduce and recover their expenses** including: **SB 1579** on general government agencies; **SB 1580** on health and human services agencies; **HB 1581** on public and higher education institutions; **SB 1582** on judicial agencies; **SB 1583** on law enforcement and criminal justice agencies; **SB 1584** on natural resources and environmental agencies; **SB 1585** on business and economic development agencies; and **SB 1586** on regulatory agencies. *They were all discussed in committee but no action was taken.*

They also took up:

SB 1811 by Robert Duncan (R-Lubbock) would **authorize state agencies to reduce or recover**

expenditures. *It was voted out favorably as substituted.*

On Thursday, the **House Government Efficiency and Reform Committee** took up:

HB 3166 by Bill Callegari (R-Katy) would **abolish and consolidate agencies** including:

- Abolish the Texas Department of Rural Affairs and transfer the functions to the Department of Agriculture;
- Abolish the Funeral Service Commission and transfer the functions to the Texas Department of Licensing and Regulation;
- Abolish the Texas State Board of Plumbing Examiners and transfer the functions to the Texas Department of Regulation;
- Establish the Texas Board of Professional Services to provide licensing to engineers, architects, landscape architects, surveyors, appraisers, and would increase the licensing fees.

It was left pending.

HB 3168 by Bill Callegari (R-Katy) would **eliminate longevity pay**; limit **merit pay** for state agencies to \$200 times the number of full-time employees; prohibit state agencies from awarding more than 10% of the merit pay of the agency to a single employee; prohibit merit pay from being more than 25% of an employee's base salary; require each state agency to adopt a policy governing the agency's distribution of merit pay; limit agencies with between 100 and 500 employees to 1/100 human resources staff; and require Texas Department of Transportation to examine the department's core business and administrative units and develop a plan to streamline the department's operation. *It was left pending.*

Reported from Committee:

HB 2439 by Pete Gallego (D-Alpine) would require state agencies employing more than 1,500 individuals to post on the agency's Internet website an electronic form allowing a **member of the public** or an agency employee to submit suggestions and **ideas on how to make the state agency more cost-efficient.** *It was reported favorably as substituted from the House Government Efficiency and Reform Committee.*

ECONOMIC DEVELOPMENT:

Passed the House:

HB 2457 by John Davis (R-Houston) would prohibit the governor from **amending a Texas Enterprise Fund agreement** without obtaining the advice of the speaker and lieutenant governor. *The committee substitute was adopted and it passed on the Local and Consent calendar.*

Passed the Senate:

SB 1086 by Craig Estes (R-Wichita Falls) would authorize the Texas Department of Agriculture to sell **advertising and Go Texan program merchandise** to promote agriculture, horticulture, and other industries that grow, process, or produce products in Texas. *The committee substitute was adopted.*

ENERGY – Last Tuesday, the **Senate Business and Commerce Committee** took up:

SB 365 by Steve Ogden (R-Bryan) would allow a person who owns or operates a **distributed natural gas generation** facility to sell electric power generated by the facility. *It was reported favorably as substituted and recommended for the Local and Uncontested calendar. It is on Tuesday's Senate Intent calendar.*

Also on Tuesday, the **Senate Natural Resources Committee** took up:

SB 552 by John Carona (R-Dallas) would create the **Energy Efficiency Coordination Council** to study methods for evaluating, measuring, and verifying the cost-effectiveness of energy efficiency programs; and to evaluate whether a state agency's or utility provider's energy efficiency program is cost-effective. *It was left pending.*

SB 1031 by John Carona (R-Dallas) would require buildings and renovations financed by revenue bonds to be designed and constructed under a **high-performance building standard** approved by the

Texas Facilities Commission. *It was left pending.*

SB 1294 by Glenn Hegar (R-Katy) would increase **penalties assessed by the Railroad Commission**. *It was reported favorably and recommended for the Local and Uncontested calendar.*

On Wednesday, the **House Energy Resources Committee** took up:

HB 883 by Carol Alvarado (D-Houston) would require the comptroller, in consultation with the State Energy Conservation Office, to establish minimum efficiency **standards for residential pool pumps**; motors; and motor control; and would prohibit a new product from being sold or offered for sale in this state unless the efficiency of the new product meets or exceeds the applicable efficiency standards. *It was left pending.*

HB 3254 by Mark Strama (D-Austin) would establish **renewable energy reinvestment zones** and would provide a property tax abatement for a renewable energy company located in the zone. *It was left pending.*

HB 3259 by Mark Strama (D-Austin) would require the Public Utility Commission to adopt rules that establish the **minimum annual renewable energy requirement**, including a minimum annual requirement for the installation of generating capacity from renewable energy technologies other than wind energy technologies, for each retail electric provider, municipally owned utility and electric cooperative. *No action was taken in committee.*

HB 3595 by Warren Chisum (R-Pampa) would require electric utilities to provide through market based standard offer programs or market transformation programs, incentives sufficient for retail electric providers and competitive energy service providers to acquire additional cost-effective **energy efficiency for residential and commercial customers**. *It was left pending.*

Reported from Committee:

HB 1421 by Rafael Anchia (D-Dallas) would require the Public Utility Commission to classify **energy storage equipment or facilities** as a separate class, distinct from generation or transmission and distribution equipment or facilities. *It was reported favorably as substituted from the House State Affairs Committee and recommended for the Local and Consent calendar.*

HB 2077 by Eddie Rodriguez (D-Austin) would establish a pilot program to provide loans to **churches and community-based organizations** to finance energy efficiency measures and renewable energy technology in buildings they own or operate. *It was reported favorably from the House Energy Resources Committee.*

SB 1219 by John Carona (R-Dallas) would require the Railroad Commission, with the assistance of the Department of Information Resources to publish and operate a **power to choose website** redesigned using a user-centered design approach. *It was reported favorably as substituted from the Senate Business and Commerce Committee and recommended for the Local and Uncontested calendar.*

Passed the House:

HB 1064 by Jim Pitts (R-Waxahachie) would require a **transmission and distribution utility** to waive the application of demand ratchet provisions for each nonresidential secondary service customer that has a maximum load factor set by Public Utility Commission rule. *One floor amendment was adopted.*

Passed the Senate:

SB 15 by Troy Fraser (R-Horseshoe Bay) would enact the **Energy Policy Act** to promote, in accordance with the public interest, the strategic planning of energy development, production, delivery, commercialization, and utilization; would create the Texas Energy Policy Council to develop and present a statewide energy policy plan to the legislature; and would require the Railroad Commission to prepare and submit to the Public Utility Commission a report on coal and gas reserves and require the PUC to prepare a report on electric energy generation that includes an air pollution reduction plan. *The committee substitute and four floor amendments were adopted.*

SB 661 by Robert Nichols (R-Jacksonville) is the sunset bill for **Electric Reliability Council of Texas, Office of Public Utility Council and Public Utility Commission**. *The committee substitute*

and four floor amendments were adopted.

SB 924 by John Carona (R-Dallas) would require a municipally owned utility and an electric cooperative that had retail sales of more than 500,000 megawatt hours in 2005 to report each year to the State Energy Conservation Office information regarding the combined **effects of the energy efficiency activities** of the entity's annual goals, programs enacted to achieve those goals, and any achieved energy demand or savings goals. *It passed on the Local and Uncontested calendar.*

SB 1125 by John Carona (R-Dallas) would set the state's **energy efficiency goal** at one-half of 1% of the electric utility's peak transmission-level industrial facilities by January 1, 2013.

The committee substitute was adopted and it passed on the Local and Uncontested calendar.

SB 1258 by Robert Duncan (R-Lubbock) would allow the Texas Commission on Environmental Quality to issue a permit by rule to authorize the governing body of a county or municipality with a population of 10,000 or less to dispose of **demolition waste** from an abandoned building or a building found to be a nuisance if the disposal occurs on land that the county or municipality owns or controls; and would qualify for an arid exemption under commission rules. *The committee substitute and one floor amendment were adopted.*

ENVIRONMENT – Last Monday, the **House Ways and Means Committee** took up:

HB 2280 by Craig Eiland (D-Texas City) would require at least one member of the advisory committee to the Texas Commission on Environmental Quality on implementation of the ad valorem tax exemption for **pollution control property** to be a representative of a school district, or junior college district in which property is located that is or previously was subject to the exemption. *It was reported favorably and recommended for the Local and Consent calendar.*

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

HB 3668 by Bill Callegari (R-Katy) would allow the Public Utility Commission to grant a certificate of public convenience and necessity to a **retail public utility for a service area** inside the boundaries or extraterritorial jurisdiction of a municipality before the 180th day after the date the municipality receives the retail public utility's application; and would prohibit the commission from extending a municipality's certificate of public convenience and necessity beyond its extraterritorial jurisdiction if a landowner elects to exclude some or all of the landowner's property within a proposed service area. *It was left pending.*

Also on Tuesday, the **Senate Natural Resources Committee** took up:

SB 1070 by Mike Jackson (R-La Porte) would add school districts to the permanent advisory committee to advise the Texas Commission on Environmental Quality on implementation of the ad valorem tax exemption for **pollution control property**. *It was left pending.*

SB 1074 by Mike Jackson (R-La Porte) would provide that a **water district's rates are presumed just and reasonable** and not unreasonably preferential, prejudicial, or discriminatory unless a ratepayer proves at a hearing on appeal that the district had no reasonable basis for its action. *No action was taken in committee.*

On Wednesday, the **House State Affairs Committee** took up: **HB 977** by Leo Berman (R-Tyler) would require the Department of Agriculture; each independent organization certified as an independent system operator or other person that is sufficiently independent of any producer or seller of electricity that its decisions will not be unduly influenced by any producer or seller; and require state agencies to publish a **climate adaptation plan** that will assess the entity's role with respect to climate change. *It was left pending.*

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

HB 856 by Harold Dutton (D-Houston) would prohibit a utility from making changes in its rates without giving 120 days notice to each ratepayer and the regulatory authority having original jurisdiction at least 120 days before the proposed effective date of the proposed change; and would require the regulatory authority to hold a hearing on the **proposed rate increase**. *It was left pending.*

HB 1126 by Lon Burnam (D-Fort Worth) would require the owner or operator of a **storage tank** or

tank battery to ensure that flashed gases are routed to a vapor recovery system or control device. *It was left pending.*

HB 1558 by Ron Reynolds (D-Richmond) would require a person applying for a permit for a new affecting facility or the expansion of an affecting facility to submit to the Texas Commission on Environmental Quality an **environmental justice report** stating whether the facility or expansion is to be located in an environmental justice community. *It was left pending.*

HB 2268 by Kelly Hancock (R-North Richland Hills) would make it an affirmative defense in an administrative, civil, or criminal **action brought under the water code for nuisance or trespass** if the person's actions were authorized by a rule, permit, order, license, certificate, registration, approval, or other form of authorization from the state or federal government. *It was left pending.*

HB 3268 by Lanham Lyne (R-Wichita Falls) would require the Texas Commission on Environmental Quality to issue a standard permit for **stationary natural gas engines** used in a combined heating and power system. *It was left pending.*

HB 3544 by Jessica Farrar (D-Houston) would provide that if the **permit application for a new or modification of an existing facility** that may emit air contaminants has not been the subject of a contested case hearing, the Texas Commission on Environmental Quality must provide a written notice to the applicant outlining its specific objections to the submitted plans of the proposed facility and may grant or deny the application. *It was left pending.*

And on Wednesday, the **House Energy Resources Committee** took up:

HB 2510 by George Lavender (R-Texarkana) would exempt **incandescent light bulbs** manufactured in Texas from federal law or regulation; and would require the incandescent light bulb to have the words "Made in Texas" clearly stamped on them. *It was left pending.*

Reported from Committee:

HB 2113 by Four Price (R-Amarillo) would require a **groundwater conservation district** in a priority groundwater management area to be composed of territory in two or more contiguous counties, unless the commission determines that a district composed of territory in noncontiguous counties will result in more effective or efficient groundwater management than other options available to the commission. *It was reported favorably from the House Natural Resources Committee.*

HB 2311 by Doug Miller (R-New Braunfels) would allow a **groundwater conservation district** to provide a permit exemption or drilling for operating a small well used solely for domestic use or for providing water for livestock or poultry. *It was reported favorably from the House Natural Resources Committee. It is on the House calendar for Tuesday.*

SB 181 by Florence Shapiro (R-Plano), Kel Seliger (R-Amarillo) would require the Texas Commission on Environmental Quality in consultation with the Water Conservation Advisory Council, to develop uniform methodology and guidance for calculating and reporting municipal water use and conservation for use in **water conservation plans** and reports. *It was reported favorably from the House Natural Resources Committee.*

SJR 2 by Juan "Chuy" Hinojosa (D-McAllen)) would propose a constitutional amendment authorizing the issuance of up to \$6 billion in **general obligation bonds by the Texas Water Development Board**. *It was reported favorably from the Senate Finance committee.*

Passed the House:

HB 240 by Tan Parker (R-Flower Mound) would require the Texas Commission on Environmental Quality to adopt rules preventing accidental or unintentional access to **on-site sewage disposal systems**. *The committee substitute was adopted and it passed on the Local and Consent calendar.*

HB 2619 by Bill Callegari (R-Katy) would require utilities or providers or conveyors of potable or raw water service that furnish water service to more than one customer to submit to each retail electric provider that sells electric power to the affected utility information identifying the location and general description of all **water and wastewater facilities that qualify for critical load status** and emergency contact information for the affected utility. *The committee substitute was adopted.*

HB 2694 by Wayne Smith (R-Baytown) is the sunset bill for **Texas Commission on Environmental**

Quality. *The committee substitute and 24 floor amendments were adopted.*

HB 3372 by Tracy King (D-Eagle Pass) would require a structure connected to a public water supply system and that has a **rainwater harvesting system** to have appropriate cross-section connection safeguards. *It passed with no amendments.*

SB 313 by Kel Seliger (R-Amarillo) would allow the Texas Commission on Environmental Quality to create a groundwater conservation district over all or part of a priority **groundwater management area** and to add land from a priority groundwater management area. *Two floor amendments were adopted.*

SB 691 by Craig Estes (R-Wichita Falls) would prohibit a **groundwater conservation district** from requiring a permit for a **well used solely for domestic use**, or for providing water for livestock or poultry. *It passed with no amendments.*

Passed the Senate:

SB 660 by Juan “Chuy” Hinojosa (D-McAllen) is the **Texas Water Development Board** sunset bill. *The committee substitute and two floor amendments were adopted.*

SB 1134 by Glenn Hegar (R-Katy) would prohibit the Texas Commission on Environmental Quality from adopting a new or renewal **permit for oil and gas facilities** without conducting a regulatory analysis and determine that permit changes are necessary to protect public health. *The committee substitute and two floor amendments were adopted.*

SB 1258 by Robert Duncan (R-Lubbock) would allow the Texas Commission on Environmental Quality to issue a permit by rule to authorize the governing body of a county or municipality with a population of 10,000 or less to dispose of **demolition waste** from an abandoned building or a building found to be a nuisance if the disposal occurs on land that the county or municipality owns or controls; and would qualify for an arid exemption under commission rules. *The committee substitute and one floor amendment were adopted.*

GENERAL BUSINESS – On Tuesday, the **Senate Business and Commerce Committee** took up: **SB 1375** by Craig Estes (R-Wichita Falls) would require municipalities having a local option election to **prohibit or authorize the sale of alcoholic beverages** to allow the qualified voters of an area that is proposed to be annexed by the municipality to vote in the election. *It was left pending.*

On Thursday, the **House Government Efficiency and Reform Committee** took up:

HB 2291 by Bill Callegari (R-Katy) would provide that an **individual may engage in an occupation** not prohibited by law without being subject to statutes, administrative rules, or government practices that regulate the occupation and that are unnecessary and substantially burdensome. *It was left pending.*

Reported from Committee:

HB 2482 by Aaron Pena (R-Edinburg) would make **organized retail theft** a Class B misdemeanor if the total value of the merchandise is less than \$500 and a Class A misdemeanor if the value is between \$500 and \$1,500. Current law provides state jail felonies for merchandise over \$1,500. *It was reported favorably as substituted from the House Criminal Jurisprudence Committee, and it is on Tuesday’s House calendar.*

Passed the House:

HB 3141 by Will Hartnett (R-Dallas) is the **trademark registration and protection** bill. *The committee substitute was adopted and it passed on the Local and Consent calendar.*

Passed the Senate:

SB 1168 by John Carona (R-Dallas) would prohibit a plaintiff in an **action against a personnel services provider** from obtaining the revocation of a certificate authorizing the defendant to engage in business in the state. *The committee substitute was adopted and it passed on the Local and Uncontested calendar.*

SB 1281 by Kirk Watson (D-Austin) would set the administrative penalty for **violations of the**

Securities Act based on a sliding scale. *The committee substitute was adopted.*

SB 1400 by Dan Patrick (R-Houston) would expand the **Texas Private Security Board** from seven to nine members and would give them licensing jurisdiction over camera systems companies, including companies that sell, install, service, or monitor a closed circuit television or still camera system. *The committee substitute was adopted and it passed on the Local and Uncontested calendar.*

SB 1744 by Kevin Eltife (R-Tyler) would allow the comptroller to **decertify a certified capital company** on the written request of the company if the comptroller finds that the company has made qualified investments in an amount equal to 100% of the company's certified capital; and would not authorize the recapture and forfeiture of premium tax credits following voluntary decertification of a certified capital company. *It passed on the Local and Uncontested calendar.*

HUMAN RESOURCES/EMPLOYMENT – On Thursday, the **House Economic and Small Business Development Committee** took up: **HB 68** by Armando “Mando” Martinez (D-Weslaco) would require employers who decline to make an employment offer to an applicant based on the applicant's **criminal history information** to notify the applicant of the specific element in the criminal history record that influenced the employer to not make an offer and disclose the entity from which the employer obtained the criminal history information. *It was left pending.*

HB 222 by Mark Strama (D-Austin) would set the **ceiling on the unemployment compensation fund** at one-half of one percent (rather than two percent) of the total covered (rather than taxable) wages for the four calendar quarters ending the preceding June 30th. *It was left pending.*

HB 223 by Mark Strama (D-Austin) would make several changes to eligibility for **unemployment compensation** including changing the base period and including individuals with a verifiable illness or injury. *It was left pending.*

HB 471 by Charles “Doc” Anderson (R-Waco) would require **exclusive bargaining representatives** of a labor union to be selected by secret ballot. *It was left pending.*

Reported from Committee:

HB 3068 by Ron Reynolds (R-Richmond) would provide **extended unemployment compensation benefits** to unemployed persons enrolled in, and making satisfactory progress toward completion of a **workforce training program** approved by the Texas Workforce. *It was reported favorably as substituted from the House Economic and Small Business Development Committee and recommended for the Local and Consent calendar.*

Passed the House:

SB 439 by Leticia Van de Putte (D-San Antonio) would eliminate employer unemployment compensation charge backs for employers that reinstate a **qualified uniformed service member** with reemployment rights and benefits. *It passed the House on the Local and Consent calendar.*

INTERNET – On Monday, the **House Elections Committee** took up:

HB 1502 by James White (R-Hillister) would require the secretary of state to allow the **electronic transmission of balloting** materials to and a completed ballot from an active duty **member of the armed forces** of the United States stationed overseas. *It was reported favorably.*

On Tuesday, the **Senate Criminal Justice Committee** took up:

SB 841 by Dan Patrick (R-Houston) would set the penalties for **breach of computer security** based on a sliding scale. *It was left pending.*

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

HB 321 by Roberto Alonzo (D-Dallas) would prohibit an insurer from settling a **claim for compensation for noneconomic damages** under a liability policy without a complete review of the claim by an individual who is authorized to evaluate the claim based on the facts of the claim and the individual's judgment; and would make it an unfair or deceptive act to evaluate a claim using an artificial intelligence application or other computer software application without the complete review of the claim by an individual. *It was left pending.*

HB 3154 by Raul Torres (R-Corpus Christi) would allow for the issuance of **emergency licenses for insurance adjusters** if a catastrophe or an emergency arises out of a disaster, act of God, riot, civil commotion, conflagration, or other similar occurrence. *It was left pending.*

Reported from Committee:

HB 1950 by Larry Taylor (R-Friendswood) is the sunset bill for the **Office of Public Insurance Counsel**. *It was reported favorably from the House Insurance Committee.*

HB 2580 by Jim Murphy (R-Houston) would close out “Program Two” for investments by insurance companies on January 1, 2012 and would establish a “**Program Three**” for allocation and investment of certified capital after January 1, 2012; would require the comptroller to accept premium tax credit allocation claims on behalf of certified investors with respect to Program Three no later than January 1, 2012; and would limit total premium tax credits to \$200 million for Program Three. *It was reported favorably as substituted from the House Economic and Small Business Development Committee.*

Passed the Senate:

SB 1054 by Glenn Hegar (R-Katy) would provide that the timely **payment of an insurance claim** would constitute notice of acceptance of the claim. *It passed on the Local and Uncontested calendar.*

PRIVACY – In an ongoing effort to mitigate the potential damage from an inadvertent exposure of personal data, Comptroller Susan Combs announced that CSIdentity Protector is offering affected individuals one year of fraud-related assistance for \$29.95. The service includes credit monitoring, Social Security number protection, Internet surveillance and \$10,000 of identity theft insurance and other services. Comptroller Combs said, “We are offering people affected by this regrettable incident another resource they can use to help protect their credit and safeguard their identity. In addition, as we previously announced, our office has arranged with the Experian credit reporting agency for these individuals to receive a 70% discount on one year of credit monitoring to alert them if their information is misused.”

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

HB 2101 by Ana Hernandez Luna (D-Houston) would require a court, upon request by a party or a **victim whose identifying financial or personal identifying information** is included in the court’s record, to seal the information unless the court finds good cause not to seal the information. *It was left pending.*

Also on Tuesday, the **House Homeland Security and Public Safety Committee** took up:

HB 3324 by Ruth Jones McClendon (D-San Antonio) would require the Department of Public Safety to adopt rules governing the operations of **fusion centers** and other criminal intelligence systems; and would require DPS to create the **Texas Fusion Center Policy Council** to assist the department in monitoring the activities of fusions centers and other criminal intelligence systems. *It was left pending.*

Reported from Committee:

HB 1529 by Sid Miler (R-Stephenville) would include a person’s social security number or other government-issued identification number in the definition of “identifying information” for purposes of the **fraudulent use or possession of identifying information** statute. *It was reported favorably from the House Criminal Jurisprudence Committee and recommended for the Local and Consent calendar.*

HB 2990 by Joe Deshotel (D-Beaumont) would provide that the prohibition on using electronically readable information from a drivers’ license would not apply to information used as part of a transaction initiated by the license holder to provide information to a **check services company or fraud prevention services company** governed by the Fair Credit Reporting Act. *It was reported favorably from the House Homeland Security and Public Safety Committee.*

Passed the Senate:

SB 375 by Jeff Wentworth (R-San Antonio) would clarify that information would not be exempt from the **public information law** unless it is specifically made confidential by law. *The committee substitute was adopted and it passed on the Local and Uncontested calendar.*

SB 602 by Jose Rodriguez (D-El Paso) would allow governmental entities to redact **personal information** from the public information law without requesting a decision from the attorney general. *The committee substitute was adopted and it passed on the Local and Uncontested calendar.*

SB 1638 by Wendy Davis (D-Fort Worth) would add emergency contact information to the list of **personal information** that employees and former **employees of a governmental body** can choose to allow to be made public. *It passed with no amendments.*

PROPERTY – Last Monday, the **House Business and Industry Committee** took up:

HB 2254 by Rodney Anderson (R-Grand Prairie) would allow **correction instruments** to only correct an ambiguity or error in an instrument of conveyance to transfer real property if the error relates to the description of or extent of the interest conveyed or resulted in the conveyance of real property or an interest in real property that the parties to the original instrument did or did not intend or convey. *It was reported favorably as substituted.*

The **Senate International Relations and Trade Committee** took up:

SB 1816 by Judith Zaffirini (D-Laredo) would implement **recommendations of the Colonia Task Force** and would require the Secretary of State to provide a statewide system for identifying colonias; would require subdividers of land to provide a plat of a proposed subdivision to counties; and would authorize counties to regulate subdivisions. *It was considered in public hearing.*

The **House Land and Resource Management Committee** took up:

HB 524 by Fred Brown (R-Bryan) would require the district court to enter **an order disannexing an area** if the court finds that a valid petition was filed with the municipality and that the municipality failed to perform its obligations or failed to provide services in good faith. *It was left pending.*

HB 2356 by David Simpson (R-Longview) would authorize **common carriers to exercise the power of eminent domain** only to transport commodities and not for business administration or management purposes or to explore for, produce, or process commodities or to transport or dispose of oil and gas waste. *It was left pending.*

HB 3492 by Jose Menendez (D-San Antonio) would authorize counties to adopt **buffer zone regulations** and comprehensive plans for land development and assess a roadway cost recovery fee. *It was left pending.*

HB 3524 by Dennis Bonnen (R-Angleton) would require the State Auditor's office to audit the **Houston-Galveston Area regional planning commission**. *It was left pending.*

HJR 110 by Yvonne Davis (D-Dallas) would propose a constitutional amendment requiring **compensation for homesteads and farms taken for public use** to include the cost of relocating to a comparable property. *It was left pending.*

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

SB 1257 by Glenn Hegar (R-Katy) would require a county commissioners court to consent to a proposed annexation of noncontiguous land before a **conservation and reclamation district** can annex the land. *It was reported favorably and recommended for the Local and Uncontested calendar.*

On Wednesday, the **House Urban Affairs Committee** took up:

HB 3452 by Rafael Anchia (D-Dallas) would authorize **public improvement districts** to undertake an improvement project that confers a special benefit on properties that have a common land use or other common characteristic; and would require the governing body to prepare an estimate of the cost of the improvement for public improvement projects that are financed through a deferred payment. *It was left pending.*

HB 3597 by Lyle Larson (R-San Antonio) would authorize **public improvement districts** to annex or exclude land from the district; however, before annexing or excluding land, the district would have

to obtain the consent of the county that created the district and a municipality in which the district is located. *It was left pending.*

HB 3606 by John Kuempel (R-Seguin) would provide that political subdivisions or other governmental entities (current law only applies to school districts) that levy or collect an ad valorem tax would not be required to pay **development impact fees** unless the entity consents to the payment of the fees. *It was left pending.*

HB 3690 by Rafael Anchia (D-Dallas) would allow **public improvement districts** to have a definable boundary encompassing contiguous properties or consist of noncontiguous properties that have a common land use or other common characteristic. *It was left pending.*

Reported from Committee:

HB 990 by Eddie Rodriguez (D-Austin) would set requirements for the composition of the Board of Directors of **Homestead Preservation Reinvestment Zones**. *It was reported favorably from the House Urban Affairs Committee and recommended for the Local and Consent calendar.*

HB 1643 by John Zerwas (R-Fulshear) would remove the 15 year **time limitation on a development agreement** between the governing body of a municipality and the owner located in the extraterritorial jurisdiction of the municipality. *It was reported favorably as substituted from the House Land and Resource Management Committee and recommended for the Local and Consent calendar.*

SB 1320 by Eddie Lucio, Jr. (D-Brownsville) would prohibit a person from requiring a **debtor on a home loan** to execute a deed that conveys the property to the loan holder before the date the deed of trust is executed. *It was reported favorably as substituted from the Senate Business and Commerce committee and recommended for the Local and Uncontested calendar.*

Passed the House:

HB 1862 by Rafael Anchia (D-Dallas) would make remedies available to a tenant if a local government revokes a landlord's certificate of occupancy due to the **landlord's failure to maintain the premises**. *It passed without amendments.*

Passed the Senate:

SB 1217 by Craig Estes (R-Wichita Falls) would **require an excavator to notify a notification center** as promptly as possible (rather than as promptly as reasonably possible) of a notice to dig. *The committee substitute and one floor amendment were adopted.*

SB 1353 by Kevin Eltife (R-Tyler) would exempt **real estate brokers** from statutory provisions governing **deceptive trade practices** except for a claim arising from an unconscionable action or course of action that cannot be characterized as advice, judgment, or opinion. *One floor amendment was adopted.*

SB 1442 by Florence Shapiro (R-Plano) would **define "fair notice" for local project permit** purposes as the minimum amount of information necessary to enable a reasonably prudent person to understand the general nature and objective of a project. *The committee substitute was adopted and it passed on the Local and Uncontested calendar.*

SB 1496 by Carlos Uresti (D-San Antonio) would allow **correction instruments** to only correct an ambiguity or error in an instrument of conveyance to transfer real property if the error relates to the description of or extent of the interest conveyed or resulted in the conveyance of real property or an interest in real property that the parties to the original instrument did or did not intend or convey. *The committee substitute was adopted and it passed on the Local and Uncontested calendar.*

HB 613 by Chuck Hopson (R-Jacksonville) would set the penalties for the **unauthorized harvesting of standing timber** on a sliding scale based on the value of the timber sold. *It passed on the Local and Uncontested calendar.*

TAX – Last Monday, the **House Ways and Means Committee** took up:

HB 199 by Tan Parker (R-Flower Mound) would change the **annual sales tax holiday** for clothing and footwear from the third weekend in August to the first weekend in August. *It was left pending.*

HB 872 by Yvonne Davis (D-Dallas) would authorize persons exempt from registration as a **property tax consultant** who file a protest on behalf of a property owner to receive notices from the appraisal review board. *It was reported favorably as substituted.*

HB 1115 by Ken Paxton (R-McKinney) would institute a franchise tax credit for contributions made to certified **nonprofit educational assistance organizations**. *It was left pending.*

HB 1384 by Tim Kleinschmidt (R-Lexington) would allow **land supporting outdoor education** to be taxed as open-space land on the basis of its use for wildlife management. *It was left pending.*

HB 1717 by John Garza (R-San Antonio) would provide for the **election of appraisal review board members** from county commissioner precincts. *It was left pending.*

HB 1733/HJR 107 by Allan Ritter (R-Nederland) would propose a constitutional amendment to allow landowners to have their land valued for property tax purposes as agricultural if they manage their land in a way that promotes and sustains water quality and conservation (**water stewardship**). *They were left pending.*

HB 2016 by Trey Martinez Fischer (D-San Antonio) would allow municipalities with a population of less than 1.5 million to repeal the **telecommunications services sales tax exemption** and to dedicate the revenue only to providing transportation services to persons with disabilities. *It was left pending.*

HB 2169 by Jimmie Don Aycock (R-Killeen) would authorize the governing body of a taxing unit to **rescind a discount for early payment** of ad valorem taxes adopted by the governing body. *It was left pending.*

HB 2353 by Jerry Madden (R-Plano) would institute a franchise tax or insurance premium tax credit for contributions made to **educational assistance organizations**. *It was left pending.*

On Tuesday, the **Senate Criminal Justice Committee** took up:

SB 682 by Joan Huffman (R-Houston) would authorize appraisal review boards to provide **criminal history record information** to the local administrative district judge or to the appraisal review board commissioners appointed by the local administrative district judge. *It was reported favorably and recommended for the Local and Uncontested calendar.*

Reported from Committee:

HB 2403 by John Otto (R-Dayton) would require **remote sellers** to collect sales tax if they use a website to sell digital goods in Texas or they are affiliated with (50% control test) an entity in Texas which performs sales related to activities for the retailer or sells products similar to the retailer under a similar business name. *It was reported favorably as substituted from the House Ways and Means Committee, and it is on Tuesday's House calendar.*

SB 1798 by Royce West (D-Dallas) is identical to HB 2403 (above). *It was reported favorably as substituted from the Senate Finance Committee.*

Passed the House:

HB 268 by Harvey Hilderbran (R-Kerrville) would authorize owners of land used as a farm or ranch to apply to the comptroller for an exemption number for use on an exemption certificate for purchase of **agricultural items**. *The committee substitute was adopted.*

HB 499 by Eddie Rodriguez (D-Austin) would add an additional penalty on **delinquent ad valorem taxes** to pay the costs associated with collection of the delinquent tax. *It passed with no amendments.*

HB 1118 by Allan Ritter (R-Nederland) would allow a taxing unit that purchased **property at a tax sale** to sell the property at a private sale for an amount equal to or greater than its market value. *The committee substitute was adopted.*

Passed the Senate:

SB 1130 by Glenn Hegar (R-Katy) would **exempt from the open records act** requests for information received from private entities regarding **sales prices** and related data pertaining to real property in a county with a population of more than 150,000 (currently 20,000). *The committee substitute was adopted and it passed on the Local and Uncontested calendar.*

TORT – The **House Judiciary and Civil Jurisprudence Committee** took up:

HB 2174 by Will Hartnett (R-Dallas) would establish a **judicial access and improvement fund**. The Texas Supreme Court would be authorized to use the fund to phase in electronic filing and retrieval in courts; programs that provide basic legal services for the indigent; and supplement the fair defense

account. The account would be funded by a \$5 fee on conviction in justice courts or municipal courts. *It was reported favorably as substituted.*

HB 2502 by Senfronia Thompson (D-Houston) would increase **filing fees for civil cases**. *It was left pending.*

HB 3264 by Sid Miller (R-Stephenville) would expand the equine law to protect property owners from exposure to liability for **injuries caused by non-equine farm animals**. *It was left pending.*

HB 3802 by Sarah Davis (R-Houston) would limit the liability of public utilities that give permission to a person to enter **land owned by the utility for recreation** and the utility does not give any assurance that the premises are safe for recreation. *It was reported favorably as substituted.*

Reported from Committee:

SB 1717 by Robert Duncan (R-Lubbock) would limit **county court at law jurisdiction** to \$200,000 and create uniform rules for magistrates. *It was reported favorably as substituted from the Senate Jurisprudence Committee, and it is on Tuesday's Senate Intent calendar.*

Passed the House:

HB 345 by Tim Kleinschmidt (R-Lexington) would include interest on disputed amounts in the amount that may be awarded in an **adjudication brought against a local governmental entity** for breach of a contract. *It passed with no amendments.*

HB 3174 by Jerry Madden (R-Plano) would allow a party against whom recognition of a **foreign country judgment** is sought to request a de novo review by a court in Texas to determine whether a party seeking recognition or enforcement of a foreign country judgment has violated the Securities Act or Chapter 17, Business and Commerce Code. *It passed with no amendments.*

WORKERS' COMPENSATION – On Wednesday, the **House State Affairs Committee** took up: **HB 1739** by Armando Walle (D-Houston) would **require both contractors and subcontractors to provide workers' compensation insurance** for all respective employees on any construction project. *It was left pending.*

HB 1987 by Paul Workman (R-Austin) would require both **contractors and subcontractors** to provide workers' compensation insurance for all respective employees on any construction project; and would address the Entergy decision by excluding from this coverage requirement any direct employees of a property owner performing work on a construction project on the property owner's property. *It was left pending.*

SB 800 by Robert Duncan (R-Lubbock) would authorize the Commissioner of Workers' Compensation to designate and contract with a **data collection agent**. *It was left pending.*

Passed the House:

HB 1774 by Larry Taylor (R-Friendswood) would continue the **Office of Injured Employee Counsel** through 2017 and require OIEC to adopt alternative dispute resolution policies and establish a complaint response system. *The committee substitute and one floor amendment were adopted.*

HB 2605 by Larry Taylor (R-Friendswood) is the **sunset bill for the Division of Workers' Compensation**. *The committee substitute and 12 floor amendments were adopted.*

Passed the Senate:

SB 511 by Leticia Van de Putte (D-San Antonio) would allow an injured **employee to request a medical examination** from the treating doctor or referral doctor to determine any issue a designated doctor may review if the designated doctor's opinion is the employee's first medical examination to resolve an issue and the employee is not satisfied with the designated doctor's opinion. *The committee substitute was adopted.*

WORKFORCE – On Wednesday, the **Senate Economic Development Committee** took up: **SB 2** by Mike Jackson (R-LaPorte) would allocate \$30 million from the Texas Enterprise Fund to the Skills Development Fund, \$5 million of which would fund the **Texas Back to Work Program**. *It was left pending.*

NAHB Call to Action: AD&C Legislation Ready for Co-Sponsors



AD&C LEGISLATION READY FOR CO-SPONSORS!

PLEASE MEET WITH YOUR REPRESENTATIVES AND ASK THEM TO CO-SPONSOR THE *HOME CONSTRUCTION LENDING REGULATORY IMPROVEMENT ACT*

Over the past four months, NAHB has been working to address the housing production credit crisis with a legislative fix. The *Home Construction Lending Regulatory Improvement Act*, which will be introduced when Congress returns after the spring Congressional recess, addresses the lack of liquidity in the AD&C loan market and allows banks to start lending again.

The bipartisan legislation sponsored by Rep. Gary Miller (R-CA) and Rep. Brad Miller (D-NC) targets specific regulatory obstacles to credit availability for the home building industry. By directing federal banking regulators to issue new guidance specifically addressing key regulatory areas, this legislation will free lending institutions from the overly restrictive regulations that have resulted in the current lending crisis.

Here are the materials you will need to talk to your legislators:

- [Text of the AD&C legislation](#);
- [Section by section analysis of the bill](#);
- [Talking points on the bill](#); and
- [List of original co-sponsors of the bill](#).

During the next two weeks your representatives will be at home for the spring Congressional recess. This is a perfect opportunity to meet with them and express the importance of the *Home Construction Lending Regulatory Improvement Act* to the housing industry and the overall economic recovery. Ask your lawmaker to co-sponsor the bill and help the nation's economy get back on its feet.

If you are unable to meet with your representative while they are home over the next two weeks, please call them at 866-924-NAHB (6242) or email them at www.capitolconnect.com/builderlink.

Call to Action:

- Meet with your representative during the two week spring recess;
- Call your representative at (866) 924-NAHB (6242);
- Write your representative at www.capitolconnect.com/builderlink;
- Ask him/her to co-sponsor the *Home Construction Lending Regulatory Improvement Act*.

If you have any questions or feedback, please email builderlink@nahb.org.



Upcoming Hearings

House Natural Resources: Tuesday: April 26 at 8:00 A.M. in E2.010. TAB is tracking:

HB 2507 (Chisum) Relating to the offense of installing an irrigation system without a license.

Senate Business and Commerce: Tuesday, April 26 at 8:00 A.M. in E1.016. TAB is tracking:
SB 710 (Van de Putte) Relating to the disclosure of a hazardous drain in a swimming pool or spa by a seller of residential real property.

HB 558 (Deshotel) Relating to payoff statements provided in connection with certain home loans.

Senate Government Organization: Tuesday, April 26 at 9:00 A.M. in 2E.20. TAB is Tracking:
SB 649 (Hinojosa) Relating to the continuation and functions of the Texas State Affordable Housing Corporation.

SB 665 (Hinojosa) Relating to the continuation and functions of the Texas Department of Housing and Community Affairs.

Licensing and Administrative Procedures: Tuesday, April 26 at 11:30 a.m. in E2.012. TAB is tracking:
HB 2693 (Deshotel) Relating to the regulation of manufactured housing by the Texas Department of Licensing and Regulation.

House Environmental Regulation: Tuesday, April 26 at 1:30 P.M. in E2.016. TAB is tracking:
HB 3545 (Farrar) Relating to air contaminant emissions in air quality control regions.
HB 3600 (Garza) Relating to municipal and county authority to enforce a solid waste collection and transportation services franchise.

House Ways and Means: Tuesday, April 26 at 2:00 P.M. in E2.028. TAB is tracking:

HB 98 (Paxton) Relating to the E-Z computation and rate of the franchise tax.

HB 429 (Fletcher) Relating to the classification of automotive repair shops as primarily engaged in retail trade for purposes of the franchise tax.

HB 817 (Hughes) Relating to the computation of taxable margin for purposes of the franchise tax by certain taxable entities.

HB 932 (Paxton) Relating to the franchise tax liability of certain taxable entities.

HB 1170 (Madden) Relating to the computation of the franchise tax by certain taxable entities that rent or lease equipment.

HB 1439 (Berman) Relating to the franchise tax liability of certain taxable entities.

HB 1865 (Anderson, Rodney) Relating to a franchise tax exclusion for contractual flow-through funds paid to certain performing artists.

HB 3326 (Woolley) Relating to the classification of certain entities as primarily engaged in retail trade for purposes of the franchise tax.

HB 1308 (Villarreal) Relating to a periodic review of state and local tax preferences.

HB 2049 (Lavender) Relating to the eligibility of land used to raise or keep bees for appraisal for ad valorem tax purposes as qualified open-space land.

HB 3201 (Davis, Yvonne) Relating to the periodic evaluation of certain exemptions from property taxes and state taxes and the application of the sunset review process to those exemptions.

House Transportation: Wednesday, April 27 at 8:00 A.M. in E2.028. TAB is tracking:

HB 1920 (Pickett) Relating to transportation planning and funding allocations.

Senate Intergovernmental Relations: Wednesday, April 27 at 9:30 A.M. in E1.028. TAB is tracking:
SB 753 (Birdwell) Relating to the authority of certain counties to regulate outdoor lighting near astronomical observation facilities.

SB 1354 (Carona) Relating to the regulation of off-premise signs in the unincorporated area of a county.

SB 1464 (Williams) Relating to transferring certain functions of the Texas Department of Housing and Community Affairs to the Texas State Affordable Housing Corporation.

SB 1465 (Williams) Relating to the administration of certain housing and energy assistance programs.

SB 1712 (Jackson, Mike) Relating to providing notice of foreclosure to certain lien holders.
SB 1760 (Lucio) Relating to notice of water and wastewater requirements before certain sales of certain residential properties.
SB 1789 (Patrick, Dan) Relating to platting requirements affecting subdivision golf courses in certain counties.

House Urban Affairs: Wednesday, April 27 at 10:30 A.M. in E2.016. TAB is tracking:

HB 3363 (Rodriguez) Relating to the collection of certain foreclosure data by the Texas Department of Housing and Community Affairs.
HB 2672 (Dutton) Relating to safety measures for culverts or other similar flood or drainage systems maintained by governmental entities.
HB 3187 (Dutton) Relating to matters affecting municipalities.

Senate Veteran Affairs/Military Installations: Wednesday, April 27 at 1:30 P.M. in 2E.20.

TAB is tracking: SB 1645 (Uresti) Relating to the authority to create and operate a defense base management authority.
HB 447 (Menendez) Relating to the powers of a defense base development authority.

House Appropriations: Thursday, April 28 at 7:00 A.M. in E1.030. TAB is tracking:

HB 1590 (Turner, Sylvester) Relating to a suspension of the imposition of certain fees under certain conditions.
HB 1591 (Turner, Sylvester) Relating to reporting regarding state fees by the comptroller and in the general appropriations bill.
HB 21 (Riddle) Relating to reporting by state agencies on the financial effect of providing services to illegal immigrants.
HB 380 (Callegari) Relating to the constitutional limit on the rate of growth of appropriations and the use of surplus state revenues.
HJR 42 (Callegari) Concerning limitation on rate of growth of state appropriations and use of unencumbered surplus state revenues to provide for a state franchise taxes rebate, to reduce public school property taxes and fund the state's rainy day fund.
HB 581 (Hancock) Relating to the constitutional limit on the rate of growth of appropriations.
HJR 58 (Hancock) Proposing a constitutional amendment concerning the limitation on the rate of growth of state appropriations.
HB 756 (Paxton) Relating to the maximum rate of growth of appropriations.
HJR 70 (Paxton) Proposing a constitutional amendment regarding the maximum rate of growth of appropriations and the use of unencumbered surplus general revenues to fund the state's rainy day fund and a public school property tax relief fund.

House State Affairs: Thursday, April 28 upon adjournment in JHR 140. TAB is tracking:

HB 1275 (Harless) Relating to the suspension of certain licenses held by employers for the knowing employment of persons not lawfully present in the United States.

2011 STAR AWARDS CALL FOR ENTRIES



2011 STAR AWARDS CALL FOR ENTRIES

The Texas Association of Builders (TAB) is now accepting submissions for the 2011 Star Awards. The highly-coveted Star Awards are given annually to recognize excellence in all areas of the home building industry.

Both members of the Texas Association of Builders 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.

The Call for Entries this year includes categories for Custom Builders, Volume Builders, Remodelers, Developers, Multifamily Builders, Associate Members and Individual Achievements. Entries can be submitted online at www.TexasBuilders.org.

All home building, remodeling and promotional projects completed between January 1, 2009 and July 8, 2011 may be entered for consideration. The Early Bird entry fee is \$100 per entry received by the deadline of 5 p.m. on June 17, 2011. The entry fee for submissions after June 17, 2011 is \$125. The final deadline to receive entries is 5 p.m., Friday, July 15, 2011.

Entries will be judged by a distinguished panel of industry experts. Finalists and winners will be showcased during the Sunbelt Builders Show™ October 20 - 22, 2011 at the AustinConvention Center.

82nd Legislature Dates of Interest

Monday, May 9, 2011 (119th Day)

Last day for House committees to report House Bills and House Joint Resolutions.

Friday, May 13, 2011 (123rd Day)

Last day for House to consider consent House Bills on 2nd and 3rd reading and all 3rd reading House Bills/House Joint Resolutions on supplemental calendar.

Saturday, May 21, 2011 (131st Day)

Last day for House committees to report Senate Bills and Senate Joint Resolutions.

Wednesday, May 25, 2011 (135th Day)

Last day for House to consider local and consent Senate Bills on 2nd and 3rd reading and all 3rd reading Senate Bills/Senate Joint Resolutions on supplemental calendar. Last day for Senate to consider all bills and joint resolutions on 2nd or 3rd reading.

Friday, May 27, 2011 (137th Day)

Last day for House to consider Senate amendments (Concur or go to conference committee).

Sunday, May 29, 2011 (139th Day)

Last day for House to adopt concurrent resolutions and last day for Senate to concur on House amendments or adopt concurrent resolutions.

Monday, May 30, 2011 (140th Day)

Last day of 82nd Regular Session. The Legislature adjourns Sine Die.

Sunday, June 19, 2011 (20th Day Following Final Adjournment)

Last day governor can sign or veto bills passed during the regular legislative session.

Monday, August 29, 2011 (91st Day Following Final Adjournment)

Date that bills without specific effective dates (that could not become effective immediately) become

law.

Helpful Links

[Texas House of Representatives](#)

[Texas Senate](#)

To research bills of interest, visit the [Texas Legislature Online](#).



Thank you to our 2011 Rally Day Partners!



Texas Panhandle Builders Association PAC

