

The 86th Legislature

Regular Session

Cumulative Report



The Texas A&M University System

August 2019



Table of Contents

Overview of the 86 th Legislative Session.....	3
Appropriations / Riders.....	26
Bill Facts.....	51
TAMUS Institution-Specific Legislation.....	52
Overview of Key Higher Education Legislation.....	64
Disaster Response, Recovery, and Emergency Management: GCRT & TDEM.....	95
Bills with Reporting Requirement.....	111
Other Bills of Interest.....	113
Bill Analysis Task Force.....	127
State Relations.....	128

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Overview of the 86th Legislature, Regular Session

Shortly after the conclusion of the 2017 legislative session, Speaker of the House of Representatives Joe Straus announced his retirement. He served a record-tying five terms as Speaker and was considered an even-handed moderate. His final session was marked by a difficult relationship between the House and Senate, and particularly with Lieutenant Governor Patrick. Speaker Straus's retirement created an open race for the Speakership of the Texas House for the first time since 1993, and several House members began throwing their hats into the ring.

Leading into the 2018 mid-term elections, the Speaker's race continued with no clear frontrunner. Texas Democrats, in part carried by the strong performance of U.S. Senate candidate Beto O'Rourke, made significant gains in the November election. In the House, Democrats gained a dozen seats and reduced the Republican majority from 95 to 83. Two Republican State Senators also lost their seats to Democrats. In addition to the turnover in many State legislative seats, Lieutenant Governor Patrick and other Republican candidates found themselves in much tighter races than expected.

Immediately following the election results, a group of around 40 Republican House members met to coalesce around a candidate for Speaker. The group recruited **Representative Dennis Bonnen** (R – Angleton) to join the race, who had not been one of the seven previously announced Speaker candidates. When Representative Bonnen announced his intention to run, several candidates, including House Appropriations Chair **John Zerwas** (R – Richmond), dropped out and backed Bonnen. A week after the elections, Representative Bonnen held a press conference announcing that the Speaker's race was over. He released a list with more than 100 House members pledging to support his candidacy, and most remaining Speaker candidates threw their support behind Bonnen. In his press conference, presumptive Speaker Bonnen set the tone for the 86th Legislature. He indicated the House's highest priority would be to tackle public education finance reform and signaled his desire to work collaboratively with the Governor, Lieutenant Governor, and the Senate.

As the 2019 legislative session began, Governor Abbott and Lieutenant Governor Patrick joined Speaker Bonnen in projecting an image of unity that remained throughout the legislative session. The three leaders came together in early January to outline a list of shared priorities, including public school finance, property tax reform, school safety, and disaster relief. Absent from the agendas of any of the Big Three leaders were social policy issues that divided the previous session. It was clear state leaders

and legislators were intent on delivering on fundamental issues with tangible results to show voters before the 2020 elections.

In another contrast between the 2017 and 2019 legislative sessions, lawmakers entered the 86th Legislature with a budget surplus. The additional funding made it easier for the legislature to make significant changes to public education funding systems, fund disaster relief initiatives, and support other key priorities.

Many of the most contentious far-right priorities stalled in the more bipartisan 86th Legislature. However, several hot-button issues were still considered and were the source of heated debates in both the House and Senate. These included issues related to further reducing access to abortion, legislation impacting LGBT rights and religious freedoms, and removal of Confederate monuments.

Rather than fights between Republicans and Democrats or moderates and far-right members, the biggest disagreements of 2019 centered around the issue of local control. The property tax reform proposals championed by the Governor, Lieutenant Governor, and Speaker put them at odds with city and county leaders and the legislators representing those areas. There were also several bills filed that would have curbed the ability for municipalities to enact certain ordinances and to use public funds to hire lobbyists to represent their interests.

In December 2018, Governor Abbott appointed his long-time aide David Whitley as Texas Secretary of State. Well-liked by Republicans and Democrats alike, Whitley was expected to be easily confirmed by the Senate. Shortly after taking office, but before his Senate confirmation, Whitley's office released an advisory stating it had identified 95,000 people on Texas voter rolls who had received driver's licenses while in the country legally but were not U.S. citizens. Civil rights groups and voting rights advocates quickly questioned the data, and the State later admitted there were flaws in the data. The damage was done, however, and Senate Democrats unanimously opposed his nomination as Secretary of State. As the session continued, Secretary Whitley and the Governor worked unsuccessfully to earn the support of enough members to confirm his nomination. Ultimately, Whitley resigned his position on the final day of the 2019 legislative session.

Despite these diversions, the tone of the 86th Legislature remained largely positive. The Big Three leaders were able to take credit for getting most of their top priorities getting across the goal line. One major issue where they failed was their proposed "sales-tax-for-property-tax-reduction" swap. Days after Governor Abbott, Lieutenant Governor Patrick, and Speaker Bonnen outlined the plan in a joint press conference, support for the plan began to erode from Republicans and Democrats alike. **Senator Paul Bettencourt** (R – Houston) was one of the most outspoken lawmakers against the tax swap proposal, and his stance severely damaged his relationship with the Lieutenant Governor – who had long been his closest ally.

When the 86th Legislature adjourned *Sine Die*, it had largely delivered on its top priorities. Lawmakers from both parties hailed the session as successful and notably absent of the drama and divisions of the 2017 legislative session. Legislators passed the first major overhaul of the State's public education finance system, including additional funding for teacher pay raises to be decided upon by their district boards, and significant property tax reform legislation. In total, the 2020-2021 State budget spends \$11.6 billion on these two initiatives, with \$6.6 billion going to public schools and \$5 billion to property tax relief. The legislature passed a package of bills to address disaster preparedness and provide funding for losses incurred as a result of Hurricane Harvey. It provided nearly \$100 million to create a program aimed at improving mental healthcare options for children, and reworked employee and employer contributions to shore up the State's retired teacher pension fund.

Speaker Bonnen was widely considered to have had a successful first term as Speaker and was applauded for his ability to foster a collaborative environment both within the House and among the Big Three leaders. The 2020 elections will be pivotal for both Texas Republicans and Democrats, and both parties are hoping to take home the results from the 86th legislative session to make their cases to voters.

Overview of Higher Education Issues

Texas public institutions of higher education faced budget reductions and significant policy changes during the 85th Legislative Session in 2017. Positive economic projections leading up to the start of the 86th Texas Legislature gave reason for institutions' optimism for better funding in the 2019 session. In addition, this session legislators contemplated significant higher education funding and policy changes.

Transferability

Over the past several legislative sessions, legislators have expressed frustration regarding both the transferability and degree applicability of courses transferred from community colleges, as well as courses transferred from other universities to the ultimate degree-granting institution. Often courses taken at one or more institutions under a, or no, degree plan do not apply to the final degree plan students decide upon at the institution granting the degree, thus leading to what have been called "stranded" credit hours. This lack of degree applicability of transfer courses can lead to increased time-to-degree and increased costs for students and their parents, not to mention to the state. Over the past

several sessions, lawmakers had filed bills to address the issue of course credit transferability, but such previous efforts were unsuccessful.

More than a dozen bills were filed during the 86th Legislature to help mitigate transfer challenges, including such measures as earlier advising, increased reporting, common course numbering, and changes to the core curriculum and fields of study. **Senator Royce West** (D – Dallas) and House Higher Education **Chairman Chris Turner** (D – Arlington) took the lead on the issue and authored **SB 25**, an omnibus transfer bill. They advocated for a comprehensive solution to alleviate the problem of stranded semester credit hours.

A key provision of SB 25 was a fundamental change to the core curriculum, which would have bifurcated the core into a general core and a disciplinary area core. The purpose of the general core was to increase the number of courses all students could take and have fulfill degree requirements, regardless of their degree choice or degree-granting institution. The disciplinary core would have established statewide meta-majors to allow certain core curricula to apply across multiple degrees inside a meta-major pathway. Initially, the legislation would have placed 24 semester credit hours in the general core, and 18 semester credit hours in each identified disciplinary meta-major.

Early in the legislative process, Senator West brought together stakeholders from universities, community colleges, and the Texas Higher Education Coordinating Board (THECB) to negotiate key provisions of the bill. There were significant differences amongst stakeholders related to changes to the core curriculum, reporting requirements, and expanding fields of study.

Community college representatives pushed to increase the general core up to 30 semester credit hours. However, universities had significant concerns over this increase, and believed increasing the number of hours included in the general core beyond 24 would be unworkable owing to discipline specific degree and accreditation requirements. After an impasse in negotiations and in an effort to continue moving his bill through the legislative process, Senator West incorporated the community college proposal to increase the general core curriculum to 30 semester credit hours. The full Senate approved SB 25 with this provision intact.

Negotiations continued when the legislation reached the House Higher Education Committee, and Chairman Turner convened stakeholders again to discuss changes and reach a final compromise. SB 25 stalled in the House for several weeks over discussions about removing the proposed changes to the core curriculum approved by the Senate and adding increased reporting requirements for both universities and community colleges.

An agreed upon compromise for SB 25 was approved by the House Higher Education Committee, and placed on the second to last House Calendar of the 86th Legislative Session. The House unanimously

approved SB 25 on May 20. Because Senator West had been involved in the negotiations throughout the process, the Senate concurred with the changes to SB 25. The legislation was sent to Governor Abbott, who signed SB 25 into law on June 14th, and key provisions go into effect beginning in the 2019-2020 academic year.

At a press conference in the final days of the 2019 legislative session, Senator West and Chairman Turner touted the accomplishments of the bill and the impact it will have on Texas students. Senator West said, "It will help students accomplish their academic goals faster in working toward their degrees. For our institutions, it better aligns undergraduate coursework with degree requirements and will help eliminate inefficiencies in time and resources...SB 25 is a win for students and families, a win for colleges and universities and a win for Texas."

SB 25 will require universities and community colleges to work together in developing recommended course sequencing and more robust articulation agreements. It also includes new reporting requirements, and a study to help legislators make informed decisions regarding the core curriculum and the transferability issue.

A more detailed overview of SB 25 is included on page 65.

Campus Free Speech

In recent years, there has been renewed interest in how public institutions of higher education manage freedom of speech issues on their campuses. Public institutions have a duty to protect the principles of the first amendment, while also ensuring the safety of students and faculty. This has led many institutions to place some limits on where and how certain protests, rallies, or events may proceed. However, conservative legislators in particular have expressed concern about perceived attempts to silence certain speakers on college campuses through what is sometimes referred to as a "heckler's veto".

The issue further drew the attention of Texas legislators with several controversial speaking events at the State's public institutions of higher education. Texas A&M University canceled a rally with white nationalist Richard Spencer in the days after the Charlottesville attack, and was threatened with a legal action in response. In addition, disruptions by protestors prevented **Representative Briscoe Cain** (R – Houston) from speaking at an event at Texas Southern University.

As a result, the issue of campus free speech was included as an interim charge for the Senate State Affairs Committee during the 85th biennium. The Committee held a hearing on the topic in 2018, and a number of universities provided testimony on their policies and procedures for handling controversial campus speaking engagements. In addition, the Texas Office of the Attorney General published a “Guide to First Amendment Issues on Public College Campuses”, during the interim to help provide guidance to public institutions on how to protect freedom of speech and providing a safe environment for Texas students.

Lieutenant Governor Patrick labeled the issue of campus free speech a top priority at the beginning of the 2019 session. **Senator Joan Huffman** (R – Houston), Chair of the Senate State Affairs Committee, took the lead on the issue, and filed **SB 18**. The legislation was intended to codify the practices outlined in the Attorney General’s Guide and create disciplinary sanctions for students who interfere with the free speech of others. Universities expressed some concern that the legislation would change Texas college campuses from limited public forums to traditional public forums, which could be detrimental to the campus community.

The Senate State Affairs Committee heard SB 18 in March, and members from conservative groups testified in favor of the bill, including multiple university chapters of the Young Conservatives of Texas. SB 18 was unanimously voted from both the Senate State Affairs Committee and the full Senate.

In the lower chamber, Representative Cain filed **HB 2100**, a much more restrictive and punitive campus free speech bill. The bill would allow the attorney general or a person whose expressive rights had been violated to bring a legal action for injunctive relief or to recover compensatory damages, court costs, and reasonable attorney’s fees. HB 2100 had more than 60 co-authors, and was successfully passed from the House State Affairs Committee on a 9-2 vote, with two Democrats voting no.

HB 2100 was set on the House Calendar for mid-April, and was the subject of a lengthy and at times contentious debate. Democrats raised several points of order against the bill, all of which were either withdrawn or overruled. Nearly a dozen amendments were offered on the bill, and HB 2100 ultimately passed along a largely party-line vote.

Shortly after HB 2100 was voted from the House and sent to the Senate, SB 18 was voted favorably from the House Higher Education Committee. However, the House was approaching its deadline to pass House bills out of its chamber, so SB 18 – like many Senate bills – stalled for several weeks before being considered by the full House. When SB 18 was brought to the House floor for consideration, Representative Cain added three amendments that would require more strict disciplinary actions, include a statement about the importance of the freedom of expression, and prohibit institutions from disinviting any approved speaker. A conference committee was appointed to negotiate the differences between the House and Senate, and two of the Cain amendments were stripped from the final version of the bill.

SB 18 was sent to the Governor in the closing days of the legislative session, and was signed into law on June 10th. Texas now joins more than a dozen states that have passed campus free speech laws over the past several years. The legislation requires universities to allow any person to engage in free speech activities on campus, creates disciplinary sanctions for students who interfere with the free speech activities of others, and establishes a process for addressing complaints of potential free speech violations. It includes the Cain amendment affirming the importance of free expression, and importantly, it still allows universities to put restrictions on the time, place and manner of free speech activities.

A more detailed overview of SB 18 can be found on pages 71 and 74.

Campus Sexual Assault

In 2015, the 84th Texas Legislature passed legislation requiring public institutions of higher education to implement detailed sexual assault policies for their campuses. Shortly after the conclusion of the 2015 session, the news broke about the campus sexual assault scandal at Baylor University. These incidents, coupled with a growing number of campus sexual assault reports across the country, led to additional legislation being passed during the 85th Legislature in 2017 to strengthen reporting and require private universities to comply.

In September 2017, the U.S. Department of Education rescinded two key guidance documents regarding federal Title IX compliance for incidents of campus sexual assault and misconduct, and issued new draft rules in November 2018. Legislation passed in the 85th Texas Legislature largely tracked the previous federal Title IX requirements, and many of the provisions included in the draft rules appeared to conflict with legislation the State of Texas had adopted. The federal Title IX rules are not expected to be formally adopted until fall 2019.

Despite the pending federal guidelines, and passing comprehensive legislation in both 2015 and 2017, the 86th Texas Legislature passed several additional campus sexual assault-related bills in 2019. The two most significant campus sexual assault bills of the session were **SB 212** by **Senator Joan Huffman** (R – Houston) and **Representative Geanie Morrison** (R – Victoria) and **HB 1735** by **Representative Donna Howard** (D – Austin) and **Senator Kirk Watson** (D – Austin). These are both similar to legislation filed, but not passed, in 2017.

Last session, Senator Huffman filed SB 576, which would have required both employees and student leaders to report any incidents of sexual misconduct reported to them or witnessed, or face mandatory firing or expulsion. The legislation also included criminal penalties for failure to report, up to a Class A misdemeanor. Institutional experts and survivor groups expressed concern over the punitive nature of the legislation, and whether it would have a chilling effect on reporting incidents on college campuses.

After the bill stalled in 2017, Senator Huffman filed similar legislation in the 86th Legislature. She worked with the Texas Association Against Sexual Assault (TAASA) to craft a bill the organization could support. The compromise legislation removed the requirements and associated penalties for student leaders. SB 212 moved quickly through the Senate, but languished in the House Higher Education Committee for nearly two months. In the final days of the legislative session, SB 212 was voted from committee and passed by the full House. Members of the House Freedom Caucus opposed the bill, but otherwise the bill had widespread and bipartisan support.

SB 212 requires employees who witness or receive information about an incident of sexual assault, sexual harassment, stalking, or dating violence to report the information to the Title IX Coordinator. The bill creates a criminal offense for employees who fail to report of up to a Class A misdemeanor, and requires the employee be terminated from the institution if convicted.

Representative Howard's HB 1735 was aimed at strengthening existing campus sexual assault policies. The bill was brought to the Senate floor for debate in the final weeks of the legislative session, and Senator Watson accepted an amendment from Senator Huffman to attach SB 212 onto HB 1735. However, the amendment was removed in conference committee, after SB 212 passed as a standalone piece of legislation.

HB 1735 adds additional requirements related to policies and practices at both public and private institutions of higher education, including: additional protections for alleged victims, an equal opportunity for both alleged victims and alleged perpetrators to present witnesses and to review evidence, and the development of outreach programs on reporting.

Both SB 212 and HB 1735 call for the creation of an advisory committee to review Title IX training and best practices, and include administrative penalties of up to \$2 million for institutions who do not comply with the statutory reporting requirements. Governor Abbott signed both bills on June 14th.

HB 449 by **Chairman Chris Turner** (D – Arlington) and Senator Kirk Watson (D – Austin) requires both public and private institutions of higher education to add a notation on a student's transcript if they are ineligible to reenroll at the institution because of student code of conduct violations. While this bill impacts cases beyond campus sexual misconduct, it was intended to prevent the types of incident that

occurred when a student at Baylor transferred to UT Dallas, which was unaware of the allegations at Baylor, prior to the conclusion of the investigation into his alleged actions. Private universities expressed concern about HB 449 because their institutions often have more restrictive student codes of conduct. However, many public universities already require transcript notation, and there was little pushback on the legislation. HB 449 passed during the last week of the 86th legislative session, and was signed by Governor Abbott in early June. More information about each of these bills is included in the Student Affairs Related section beginning on page 71.

Outcomes Based Funding

Beginning in 2009, the Texas Higher Education Coordinating Board (THECB) proposed allocating and redistributing 10 percent of formula funding for universities based on student success metrics. The THECB has recommended an outcomes-based funding model in advance of each legislative session since 2011 and has included the adoption of an outcomes-based funding model as one of its highest legislative priorities.

Heading into the 86th legislative session, the THECB again recommended an outcomes-based funding model based on a “Graduation Bonus.” The plan would award a \$1,000 bonus to institutions for every undergraduate degree awarded to “at-risk” students and \$500 for every other undergraduate degree awarded. However, in 2019, the THECB Board recommended student outcomes based funds be taken from inside the Instruction and Operations (I&O) formula, i.e., by redistributing a portion of the base I&O funding rather than drawing upon new funding. Institutions have long expressed concern about altering the base funding formulas to include an untested outcomes-based funding strategy because the funding formulas have provided consistent, predictable, and equitable core funding for public universities for decades.

In 2017, the 85th Legislature created a Joint Committee on Higher Education Formula Funding, which called for a comprehensive study of State funding for higher education, including outcomes-based funding. The Senate’s report urged the legislature to continue to study, develop, and implement an outcomes-based funding system for higher education, while the House report stressed the institutions’ dependence of existing formula funding for maintenance of current operations.

Senate leadership began the 2019 legislative session by convening several working group meetings with higher education stakeholders to discuss alternative outcomes-based funding models. The Senate was interested in exploring a funding methodology that provided incentives based on institutional mission and type. **Senator Paul Bettencourt** (R – Houston) filed **SB 1162**, which created seven criteria for measuring outcomes including graduation and retention metrics. The bill was heard in the Senate Higher Education Committee, but no further action was taken.

Senator Judith Zaffirni (D – Laredo) authored **SB 1504**, a competing outcomes-based funding bill based on THECB’s Graduation Bonus proposal. Funding would have been provided based solely on the number of bachelor’s degrees awarded to at-risk students. In addition, the legislation would have used the outstanding balance from the abolished B-On-Time tuition set-aside program to provide a portion of the initial funding for the proposal. Institutions of higher education expressed concern over reallocating student tuition dollars collected at certain institutions for an outcomes-based funding program. Ultimately, Senator Zaffirini’s legislation was amended to remove most of the performance funding requirements. SB 1504, as passed, extends the abolishment of the B-On-Time account to 2024 and requires institutions to use any appropriations received from the fund to support efforts to increase the number of at-risk graduates at the institution. Governor Abbott signed SB 1504 on June 10th.

No additional performance funding measures were contemplated in legislation or the General Appropriations Act.

Tuition Revenue Bonds

The Texas Legislature typically invests in public higher education capital planning through the use of Tuition Revenue Bonds (TRBs), which are self-supported bonds for which the legislature has historically appropriated General Revenue to reimburse institutions for debt service payments.

In 2015, the 84th Texas Legislature passed HB 100 by **Representative John Zerwas** (R – Richmond), authorizing \$3.1 billion in TRBs for capital construction projects at institutions of higher education. From 1991 to 2006 a TRB bill was traditionally passed each alternating legislative session. However, no statewide public higher education infrastructure package was passed between 2006 and 2015.

Prior to the start of the 86th Legislature, the State’s budget outlook began to improve, and there was a growing optimism that TRBs would be considered in 2019. This would allow higher education to return to the “alternating session” model for facilities funding and help address the growing space deficits at campuses across the State. In fact, Representative Zerwas, Chairman of the powerful House Appropriations Committee, told university representatives it was among his funding priorities for institutions of higher education.

Both **Chairman Chris Turner** (D—Arlington) and **Senator Royce West** (D—West) filed omnibus TRB legislation. Chairman Turner offered a committee substitute for his HB 2000 and developed a distribution methodology similar to the one adopted in 2015. The bill would have authorized \$3.8 billion in TRBs for public institutions of higher education. The LBB estimated the bill would cost \$660 million in the upcoming biennium. HB 2000 overwhelmingly passed the House in mid-April.

Unlike the interest expressed in the House, both Lieutenant Governor Patrick and Senate Higher Education Committee **Chairman Brandon Creighton** (R – Conroe) remained cool to the idea of an omnibus TRB package during the 2019 legislative session. Institutional leaders, legislative stakeholders, and other higher education advocates pressed to have HB 2000 heard in committee, but as the session drew to a close it became clear the bill would not move in the Senate. The 86th Texas Legislature adjourned without pursuing a statewide campus infrastructure bill.

In an unprecedented development, when lawmakers adopted the final version of the biennial State budget in the closing days of the legislative session, two university facilities projects received funding. Both the University of Houston and the Texas Tech University Health Science Center received funding in Article IX of the General Appropriations Act, a section usually reserved for provisions that apply across all or many state agencies, contingency riders for legislation expected to pass, and clarification of legislative intent. The University of Houston received \$45 million in a direct appropriation to construct new law school and school of public affairs buildings. TTUHSC received \$10 million per year in debt service to construct a new Physician Assistant building in Midland.

Overview of Major Statewide Issues

The following summarizes major issues impacting the 86th Texas Legislative Session. Most of the topics have statewide implications, and the debate over each contributed to the tone of the session.

Property Tax Reform

In 2017, legislators attempted to address the issue of rising local property taxes in both the regular and special sessions. Both the House and Senate passed bills during the 85th Legislature to decrease the so-called rollback rate, which is how much cities and counties can increase property taxes without an election. The House proposal would have lowered the rollback rate from 8% to 6%, while the Senate wanted to lower it to 4%. However, the discord between the Senate and House proved to be too great. The two chambers were unable to reach a compromise during either session, and no substantive property tax reform legislation passed during the 85th Texas Legislature.

At the start of the 2019 legislative session, Governor Gregg Abbott, Lieutenant Governor Dan Patrick, and newly elected Speaker Dennis Bonnen named property tax reduction and reform as one of the highest priorities for the 86th Legislature. Speaker Bonnen previously chaired the House Ways and Means Committee and authored the House proposals in 2017. Meanwhile, the Lieutenant Governor created a new Senate Property Tax Committee and named **Senator Paul Bettencourt** (R – Houston) as Chair – a property tax consultant and long-time advocate for property tax reform.

Chairman Bettencourt's SB 2 was a wide-ranging reform measure that would have required local entities to seek voter approval for tax increases of more than 2.5% in a given year, a significant change from the current 8%. Cities, counties, community colleges, and public school districts strongly opposed the measure, arguing the rollback rate was too low to account for budgetary needs. SB 2 was voted from committee, but stalled in the Senate for months as Bettencourt and Patrick worked to secure the necessary support to bring the bill to the Senate floor.

In the House, Ways and Means **Chairman Dustin Burrows** (R – Lubbock) authored HB 2. In response to concerns over the dramatic change to the roll back rate, Chairman Burrows offered a version of HB 2 that exempted school districts, hospital districts and community colleges from the lower rollback rate. This primarily left only cities and counties under the new 2.5% cap. Despite the compromise, there was still significant concern, particularly from legislators representing large cities and counties. Progress on HB 2 slowed, as the House waited to see if the Senate would be able to pass its version of the property tax reform bill.

As the 86th legislative session waned, Lieutenant Governor Patrick announced he would invoke the so-called “nuclear option” if an agreement could not be reached to bring SB 2 to the Senate floor for consideration. Texas Senate rules require three-fifths of members present to agree to bring a bill to the floor out of sequence, rather than just a simple majority. This is accomplished by passing a “blocker bill” at the start of each session. The blocker bill is placed ahead of all other legislation on the Senate calendar, and bringing up any other measure ahead of it requires a three-fifths vote (19 senators) to suspend the rules. Passing the blocker bill would allow Patrick to bring a measure to the floor with a simple majority of senators, just 16. This Senate tradition dates back as far as the 1950s, and was originally intended to ensure adequate consideration of competing/minority concerns and interests.

Patrick indicated he had the support of 18 of the 19 Republican Senators to bring SB 2 to the floor. The lone Republican holdout was **Senator Kel Seliger** (R – Amarillo). The Lieutenant Governor and Senator Seliger had publicly clashed early in the legislative session, resulting in Seliger being stripped of two committee chairs and other leadership positions. After a weekend of speculation as to whether Seliger would vote to suspend the rules, he gave an impassioned speech about the importance of honoring the Senate’s traditions. In the end though, Senator Seliger agreed to allow SB 2 to be brought up for consideration. He said he still strongly opposed the bill, but would stand down to protect the Senate’s reputation.

During the subsequent debate, Senator Bettencourt amended SB 2 to cap property tax revenue growth for counties, cities and special taxing districts at 3.5% a year, an increase from 2.5% in the original version. School districts remained capped at 2.5% a year. Ultimately, the bill passed the Senate 18-12, with Seliger joining the Democrats in opposition. **Senator Eddie Lucio** (D – Brownsville) abstained from voting.

As the property tax legislation made its way through the legislative process, Governor Abbott and conservative lawmakers began looking for ways to generate more robust property tax relief. In April, the Governor, Lieutenant Governor, and Speaker held another joint press conference to throw their support behind a proposal to increase the State’s sales taxes as a means to reduce property taxes. The proposal would have made Texas’s sales tax one of the highest in the country, but Governor Abbott argued the sales tax swap would allow for sustainable property tax relief.

HJR 3 by House Public Education **Chairman Dan Huberty** (R – Houston) would have increased the sales tax rate from 6.25% to 7.25%, generating billions of additional dollars for property tax relief. It would have required voters to approve a constitutional amendment to enact the change. However, because of the regressive nature of sales taxes, Democrats were strongly opposed to the measure. Constitutional

amendments require a two-thirds vote in both chambers, meaning it would need the support of all 83 House Republicans, plus 17 Democrats. The Senate would need 21 votes to pass the resolution.

Days after the sales tax swap proposal was announced, Senator Bettencourt, Chair of both the Property Tax Committee and the Senate Republican Caucus, came out against the measure. Bettencourt said he would prefer to raise revenue in other ways. The Legislative Budget Board estimated households earning less than about \$100,000 would pay a total of \$171 million more in taxes under the tax swap, while those earning more than that would pay a total of \$424 million less in taxes. Polling conducted during the legislative session also indicated raising sales taxes for public education appeared to be deeply unpopular among voters, with 74% of Texans opposing the idea. Despite the growing opposition to the measure, Governor Abbott continued to put pressure on the legislators to adopt the sales/property tax swap.

Concerns over the tax swap stalled both SB 2 and HB 3, the public education finance reform legislation. The Senate's version of HB 3 had been contingent on passing a sales tax increase to fund school property tax relief. However, when **Senator Larry Taylor** (R – Friendswood) finally brought HB 3 to the floor, it was amended to strip the sales tax contingency and instead use other sources of funding to pay for the school property tax relief provisions. The House publicly blamed Senator Bettencourt for killing the sales tax swap proposal, and Senator Bettencourt's opposition fractured his long-standing relationship with the Lieutenant Governor.

In the House, the Ways and Means Committee approved its version of SB 2 and included a clause to make the legislation contingent on approval of HB 3. Days later, the full House approved the measure after more than six hours of debate. There were only a few major differences between the House and Senate's versions of the property tax reform legislation, nevertheless a conference committee was appointed to resolve the differences between the two chambers.

In a move that underscored his displeasure with Senator Bettencourt, Lieutenant Governor Patrick named **Senator Kelly Hancock** (R – North Richland Hills) as chair of the SB 2 conference committee. The final version of SB 2 requires cities, counties and other taxing units to receive voter approval before raising 3.5% more property tax revenue than the previous year. The rollback rate for community colleges and hospital districts remains at the current 8% of property tax revenue growth. Public school districts are carved out of the legislation, but their ability to raise property taxes are limited by new provisions included in HB 3, the public education finance reform bill.

Governor Abbott held a bill signing ceremony for SB 2 in mid-June. Lieutenant Governor Patrick, Speaker Bonnen, and other key legislative stakeholders, accompanied the Governor. However, Senator Bettencourt, the bill's author, was notably absent from the event.

Although SB 2 does not itself reduce property taxes, it is expected to slow the rate of property **tax growth** for Texas taxpayers. Additionally, HB 3 is estimated to reduce tax rates by an average of 8 cents per \$100 valuation in 2020 and 13 cents in 2021. For the owner of a \$250,000 home, the annual tax savings would be \$200 in 2020 and \$325 in 2021.

Public School Finance Reform

The 85th Legislature attempted to tackle Public School Finance after more than two-thirds of Texas school districts brought a suit against the State arguing the State's method of funding public education was unconstitutional. While the Court ultimately found the system constitutional, it urged legislators to implement "transformational" reforms.

Representative Dan Huberty (R – Humble), was named chairman of the House Public Education Committee at the beginning of the 85th Legislature and passed **HB 21** out of the house that would have increased funding by \$1.6 billion. HB 21 would have simplified the complicated funding formulas, provided additional assistance to certain disadvantaged students, and increased overall per-student funding in almost every school district.

In contrast, the Senate's original FY 2018-2019 budget proposal would have reduced public education funding by \$1.8 billion. As HB 21 moved through the Senate, its funding shortfall was reduced from \$1.6 billion to \$530 million, and a school choice provision for students with disabilities was included. Chairman Huberty and many in the House strongly opposed the Senate's voucher amendment and refused to accept the Senate's amendments. Public school finance reform was declared dead for the 85th Legislature. Immediately following the adjournment of the regular legislative session, Governor Gregg Abbott included a call for legislation to create a commission on public school finance to be passed during the special session.

In the 85th First Called Special Session, Chairman Huberty and the House passed HB 21 that would have put \$1.8 billion into public schools. The Senate amended the bill to provide funding for the Teacher Retirement System of Texas (TRS) Care and reduced the money to public schools to \$351 million. Chairman Huberty concurred with the changes the Senate made because it would help retired teachers, but was disappointed with the bill.

In the State of the State address, Governor Abbott named school finance reform and teacher pay as emergency items, lifting the constitution limitation that prevents the Legislature from passing bills within the first 60 days of session. Governor Abbott, Lieutenant Governor Dan Patrick, and Speaker Dennis Bonnen vowed to work closer with one another and overhaul school finance.

Senator Larry Taylor (R-Friendswood) and Chairman Huberty were working together to write matching companion bills for school finance but the collaboration fell apart after Lt. Governor Patrick pushed for a \$5,000 base pay increase for all teachers and librarians at a cost of \$4 billion over the biennium. Chairman Huberty laid out **HB 3**, increasing the base funding per Texas student from \$5,140 to \$6,030, help fund full-day pre-K for eligible students, raising minimum salaries for educators and offering opportunities for merit pay programs. Overall, HB 3 would send \$6.3 billion for school finance. Chairman Taylor, presented an unfinished **SB 4** in early March and did not update it until late April. Teacher pay remained the divisive issue between the House and the Senate, with the Senate prioritizing directed raises and the House giving districts flexibility to spend the money as they choose. The other main difference between the two bills was the Senate's base funding per student was about \$150 less than the House proposed.

After more than three hours, and over 90 amendments presented HB 3 passed the house nearly unanimously with **Representative Jonathan Stickland (R-Bedford)** as the lone no vote. **Representative Chris Turner (D-Grand Prairie)** successfully added an amendment so 25 percent of the new money schools will receive to be set aside for full-time school employees, other than administrators. Districts must use 75 percent of the money for equal pay raises and the remaining 25 percent of that money will be up to the discretion of district administrators to decide which employees receive the money. The amendment would provide about \$1,388 in raises across the board with extra money available to be given at the districts' discretion.

The Senate passed HB 3 with a 26-2 vote with the major disagreement falling on the amount of teacher pay raise. The bill also allows for extra pay to teachers based on performance on the State of Texas Assessments of Academic Readiness (STAAR). Critics argue that tying school funding to STAAR is an unreliable measurement of performance. The disagreement sent both chambers to conference committee to seek compromise on their key differences.

After weeks of negotiations and with a few days left in the 86th Legislature, Governor Abbot, Lt. Governor Patrick and Speaker Bonnen held a joint press conference to laude their achievement of working collaboratively and successfully overhauling school finance. As finally passed, HB 3 includes \$6.5 billion to improve public education and pay for teachers. The House and Senate agreed to raise the base funding per student to \$6,160, more than \$1,000, and more than the House and Senate had each initially proposed. Around \$2 billion will go toward raises for teachers, librarians, nurses and counselors with an emphasis of pay increase going to "veteran educators". The bill also, includes money for districts to start merit pay programs to their higher-rated teachers but does not require districts to use state standardized tests to determine which teachers get bonuses. HB 3 includes funding full-day pre-K for eligible students, increasing the money used to educate low-income students, incentivizes districts to offer dual language programs, and improve dyslexia programs. The bill includes about \$3.6 billion to reduce the so-called Robin Hood payments, which takes money from property rich districts to fund those with fewer resources.

School Safety and Mental Health

On May 18, 2018, a student at Santa Fe High School shot and killed 10 people, mostly students, and wounded another 13. Immediately after the shooting Governor Greg Abbott announced he would host a series of round table discussions at the Capitol in an effort to obtain input from key stakeholders on how to improve school safety. After three days of meetings with elected officials, prominent statewide leaders, and victims of mass shootings, including those at Santa Fe High School, Governor Abbott said he would develop an action plan with solutions to address school safety.

Less than two weeks after the Santa Fe High School shooting, Governor Abbott laid out a wide-ranging School and Firearm Safety Action Plan. The plan included programs for mental health screenings, increasing law enforcement at schools, more training for school marshals and school faculty, and a few narrow measures regulating gun usage. Governor Abbott suggested state lawmakers consider a “red-flag” law, which would allow a judge temporarily to seize an individual’s firearms if that person is considered an imminent threat. This proposal received pushback from some pro-gun activists.

When the 86th Legislature began, lawmakers immediately went to work on proposals included in the School and Firearm Safety Action Plan. The issue of school safety was a priority for the Governor, Lieutenant Governor, and Speaker throughout the session.

There were two high profile bills aimed at addressing school safety. **SB 10 by Senator Jane Nelson (R—Flower Mound)** created a Texas Mental Health Care Consortium, an interdisciplinary panel with health related institutional health care experts to steer State policy on mental health. In addition, the bill aimed to identify children with mental health needs and help them before they become a danger to themselves or others. SB 10 would also create mental health hubs in each region of the state composed of psychiatrists, social workers and other mental health professionals. In a show of support in addressing school safety all 31 senators sponsored SB 10, and quickly passed through the Senate. As Chairman of the Finance Committee, Senator Nelson provided \$100 million for Texas Mental Health Care Consortium in the 2020-2021 General Appropriations Act.

The other high profile bill that was a product of the round table discussions, was **SB 11 by Senator Larry Taylor (R—Friendswood) and Representative Greg Bonnen (R—Friendswood)**, who both represent Santa Fe High School. SB 11 instructs school districts to implement multi-hazard emergency operation plans, requires certain training for school resource officers, ensures school district employees, including substitute teachers, are trained to respond to emergencies, and establishes threat assessment teams to help identify potentially dangerous students and determine the best way to intervene before they become violent. SB 11 passed the Senate with bipartisan support.

In the final days of the 2019 session, SB 10 came to the House floor for consideration and was expected to sail through the lower chamber. However, in an unforeseen event **Representative Jonathan Stickland** (R—Bedford) raised a point of order on SB 10, contending the analysis of the bill provided to lawmakers was inaccurate. The House recessed for nearly an hour and a half so parliamentarians could analyze the technicality. When Speaker Dennis Bonnen returned, he announced the ruling in Representative Stickland’s favor. This left lawmakers scrambling to revive the bill and the \$100 million provided to fund the consortium. Hours after the ruling on SB 10, **Representative John Zerwas** (R—Richmond) successfully amended provisions of SB 10 onto SB 11. Known for being an outspoken firebrand, Representative Stickland was upset by the process that resurrected SB 10, and argued with Speaker Bonnen from the House floor. In a last ditch effort, Representative Stickland raised a point of order on SB 11, but was unsuccessful. SB 11 passed the House with bipartisan support.

HB 18, an omnibus bill, authored by **Representative Four Price** (R—Amarillo) and **Senator Kirk Watson** (D—Austin) increases mental health services to students in Texas public schools. HB 18 requires school districts to offer mental health and suicide prevention curricula if the school already provides physical health courses. Additionally, HB 18 allows school districts to employ or contract with one or more non-physician mental health professional like a psychologist, therapist, or counselor. HB 1, the biennial state budget, included \$2.3 million for grants to support non-physician mental health professionals. HB 18 passed with bipartisan support through both chambers.

A more partisan approach to address school safety was **HB 1387**, by **Representative Cole Hefner** (R—Mt. Pleasant); it abolishes the cap on how many trained teachers and support staff, known as school marshals, can carry guns on public school campuses. Currently, school marshal personnel are trained to act as armed peace officers in the absence of law enforcement, and participating schools can only designate one marshal per 200 students or one marshal per building. Proponents of HB 1387 argue that school districts are not forced to implement a marshal program, but the bill gives schools the flexibility to decide how many marshals they want to appoint, and makes it easier for smaller districts to participate. Gun control advocates argued increasing the number of guns in Texas classrooms has the potential to increase the number of gun-related incidents. Although most Democrats were not in favor of HB 1387, it successfully passed on a largely party-line vote.

Governor Abbott signed HB 18 on June 2, 2019 and SB 11 and HB 1387 four days later. In a statement at the bill signing, Governor Abbott said the legislation addresses the tragedy that took place at Santa Fe and will help make schools safer for all Texans. Although Governor Abbott initially showed support for a “red flag” law, no bill gained traction, and he said he believed the combination of these bills was the best approach for the State.

Teacher Retirement System Solvency

The Teacher Retirement System (TRS) was established in 1936 by a Texas Constitutional Amendment, and has grown from 38,000 members to more than 1.5 million members. TRS is the seventh largest pension fund in the nation, with three core business functions: Pension Benefit Services, Health and Insurance Benefits, and Investment management. The TRS pension fund has been underfunded for decades, and going into the 2019 legislative session the fund was short nearly \$50 billion, and retired teachers had not seen an increase to their pension checks in more than a decade.

In 2018, TRS paid pension benefits totaling over \$10 billion to approximately 420,000 retirees and their beneficiaries. The average recipient is 71 years old, and receives about \$2,078 per month. Most Texas school districts do not participate in Social Security, and for 78 percent of TRS members, the TRS pension is their only source of income. Prior to 2019, teachers paid 7.7 percent of their salaries into the TRS pension fund, school districts paid 1.5 percent of teacher payroll, and the State contributed 6.8 percent of total teacher payroll into the pension fund.

Last session, the 85th Legislature took steps to address the State's healthcare benefit plan for retired teachers, known as TRS-Care. An increase in both the number of retirees and healthcare costs, along with systemic underfunding of the plan, led to a \$1 billion shortfall by 2017. When comprehensive reforms were not enacted during the regular legislative session, Governor Greg Abbott included funding for TRS-Care in his special session proclamation. Ultimately, the 85th Legislature, First Called Session provided additional \$212 million to TRS-Care for retired teachers through the deferral of a Medicaid payment.

The 86th Legislature came in with a strong commitment to overhaul public school finance, increase teacher salaries and help retired teachers. **Senator Joan Huffman** (R—Houston) introduced **SB 12** to increase how much the State, school districts, and current teachers contribute to the TRS pension to make the fund financially sound and provide a one-time check to retired teachers. Under the Senate's proposal, the State would pay \$555 million in General Revenue in FY 2020-2021, and approximately \$195 million be used to fund a one-time payment for retirees of up to \$500. The Senate unanimously passed SB 12 in late March, sending the bill to the House.

Representative Greg Bonnen (R—Friendswood) sponsored the House's version of SB 12. The lower chamber amended the bill to increase the State's contributions to the fund by 2 percent over the next five years, and give retirees a one-time check of up to \$2,400. The House proposed spending \$1.36 billion over the next two years, with \$684 million coming from General Revenue and \$658 million from the State's Rainy Day Fund. The amendments in the House were met with no resistance or discussion, and SB 12 received near unanimous approval.

The Senate did not concur with the House amendments and a conference committee was appointed to negotiate the difference between the two bills. The day before *Sine Die*, the House and Senate approved SB 12 and SB 500, the supplemental appropriations bill that provided much of the funding mechanisms for the changes to TRS. As finally adopted, the State will provide \$1.1 billion from the Rainy Day Fund over the next biennium, and will shore up the pension fund by gradually increasing contributions from the State, school districts, and teachers over the next six years. Under SB 12, both teachers and the State will increase their contribution to the pension fund to 8.25 percent. School districts will pay 2 percent by 2025, an increase from the current 1.5 percent. The 86th Legislature also agreed to give retirees a one-time check of \$2,000. Funding for the one-time check will total \$589 million and is included in the \$1.1 billion in Rainy Day Fund expenses. Despite the significant funding increases, SB 12 did not include a cost-of-living increase for retirees. Governor Abbott signed SB 12 June 10th and the bill went immediately into effect.

Disaster Relief

On August 25, 2017, Hurricane Harvey, a category 4 storm, made landfall in Texas and was the largest hurricane the United States had seen in over a decade. The winds topped 130 miles per hour, but what made Hurricane Harvey so disastrous was the unprecedented rainfall, with more than 50 inches of rain falling in parts of Texas. Heavily populated Harris County received most of the coverage and devastation, but the storm affected 50 counties and over 300 towns in southeast and lower central Texas.

Hurricane Harvey caused more than 15 floating roof storage tanks to fail, releasing a combined 3.1 million pounds of volatile chemicals across the Houston area. The biggest spill of the storm released more than 11,000 barrels of gasoline and some 2.5 million pounds of pollutants into the air. Dozens of chemicals like benzene, vinyl chloride and butadiene were released into the surrounding neighborhoods and waterways.

The storm brought another wave of disaster when the Army Corps of Engineers closed the gates at two dams to hold back water from flooding Houston causing the water to flow back into surrounding neighborhoods and flooding about 10,000 properties. Residents have since sued the Army Corps of Engineers arguing that the Army Corps knew their property would be flooded in the event of such storm and the residents were never told of the potential dangers.

Governor Greg Abbott immediately deployed the National Guard sending 24,000 troops to help rescue people, but 39 people lost their lives to Hurricane Harvey and the subsequent flooding. In the days following the storm, the Governor created a new panel focused on rebuilding after the storm. Abbott named John Sharp, Chancellor of the Texas A&M University System, as chair of the Governor's Commission to Rebuild Texas. Chancellor Sharp deployed staff across the Texas A&M System and its Extension Agencies to work with community leaders and local, state, and national agencies to identify

and address recovery needs. Chancellor Sharp and his team were widely lauded for their efforts to ensure the recovery process went smoothly.

In October 2017, Governor Abbott transferred \$50 million from his disaster relief fund to the City of Houston to aid in its recovery efforts. Houston Mayor Sylvester Turner and Governor Abbott had clashed over Turner's announcement he planned implement a one-year tax increase to offset losses from Hurricane Harvey. Mayor Turner had urged the Governor to tap into the State's Rainy Day Fund, but Abbott preferred to use money from the current State budget before tapping into the emergency fund.

During the interim of 85th Legislature, numerous legislative committees held hearings regarding the costs and impacts of Hurricane Harvey. Prior to the start of the 2019 legislative session, the Senate Finance Committee released a report calling the storm the most costly disaster to ever hit the Texas coast. The report estimated Hurricane Harvey would cost the State as much as \$2 billion, in addition to the more than \$2 billion that had already been provided by the federal government.

State leaders and lawmakers entered the 86th Legislature prepared to tap into the Rainy Day Fund to address funding needs as a result of Hurricane Harvey. Governor Abbott included disaster response as one of his emergency items at the start of the legislative session. Lieutenant Governor Dan Patrick assigned three bills related to disaster relief as priority items for the Senate, and both the House and Senate included placeholders for a wide range of storm recovery items in the State's supplemental appropriations bill.

One of the three priority bills introduced in the Senate included **SB 6**, authored by **Senator Lois Kolkhorst (R—Brenham)**, which established a set of procedures for officials to follow in the immediate aftermath of a flood. SB 6 also requires guides be created for local officials on both disaster response and recovery and on how to manage debris removal. Additionally, the legislation requires a study on how best to train and credential local emergency management directors.

The second priority bill related to disaster relief is **SB 7**, authored by **Senator Brandon Creighton (R—Conroe)**, created a special fund to help pay for flood mitigation projects and hurricane recovery, and provides matching funds to help draw down federal dollars. SB 7 creates a 9 to 1 federal to local funding ratio for public assistance projects and offers grants and low-interest loans for flood mitigation projects. The Flood Infrastructure Fund created in SB 7 will assist in the financing of drainage, flood mitigation and flood projects and will be submitted to Texas voters in November as a proposed constitution amendment.

Senator Charles Perry (R—Lubbock) authored **SB 8** to create a statewide flood mitigation plan that separates Texas into regions based on river basins. Designed in the same format as the State Water Plan, the State Flood Plan gives representatives from each region the ability to craft a plan and submit it to a board who will oversee a master plan to ensure there is not conflict between regions. SB 8 also calls for the creation of a 10-year plan to repair and maintain unsafe dams.

SB 6, SB 7 and SB 8 were unanimously passed out of the Senate in mid-March, but with the 86th Legislature focused on property taxes and public school finance reform, the trio of disaster relief bills stalled until the last week of the 86th Legislature. In the final days of the legislative session, the House passed all three bills nearly unanimously. Governor Abbott signed SB 6 and SB 7 on June 13th at the Gallery Furniture store in Houston. Two of these furniture stores were opened as shelters to those displaced in the storm. SB 8 was signed by Governor on June 10th.

A number of other bills were passed in 2019 to address issues encountered during Hurricane Harvey, including **SB 339 by Senator Joan Huffman (R—Houston)** which requires sellers to disclose if a property is in a flood pool area. SB 339 moved through the Senate with no opposition and moved to the House where it was also unanimously approved and then signed by the governor on June 14th. **HB 26 by Representative Will Metcalf (R—Conroe)** requires state-regulated dams to have an emergency release plan that includes notification to emergency operations personnel downstream so the public can be warned if their property is in danger of being flooded. **HB 2794 by Representative Geanie Morrison (R—Victoria)** transferred the Texas Division of Emergency Management from the Department of Public Safety to the Texas A&M University System as an agency of the System. The change is intended to improve the State's response to natural disasters and was one of the recommendations from the Governor's Commission to Rebuild Texas.

The 86th Legislature will spend \$1.7 billion to create the Texas Infrastructure Resilience Fund and the Flood Infrastructure Fund to help local governments draw down federal disaster recovery funds and for long-term infrastructure projects. Additionally, SB 500 the supplemental appropriations bill included nearly \$3.5 billion from the Rainy Day Fund to assist with Hurricane Harvey expenses incurred in the FY18-19 biennium by state agencies, school districts, and institutions of higher education. Institutions of higher education impacted by Harvey received \$74.8 million to repair property damages. More information can be found beginning on page 94.

Appropriations

After the tough budget challenges addressed by the 85th Legislature for the 2018-19 biennium where General Revenue appropriations actually declined compared to the previous biennium, the 86th Legislature faced a financial outlook where they could prioritize where to spend the additional dollars available to the State. As in other recent biennia, the House and Senate each started the session with a base bill reflecting the priorities of each chamber. The final conference committee report appropriated an increase of \$10.3 billion in General Revenue over the 2018-19 biennium to address state needs. The appropriations include \$5.0 billion in property tax relief through the compression of school district tax rates as passed in House Bill 3 by Huberty/Taylor and \$6.5 billion for increased public school funding including an increase to the Basic Allotment; full funding of the transportation funding dedication, and a decrease in General Revenue Medicaid funding due to a favorable federal match rate.

Funding for higher education totals \$15.0 billion in General Revenue in Article III plus an additional \$65.4 million in Article IX, for a total of \$15.05 billion in General Revenue. Funding for the higher education formulas increases by \$0.5 billion but result in only very modest increases in formula rates due to the cost of funding enrollment growth across all sectors. Four new mission specific formulas are established in the health related institutions. The Legislature provides \$266 million in new funding for non-formula support items. Other key increases include \$80 million for TEXAS grants, \$60 million for Graduate Medical Education expansion and \$99 million for the Child Mental Health Care Consortium for Senate Bill 11 by Taylor/Bonnen.

The following section provides additional detail on appropriations.

Appropriations

In January 2019, the Comptroller issued the constitutionally mandated (Art. III, Section 49a of the Texas Constitution) Biennial Revenue Estimate (BRE). The estimate stated that there would be \$119.1 billion in funds available for general-purpose spending, an increase of 8.9 billion from the 2018-19 biennium, setting the stage for a much better budget session than the previous biennium.

During the Regular Session, the Legislature passed two key pieces of appropriation legislation: House Bill 1, the General Appropriations Act (GAA) and Senate Bill 500, the supplemental appropriations bill.

House Bill 1 by Zerwas/Nelson appropriates \$118.9 billion in **General Revenue** Funds (GR) for the 2020-21 biennium, an increase of \$10.3 billion compared to the 2018-19 biennium, or 9.5 percent increase. See table on the following page. The **All Funds** budget totals \$250.7 billion, an increase of \$14.9 billion, or 6.3 percent. These amounts include \$5.0 billion in property tax relief through the compression of school district tax rates as passed in House Bill 3 by Huberty/Taylor. In addition the budget provides \$6.5 billion for increased public school funding including an increase to the Basic Allotment. The budget fully funds the Proposition 7 (84th Legislature) transfer of transportation funding. The budget includes a decrease of \$1.9 billion in General Revenue and an increase of \$0.8 billion in All Funds for the Texas Medicaid program. The all funds increase in Medicaid is due to a more favorable Federal Medical Assistance Percentages rate, resulting in a higher proportion of the program being funded with Federal Funds; however, the budget does not fully fund anticipated increases in Medicaid costs associated with medical inflation, higher utilization or increased acuity.

Senate Bill 500, by Nelson/Zerwas totals \$9.866 billion in All Funds with \$1.7 billion from General Revenue, \$2.1 billion from federal Funds and \$6.0 billion from the Economic Stabilization Fund (ESF). The most significant items funded in the supplemental include \$4.5 billion from the ESF for initiatives related to Hurricane Harvey; \$4.15 billion in funding to cover the shortfall in Medicaid for the 2018-19 biennium; and \$1.1 billion to the Teacher Retirement system to shore up the TRS pension trust fund and to provide a onetime payment to certain TRS annuitants.

For higher education, funding totals \$163 million of which \$30.9 million is from General Revenue and the balance of \$132.2 million is from the Economic Stabilization Fund. Higher education appropriations include:

- \$57.4 million to the **Texas A&M Forest Service** for reimbursement for emergency response to wildfires (\$54.0 million) and Hurricane Harvey (\$2.5 million),
- \$58.8 million to institutions of higher education for expenses related to Hurricane Harvey (including \$10.2 million to UT Austin, \$20.3 million to UH; \$0.1 million to UHCL, \$4 million to UHd; \$1.7 million to UHV, \$1.4 million to Lamar, \$1.3 million to LUIT, \$0.4 million to LUO, \$6.4 million to LPA, \$13.1 million to Lone Star College),
- \$29.6 million to Texas State Technical College – Waco for abatement and demolition of certain facilities,
- \$16.0 to Texas Southern University for deferred maintenance, and
- \$1.2 million to Kilgore College for health insurance.

The bill also includes \$211.0 million from the ESF to deposit into the Texas Tomorrow Fund to pay for 2020-21 obligations.

Constitutional Spending Limits

Texas has four constitutional limits on spending: the pay-as-you-go limit, the limit on growth in state appropriations or “spending limit,” the limit on welfare spending and the limit on tax-supported debt. The 2020-21 biennial appropriations are within all four of these spending limits.

Economic Stabilization Fund (Rainy Day Fund)

The Comptroller’s *Biennial Revenue Estimate* forecasted that by the end of FY2019, the balance in the Economic Stabilization Fund (ESF) or “Rainy Day Fund” would be \$15.4 billion, prior to any legislative action. SBB500 includes \$6 billion million in appropriations from the ESF. That appropriation less an adjustment for loss of interest and investment income results in the balance at the end of the 2020-21 biennium projected by the LBB to be \$9.2 billion as of the end of the regular session.

OVERVIEW OF THE STATE BUDGET
General Revenue, in millions
2018-19 Expended/Budgeted Level Compared to House Bill 1

GENERAL REVENUE FUNDS		2018-19	2020-21	Change	Percent Change
Art. I	General Government	\$3,406.9	\$4,006.5	\$599.7	17.6%
Art. II	Health and Human Services	34,716.3	33,728.7	-987.6	-2.8%
Art. III	Education	56,458.4	66,028.2	9,569.9	17.0%
	<i>Public Education</i>	<i>41,548.7</i>	<i>50,176.3</i>	<i>8,627.6</i>	<i>20.8%</i>
	<i>Higher Education</i>	<i>14,909.7</i>	<i>15,851.9</i>	<i>942.3</i>	<i>6.3%</i>
Art. IV	The Judiciary	490.8	527.6	36.8	750.0%
Art. V	Public Safety and Corrections	11,322.1	12,086.5	764.4	6.8%
Art. VI	Natural Resources	910.6	1,017.3	106.8	11.7%
Art. VII	Business and Economic Development	496.5	490.9	-5.7	-1.1%
Art. VIII	Regulatory	345.3	363.4	18.1	5.2%
Art. IX	General Provisions	-	218.1	218.1	NA
Art. X	The Legislature	392.7	391.9	-0.9	-0.2%
Total		\$108,539.7	\$118,859.2	10,319.5	9.5%
Amount of Tax Relief				(4,980.0)	
Growth Excluding Property Tax Relief				5339.5	4.9%

Source: Legislative Budget Board, May 2019.

Notes: Amounts for 2018-19 include supplemental spending for Medicaid and foster care but not other adjustments from Senate Bill 500. Public Education funding from HB3 has been moved from Article IX to Article III. Other contingency funding remains in Art. IX for this comparison. The biennial change and percent change are calculated on actual amounts before rounding so may not sum due to rounding.

Higher Education Appropriations

Higher Education HB1 General Revenue Appropriations for 2020-21 Compared to 2018-19 in millions

	2018-19	2020-21 Art. III	2020-21 Art. IX	2020-21 Total	Change	% Change
General Academics/System Offices	\$ 5,007.7	\$ 5,351.1	\$ 38.4	\$ 5,389.5	\$ 381.8	7.6%
Health Related Institutions	2,855.0	3,021.4	27.0	3,048.4	193.4	6.8%
A&M System Agencies	355.1	370.5		370.5	15.4	4.3%
Two Year Institutions	1,987.9	2,129.6		2,129.6	141.7	7.1%
Coordinating Board	1,396.9	1,634.3		1,634.3	237.4	17.0%
Higher Ed. Group Insurance	1,412.2	1,415.5		1,415.5	3.3	0.2%
Optional Retirement Program	246.5	243.2		243.2	(3.3)	-1.3%
Higher Education Fund	787.5	787.5		787.5	-	0.0%
Hazlewood Legacy Program	30.0	30.0		30.0	-	0.0%
Total, Higher Education	\$14,078.8	\$14,983.1	\$ 65.4	\$15,048.5	\$ 969.7	6.9%

Notes:

Table does not include higher education portion of certain retirement or social security benefits which are included in the statewide functional table at the beginning of the appropriations section of this report.

For General Revenue funds, higher education specific appropriations total \$15.0 billion in Article III plus an additional \$65.4 million in Article IX, for a total of \$15.05 billion in General Revenue, which is an increase of \$1.0 billion or 6.9 percent. The comparable All Funds number is \$20.8 billion or an increase of \$1.15 billion. Highlights of Higher Education funding are below followed by detailed funding decisions for each of the sectors of higher education.

The most significant funding stream in higher education is the base funding formulas for the general academics, health related institutions and two year institutions. The higher education formulas total \$7.7 billion in General Revenue Funds and \$1.3 billion in General Revenue–Dedicated Funds, which are primarily statutory tuition and certain fees. For the 2020-21 biennium, formulas for all of higher education increased by \$0.5 billion but owing to magnitude of scale result in only very modest increases in formula rates. The general academic institutions’ formulas were increased by \$201.4 million, while the health related institutions’ formulas increased by \$131.6 million, and the two year institutions’ formulas increased by \$131.4 million.

Funding for non-formula support items (formerly special items) was again a policy consideration throughout the session in the Senate. However, final funding decisions included \$266 million in new General Revenue funded non-formula support items.

For the Texas A&M University System, appropriations including HEF allocations for the six non-PUF eligible institutions and Higher Education Group Insurance (HEGI) total \$2.54 billion in GR. The table below provides detail by system member of SB1 appropriations, including those made outside the direct bill pattern appropriations.

**Texas A&M University System
General Revenue Appropriations in HB 1,
including Direct Bill Pattern Appropriations and Appropriations Made Elsewhere
2020-21 Biennium**

	HB1 Direct Appropriations Art. III and IX	Higher Education Group Insurance	Higher Education Fund	Grand Total
Texas A&M	\$683,882,417	\$78,148,276		\$762,030,693
Texas A&M at Galveston	44,304,478	3,823,336		48,127,814
Prairie View A&M	98,422,444	11,038,196		109,460,640
Tarleton State	91,462,620	10,485,774		101,948,394
Texas A&M - Central Texas	34,593,065	1,857,200		36,450,265
Texas A&M - Corpus Christi	103,779,324	10,154,690	22,615,168	136,549,182
Texas A&M - Kingsville	77,620,827	10,390,890	17,824,116	105,835,833
Texas A&M - San Antonio	63,131,433	3,866,268		66,997,701
Texas A&M International	64,159,052	5,699,310	14,172,304	84,030,666
West Texas A&M	70,319,975	9,430,374	14,610,903	94,361,252
Texas A&M - Commerce	84,186,926	13,305,988	21,910,172	119,403,086
Texas A&M - Texarkana	45,058,235	3,678,790	3,874,156	52,611,181
Texas A&M Health Science Center	290,943,350	17,397,884		308,341,234
Texas A&M AgriLife Research	110,456,295	19,244,634		129,700,929
Texas A&M AgriLife Extension	96,995,774	28,452,316		125,448,090
Texas A&M Eng. Experiment Station	46,253,549	5,300,962		51,554,511
Texas A&M Transportation Institute	15,226,565	3,461,374		18,687,939
Texas A&M Eng. Extension Service	17,847,074	1,266,408		19,113,482
Texas A&M Forest Service	63,208,797	8,306,556		71,515,353
Texas A&M Vet. Med. Diagnostic Lab	18,547,784	1,010,900		19,558,684
A&M System Offices	1,540,055			1,540,055
TEES: Army Futures Command	50,000,000			50,000,000
Texas Dept. of Emergency Mgmt.	30,803,156			30,803,156
Grand Total, A&M System	2,202,743,195	246,320,126	95,006,819	2,544,070,140

The following sections provide detailed information on appropriations by higher education sector.

General Academic Institutions/System Offices

Direct appropriations to the general academic institutions and system offices total \$7.2 billion in All Funds and \$5.4 billion in General Revenue Funds. Overall General Revenue for the 2020-21 biennium for the general academics and system offices is up \$381.8 million or 7.6 percent from the 2018-19 biennium. These totals include \$60.4 million appropriated in Art. IX. The increase in funding is attributable to increases in formula funding, non-formula support items and the research funds. These numbers do not include HEF or HEGI appropriations, which are appropriated separately or PUF funding which is appropriated separately and not general revenue.

There are several ways to consider the funding changes, and so multiple tables are included to highlight those differences. The table below provides the direct ***total*** General Revenue appropriations in each institution's bill pattern compared to the previous biennium for each of the Texas A&M University System General Academics and the System Offices.

**Texas A&M University System General Academics and System Offices
SB1 Total Direct General Revenue Appropriations for 2020-21
Compared to 2018-19
(excluding HEF and HEGI)**

General Academics	2018-19	2020-21	Change	% Chg
Texas A&M	592,145,227	683,882,417	91,737,190	15.5%
Texas A&M at Galveston	43,804,387	44,304,478	500,091	1.1%
Prairie View A&M	96,751,399	96,422,444	(328,955)	-0.3%
Tarleton State	91,985,973	91,462,620	(523,353)	-0.6%
Texas A&M - Central Texas	32,881,342	34,593,065	1,711,723	5.2%
Texas A&M - Corpus Christi	96,049,446	103,779,324	7,729,878	8.0%
Texas A&M - Kingsville	77,265,570	77,620,827	355,257	0.5%
Texas A&M - San Antonio	55,920,268	63,131,433	7,211,165	12.9%
Texas A&M International	62,697,070	64,159,052	1,461,982	2.3%
West Texas A&M	66,236,102	70,319,975	4,083,873	6.2%
Texas A&M - Commerce	83,105,109	84,186,926	1,081,817	1.3%
Texas A&M - Texarkana	39,865,886	45,058,235	5,192,349	13.0%
Total, A&M System Academics	1,338,707,779	1,458,920,796	120,213,017	9.0%
A&M System Offices	1,540,055	1,540,055	0	0.0%

Once the tuition revenue bond debt service is excluded, the ***net*** General Revenue funds remaining are the funds available to the institutions for operations. Statewide, the net GR funding level for the General Academic Institutions and System Offices is \$124 million over the 2018-19 net GR level. The table on the following page includes the net General Revenue appropriations excluding tuition revenue bond debt service for the A&M System General Academics and the System Offices.

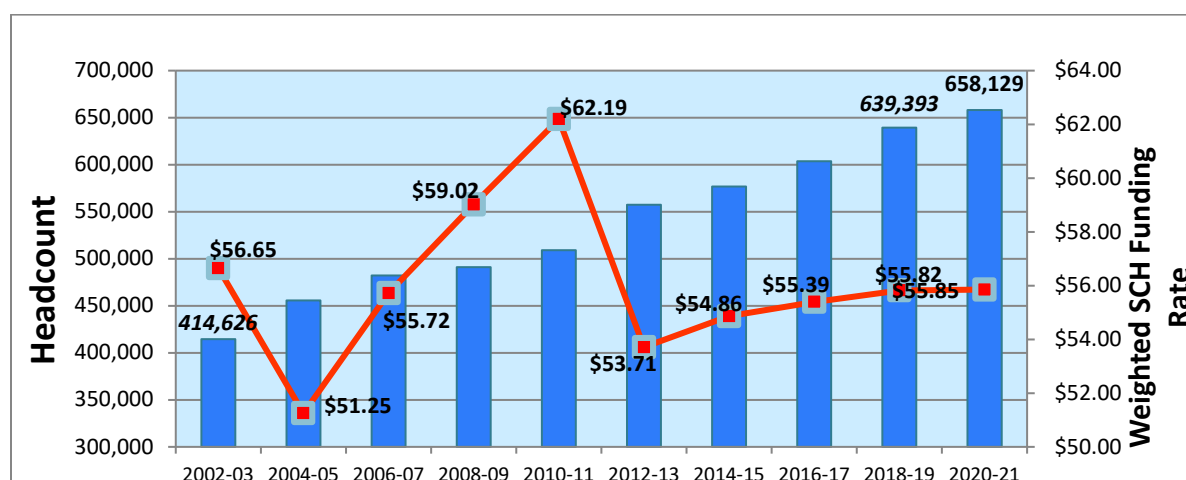
Texas A&M University System General Academics and System Offices
SB1 NET General Revenue Appropriations for 2020-21
Compared to 2018-19
(excluding HEF, HEGI and TRB debt service)

	2018-19	2020-21	Change	% Chg
Texas A&M	575,384,322	667,326,606	91,942,284	16.0%
Texas A&M at Galveston	26,964,168	27,762,599	798,431	3.0%
Prairie View A&M	83,415,591	85,082,694	1,667,103	2.0%
Tarleton State	70,400,561	69,994,980	(405,581)	-0.6%
Texas A&M - Central Texas	23,807,824	25,511,014	1,703,190	7.2%
Texas A&M - Corpus Christi	76,026,640	84,012,395	7,985,755	10.5%
Texas A&M - Kingsville	64,029,250	64,427,173	397,923	0.6%
Texas A&M - San Antonio	40,539,576	47,753,542	7,213,966	17.8%
Texas A&M International	45,380,212	46,992,222	1,612,010	3.6%
West Texas A&M	53,675,163	57,870,555	4,195,392	7.8%
Texas A&M - Commerce	72,389,873	73,618,045	1,228,172	1.7%
Texas A&M - Texarkana	24,364,131	30,015,058	5,650,927	23.2%
Total, A&M System Academics	1,156,377,311	1,280,366,883	123,989,572	10.7%
A&M System Offices	1,540,055	1,540,055	0	0.0%

Formulas

Beginning with the base bills, the House and Senate were largely aligned in their approach to higher education funding but took different approaches on certain issues to highlight policy decisions that were ultimately made in conference committee.

General Academic Institutions Instruction and Operations Rate compared to General Academic Headcount* Enrollments



*Headcount numbers are the statewide general academic fall headcounts in the base period used to determine formula funding for that biennium. 2018-19 is adopted rate in SB1.

The Conference Committee increased General Revenue into the funding formulas by \$201.4 million. The funding rates for the two key formulas increased with the Instruction and Operations rate increased

from \$55.82 to \$55.85 per weighted semester credit hour and the Infrastructure rate increased from \$5.41 to \$5.47 per net assignable square foot. Consideration was given by the Senate to adjust the Space Projection Model for fully distance education courses but this change was not adopted into the formulas. The Legislature included language in Article III Special Provisions to direct the Formula Advisory Committee to study the differences in physical space and technology needs between traditional instruction and online instruction.

The Legislature provided increased funding in the general academic formulas through the Small Institution Supplement for the first time since the current formula methodology was adopted for the 1998-99 biennium.

An update to the Small Institution Supplement was first contemplated during the 85th Legislature in the Senate version of the appropriations bill but ultimately was not changed. There was further discussion regarding the need to update this funding source and consider both broadening the runway (increasing the base funding) and lengthening the runway (extend to institutions up to 20,000 headcount) during the interim at hearings held by the Joint Committee on Higher Education funding. During the 86th Legislative session, both the House and Senate bills recommended changes to the supplement. The House recommended lengthening the runway to 20,000 headcount but not updating the base funding amount and the Senate recommended increasing the base funding amount but still only applying to institutions with headcounts of 10,000 or less. Ultimately, the Senate position was adopted in conference committee. The threshold for receiving the Small Institution Supplement did not change from providing the supplement to institutions with headcounts of fewer than 10,000. However, the base funding for institutions with a headcount of 5,000 or fewer increased from \$1.5 million each to \$2,633,132. This amount decreases on a sliding scale until institutions reach 10,000 headcount.

Funding for the Small Institution Supplement totaled \$27.3 million for the general academic institutions, an increase of \$11.9 million from what it would have been without the change in the base amount. The increase including the TSTCs and Lamar State Colleges totals \$21 million over what it would have been without the change. Each Lamar State College was increased to the same minimum as the general academics; each TSTC campus was increased to 50 percent of the general academic base amount.

In the A&M System, West Texas A&M's enrollment exceeded the 10,000 headcount threshold for the first time and no longer received the supplement. A&M System institutions received \$10.7 million through this supplement, an increase of \$5.1 million as compared to what they would have received without the change. A&M System institutions receiving the Small Institution Supplement include:

A&M Galveston: \$2,633,132
Prairie View A&M: \$206,390
A&M – Central Texas: \$2,633,132
A&M – Kingsville: \$769,028
A&M – San Antonio: \$1,711,452
A&M International: \$1,097,798
A&M – Texarkana: \$2,633,132

The total GR formula increase for the A&M System institutions is \$41.1 million. Major formula increases for A&M System institutions include: \$24.5 million for **Texas A&M University**, \$5.7 million for **Texas A&M University – Corpus Christi**, \$5.7 million for **Texas A&M University– San Antonio** and \$2.5 million

for Texas **A&M University –Texarkana**. Three institutions – **Prairie View A&M University, Tarleton State University**, and **Texas A&M University—Central Texas**- all saw slight decreases in formula funding.

The Texas Higher Education Coordinating Board’s (THECB) formula recommendation to the Legislature included an outcomes funding proposal. Much like the past three sessions, there was public discussion regarding outcomes based funding as part of the appropriations process but action was not taken. However, significant interest in the Senate in performance funding remains.

Non-Formula Support Items

The 85th Legislature changed the name of what previously had been referred to as “special items” to “Non-Formula Support” items. Generally, non-formula support items were continued at the 2018-19 funding level for the 2020-21 biennium.

Items identified by the Senate as start-up items that were funded prior to 2010 and items that generate formula funding were reduced 10 percent from 2018-19 funding levels for a total reduction of \$8.9 million and include:

<i>Institution</i>	<i>Non-Formula Support Item</i>	<i>Reduction</i>
UT Dallas	Science, Engineering, Math	(13,156)
UT El Paso	Pharmacy Extension	(465,868)
	Institute for Manufacturing and Materials Management	(5,396)
UT RGV	Cooperative Pharmacy Doctorate	(12,920)
	Starr County Upper Level Center	(6,460)
	McAllen Teaching Site	(55,308)
	UT System K-12 Collaboration Initiative	(7,169)
UT Permian Basin	College of Engineering	(278,028)
	School of Nursing	(159,964)
	Rural Digital University	(208,285)
UT Tyler	Palestine Campus	(40,691)
	Longview Campus	(109,569)
Tarleton State	Multi-Institution Teaching Center	(198,475)
	Ag and Environmental Sciences Research Cluster	(15,990)
A&M Central Texas	Transition Funding	(773,562)
	East Williamson County Higher Education Center	(80,312)
A&M Corpus Christi	Engineering Program	(462,032)
	Center for Coastal Studies	(16,421)
A&M Kingsville	PhD in Engineering	(7,409)
	Veterinary Technology Program	(103,134)
	Institute for Ranch Management	(28,318)
A&M San Antonio	Transition Funding	(805,207)
	Downward Expansion	(661,327)
<i>Institution</i>	<i>Non-Formula Support Item</i>	<i>Reduction</i>
West Texas A&M	Electrical Engineering Program	(58,417)
A&M Commerce	Bachelor of Science Degree Program in Industrial Engineering	(14,541)
A&M Texarkana	Academic Programs	(77,578)

	Nursing Program	(115,402)
	Downward Expansion	(248,702)
University of Houston	College of Pharmacy	(1,000,000)
	William P. Hobby School of Public Affairs	(286,743)
UH Clear Lake	Downward Expansion	(427,534)
UH Victoria	Master's Degree in Nursing	(35,268)
	Downward Expansion	(271,962)
UNT	Texas Academy of Math and Science	(177,199)
UNT Dallas	Transition Funding	(787,309)
	Law School	(340,000)
Stephen F. Austin	Rural Nursing Initiative	(60,083)
Texas Southern	Thurgood Marshall School of Law	(34,528)
Texas Tech	Junction Annex Operation	(23,562)
	Hill Country Educational Network	(41,424)
Angelo State	College of Nursing & Allied Health	(133,303)
Texas Woman's	Texas Medical Center Library Assessment	(13,637)
	Online Nursing Education	(20,094)
	Human Nutrition Research Development Program	(2,247)
	Center for Research on Women's Health	(9,384)
	Institutional Enhancement	(738,581)
Texas State	Round Rock Higher Education Center	(23,691)

New funding for non-formula support items totals \$147.8 million in Article III and \$60.4 million in Article IX. These items include:

UT Austin	Marine Sciences Institute	\$1m
UT Arlington	Center for Entrepreneurship and Economic Innovation*	\$3.5m
UT Dallas	Academic Bridge Program	\$1.45m
	Middle School Brain Years*	\$1m
UT El Paso	Pharmacy Extension*	\$2.3m
UT San Antonio	Foster Care Pilot Program	\$3.5m
A&M University	Institutional Enhancement	\$55m
A&M Central Texas	Upper Level Institution Support	\$3m
A&M Corpus Christi	Civil and Industrial Engineering	\$2.3m
A&M Kingsville	Citrus Center*	\$0.4m
A&M San Antonio	Institutional Enhancement*	\$3m
West Texas A&M	Food Animal Production*	\$4m
A&M Texarkana	Better East Texas Initiative (BET)	\$3.6m
UH	College of Medicine	\$20m
	Partnership for Multicultural Success	\$2.5m
	Law and Hobby School of Public Affairs Building*	\$45m
UH Clearlake	Downward Expansion	\$1.6m
UH Downtown	Wonderworks	\$0.1m
UNT	Texas Academy of Math and Science	\$0.8m
	Center for Agile and Adaptive Additive Manufacturing	\$10m

	Rape Kits	\$5m
UNT Dallas	Student Success Initiative	\$2m
Texas Tech	Veterinary Medicine	\$13.2m
Texas Woman's	Center for Women in Business	\$10m
Lamar – Beaumont	Center for Midstream Management	\$1.9m
Texas State	School Safety Center	\$9.1m
	ALERRT	\$4m
Sul Ross RGV	Infrastructure Adjustment	\$0.35m

*Item funded in Art. IX.

Actions taken on non-formula items funded from GRD accounts include:

- **Prairie View A&M** is authorized to carryforward \$2 million in unexpended balances from the 2018-19 biennium in their GR Dedicated Juvenile Justice Account.
- Sam Houston State is also given UB authority from the 2018-19 biennium for their criminal justice programs funded from GRD.
- **A&M Galveston's** Oyster program's GRD funding is restored to \$100,000 per year, an increase of \$59,000.

Institutions with downward expansion and/or transition funding, including A&M Central Texas, A&M San Antonio, A&M Texarkana, UH Clearlake, UH Victoria, and UNT Dallas, are subject to the following policy changes:

- Most items are renamed "Expansion Funding." For Texas A&M Central Texas, the item is renamed "Upper Level Institution Support" or ULIS. For Texas A&M San Antonio that had both Transition Funding and Downward Expansion, the two items are combined into a single item named Expansion Funding.
- The following rider language is added to each institution's bill pattern:
Expansion Funding. It is the intent of the legislature that non-formula General Revenue operations funding in Strategy C.X.X, Expansion Funding for X University will be phased out by 25 percent over four biennia beginning in the 2022-23 biennium as formula funding increases, or until the institution reaches 6,000 full-time student equivalents.
- The rider for UH Clearlake language is slightly different because funding phase out has already begun:
Expansion Funding - University of Houston - Clear Lake. It is the intent of the Legislature that non-formula General Revenue operations funding in Strategy C.1.1, Expansion Funding for the University of Houston - Clear Lake be phased out by 25 percent over four biennia beginning in the 2018-19 biennium as formula funding increases.

Hold Harmless funding provided to institutions and system offices in the 2018-19 biennium to ensure that no institution received a reduction in formula GR and special item GR and GRD funding of greater than 10 percent is maintained in general in non-formula support items. Generally, the funding is allocated to Institutional Enhancement unless the institution spread the funding among other non-formula support items.

Research Funds

The three general academic research funds – Texas Research University Fund (TRUF), Core Research Support (CRS) and Comprehensive Research Fund (CRF) – are reallocated based on updated research expenditure data and funded at the 2016-17 General Revenue funding level. This results in an increase of funding of \$35.1 million for all three funds - \$21.9 million for the TRUF, \$11.7 million for the CRS, and \$1.4 million for the CRF. Funding decisions for these research funds are included in the institutions' bill patterns for the three funds and are summarized as informational only in Art. III Special Provisions, Section 58 for the TRUF and CRF, and in Section 60 for the CRS. The Legislature included new language in each of these provisions that states the funding rate for each research fund. **Texas A&M University** received \$12.4 million in additional funding in the TRUF.

Other research funding is appropriated outside the institutions' bill patterns.

- Texas Research Incentive Program (TRIP) funding is appropriated to the THECB with the allocation detailed in Art. III, Special Provisions, Section 60 for informational purposes. Funding for the TRIP remained level at \$35 million for the biennium but reallocated among the institutions.
- The Available National Research University Fund (NRUF) is appropriated under its own bill pattern in a lump sum (similar to how the AUF and HEF are appropriated). Estimated funding totals \$50.2 million, an increase of \$3.9 million from the 2018-19 level. See page 43 for additional information.
- Funding for the Governor's University Research Initiative (GURI) is funded in the Governor's Office Trusteed Programs bill pattern and will be granted based on meeting the criteria set out in the authorizing legislation. Funding for GURI is \$22.9 million in unexpended balances and \$17.1 million in new General Revenue.

System Offices

General Revenue for system office operations is maintained at the 2018-19 base for those that receive operating funds – UH System, UNT System, Texas Tech System, and Texas State System. The UT and A&M Systems operational funding was zero funded in the 2016-17 biennium, and that policy continued except that the Hold Harmless funding received by the Texas A&M System in the 2018-19 biennium is retained and moved into System Office Operations. Funding for the UT System Stroke Clinical Research increased \$1.2 million. Debt service funding at UT System and UH System decreases by \$2.6 million and \$11.2 million, respectively.

Health Related Institutions

Funding for the health related institutions totals \$3.4 billion in All Funds and \$3.0 billion in General Revenue Funds. General Revenue funding for the health related institutions increased by \$193.4 million for the 2020-21 biennium compared to the 2018-19 biennium. Of the total increase \$166.4 million is appropriated directly in Art. III and \$27 million is appropriated in Art. IX. The **Texas A&M Health Science Center** shows an overall increase in GR of \$2.9 million or 1.0 percent in *gross* GR. The increase in *net* GR, which adjusts for tuition revenue bond debt service, is \$3.3 million or 1.3 percent.

Funding for the Baylor College of Medicine is reflected in the Texas Higher Education Coordinating Board appropriations and is not included in the totals below except as noted specifically.

Health Related Institutions SB1 General Revenue Appropriations for 2020-21 Compared to 2018-19

Health Related Institutions	2018-19	2020-21	Change	% Chg
UT Southwestern Medical Center	318,598,601	339,138,664	20,540,063	6.4%
UT Medical Branch at Galveston	525,799,220	535,551,198	9,751,978	1.9%
UT Health Science Center at Houston	348,606,286	376,561,422	27,955,136	8.0%
UT Health Science Center San Antonio	271,530,638	294,921,181	23,390,543	8.6%
UT RGV School of Medicine	53,498,042	64,571,630	11,073,588	20.7%
UT M.D. Anderson Cancer Center	385,785,203	404,185,973	18,400,770	4.8%
UT Health Science Center at Tyler	86,183,133	97,208,082	11,024,949	12.8%
Texas A&M Health Science Center	287,998,153	290,943,350	2,945,197	1.0%
UNT Health Science Center	176,853,423	186,518,534	9,665,111	5.5%
Texas Tech Health Sciences Center	257,978,316	296,352,605	38,374,289	14.9%
Texas Tech Health Sciences at El Paso	130,767,009	140,493,096	9,726,087	7.4%
UT Austin Dell College of Medicine	11,382,886	21,970,718	10,587,832	93.0%
TOTAL - Health Relateds	2,854,980,910	3,048,416,453	193,435,543	6.8%

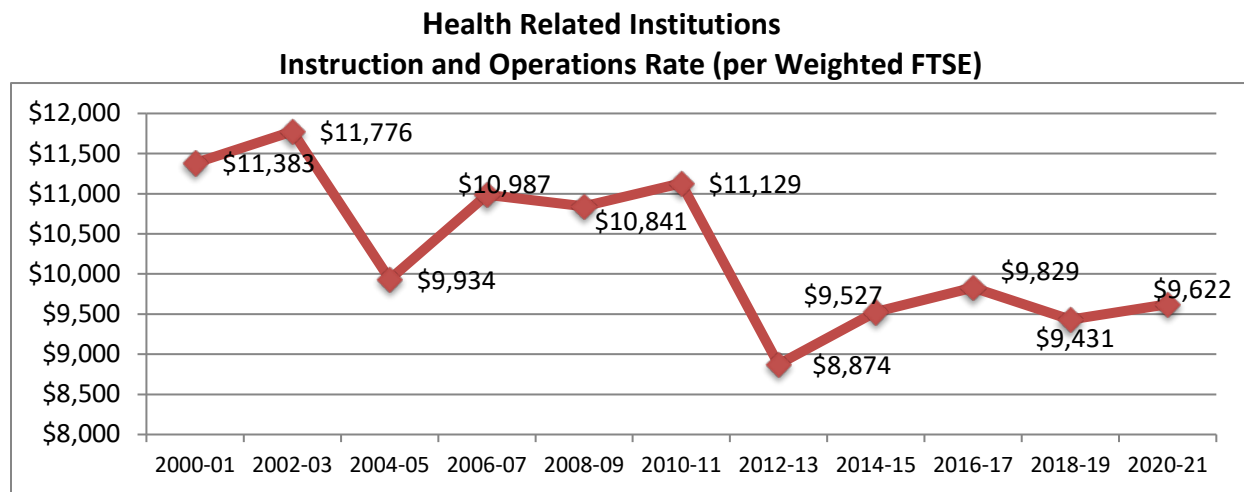
HRI Formula

Funding for the existing health related formulas total \$1,828.3 million, an increase of \$111.1 million in General Revenue Funds over the 2018-19 biennium. General Revenue funding increases to the formula appropriations, excluding Baylor College of Medicine except where noted, include:

- \$1,171.7 million for the Instruction and Operations formulas, an increase of \$72.0 million and funded at a rate of \$9,431 per weighted FTSE. There is a new rate for Bioinformatics in the Instruction and Operations formula.
- \$258.8 million for the Infrastructure formula, an increase of \$8.7 million and funded at a rate of \$6.11 per predicted square foot.
- \$84.5 million for the Research Enhancement formula, an increase of \$3.9 million and funded at a base rate of \$1,412,500 for each institution plus 1.16 percent of reported research expenditures.
- \$98.5 million for the GME formula, an increase of \$8.4 million resulting in a rate of \$5,824 per residency slot. This includes funding for residents at Baylor College of Medicine.

- \$343.0 million for the mission specific formulas for MD Anderson and UT Health Science Center Tyler, an increase of \$16.0 million (6.0 percent) for MD Anderson and \$3.8 million (6.5 percent) for UT Health Science Center Tyler.

The **Texas A&M Health Science Center** received \$205.4 million in formula General Revenue; this is a \$3.3 million increase in formula General Revenue, or 1.6 percent increase. This reflects a loss of enrollment in the College of Medicine which is offset by increases in enrollment in the Colleges of Public Health and Nursing.



New Mission Specific formulas are established as pilot programs at four institutions: UT Southwestern, UT Medical Branch at Galveston (UTMB), UT Health Science Center Houston and UT Health Science Center San Antonio. The mission specific formulas for UT Southwestern, UT HSC San Antonio and UT HSC Houston are performance based with incentive funding tied to research performance; each institution has specific parameters related to their funding rates and performance. The mission specific formula for UTMB is tied to its hospital operations and is similar to the existing mission specific formulas for MDA and UT Health Center Tyler. Funding is based on an amount per hospital visit, and the growth in funding from one biennium to the next cannot exceed the rate of increase in funding statewide for the HRI Instructions and Operations formula. A total of \$471 million in funding is allocated to these formulas including \$40 million in new general revenue and \$431 million in funding reallocated from these institutions from non-formula support items, hold harmless funding, and hospital support.

Hold Harmless funding from the 2018-19 biennium is retained at the recipient institutions. For UT Southwestern and UTMB hold harmless funding is rolled into the mission specific funding for each institution. UT Health Science Center at San Antonio's funding is included in its Institutional Enhancement funding.

HRI Non-Formula

Existing non-formula support items are funded at the 2018-19 funding levels. New non-formula support funding includes:

UT RGV School of Medicine	Cancer Immunology/Cervical Dysplasia	\$2m
UT Health Center at Tyler	Mental Health and Workforce Training	\$5.46m
UNT Health Science Center	Forensic Genetic Research & Education	\$10m
Texas Tech Health Science Center	Telemedicine Program (TWITR)	\$5m
	Physician Assistant Program	\$0.3m
	Physician Assistant Bldg Debt Service*	\$20m

*Item funded in Art. IX.

Additionally, \$712,500 for the Cancer Immunology Center and Cervical Dysplasia is transferred from UTMB to UTRGV. At TTU El Paso HSC, \$20 million is reallocated from the Medical Education non-formula support item to a new Dental Medicine item.

See the THECB section for actions related to graduate medical education expansion and other programs that impact the health related institutions.

Texas A&M University System Agencies

Overall, total General Revenue for the A&M Agencies increases by \$13.5 million or four percent. In addition, the **Texas A&M Engineering Experiment Station** will receive \$50 million transferred from the Governor's Office to establish and equip a proving ground site for use by Texas higher education institutions to commercialize and manufacture critical emerging technologies for infrastructure networks, public safety and national defense as part of Texas support for Army Futures Command. Also, the **Texas A&M Forest Service** receives \$57.4 million in SB500, the supplemental appropriations act, for reimbursement for emergency response to be paid in FY19. This includes \$2.46 million for Hurricane Harvey response and \$54.9 million for wildfire response.

The Legislature also passed House Bill 2794 by Morrison/Kolkhorst that creates the **Texas Division of Emergency Management (TDEM)** as a stand-alone institution of higher education under the Texas A&M University System. General Revenue funding for TDEM increases by \$20.4 million, including \$10.4 million for a disaster recovery team and \$10 million for the Disaster Recovery Loan Program created by Senate Bill 6 by Kolkhorst/Morrison. TDEM will transfer to the A&M System effective Sept. 1, 2019.

**Texas A&M University System Agencies
HB1 General Revenue for 2020-21
Compared to 2018-19**

TAMUS Agencies	Total GR*	CCR HB1, TOTAL GR*		
	2018-19	2020-21	Change	% Chg
AgriLife Research	110,091,016	110,456,295	365,279	0.3%
AgriLife Extension Service	88,109,046	96,995,774	8,886,728	10.1%
Eng. Experiment Station	43,192,272	46,253,549	3,061,277	7.1%
Transportation Institute	15,134,939	15,226,565	91,626	0.6%
Engineering Extension Service	17,587,968	17,847,074	259,106	1.5%
Forest Service*	63,571,181	63,208,797	(362,384)	-0.6%
Vet. Med. Diagnostic Lab	17,386,122	18,547,784	1,161,662	6.7%
Total, TAMUS System Agencies	355,072,544	368,535,838	13,463,294	3.8%
<hr/>				
TEES: Army Futures Command		50,000,000	50,000,000	
Tx Dept. of Emergency Mgmt	10,396,326	30,803,156	20,406,830	196%

*Does not show the change in the nature of the source of funding for the Texas Intrastate Fire Mutual Aid System grant program from GR to GRD since the funding level does not change between biennia. The earlier table ties to LBB numbers which show this change in nature of the funds.

Changes in appropriations to the A&M Agencies include maintaining the In-Brazos County infrastructure funding for all agencies at the general academic rate, an increase of approximately \$0.1 million. This funding increase is modest because the agencies were erroneously funded at too high of a rate during the 2018-19 biennium. The funding for the infrastructure outside Brazos County is reallocated among the four agriculture agencies which accounts for the reduction to the **Texas A&M Forest Service**.

Additional changes specific to each agency are detailed below:

- **Texas A&M AgriLife Extension**
 - \$2 million for Brighter Bites
 - \$6.4 million for the Disaster Readiness and Recovery for Texas
- **Texas A&M Forest Service:** \$0.2 million for Rural Border County Emergency Services
- **Texas A&M Veterinary Medical Diagnostic Laboratory:** \$1.2 million for the Poultry Labs in Center and Gonzales
- **Texas A&M Engineering Experiment Station**
 - \$1.5 million for the Nuclear Power Institute
 - \$1.7 million for the Space Alliance Technology Outreach Program and the Texas Aerospace Scholars Program. Part of this funding (\$0.95 million) transferred from the University of Houston System and the remaining (\$0.7 million) is new funding.
 - \$50 million associated with Army Futures Command \$50m through the Governor's Office as mentioned above

The \$2 million in funding for Quail that was dedicated by rider for **Texas A&M AgriLife Extension** in the Texas Parks and Wildlife bill pattern is eliminated.

Texas Higher Education Coordinating Board

The General Revenue budget for the Texas Higher Education Coordinating Board (THECB) totals \$1,634.3 million, an increase of \$237.4 million. Key changes to programs that directly impact institutions include:

Financial Aid

- Increase of \$80.0 million in General Revenue for the TEXAS Grant program estimated to fund 70 percent of the anticipated need
- Increase of \$6.8 million for the Tuition Equalization Grants
- Decrease of \$7.1 million for the B-on-Time program for private institutions
- Decrease of \$3.2m for the Top 10 Percent Scholarship program (program eliminated)
- Increase of \$4.2 million for the Texas Armed Services Scholarship program

Health Programs

- \$60.0 million in new funding for Graduate Medical Education Expansion for a total of \$157.2 million in All Funds for GME expansion and \$22.0 million in distributions from the Permanent Fund Support Graduate Medical Education which is an increase of \$0.2 million to meet the 1.1- to 1.0 ratio of first-year residency slots for each Texas medical school graduate.
- \$99 million for the Child Mental Health Care Consortium for Senate Bill 11 by Taylor/Bonnen

Research

- Funding remained flat for the Texas Research Incentive Program at \$35 million for the 2020-21 biennium.

In addition, changes to the Professional Nursing Shortage Reduction Program (PNSRP) rider include requiring the THECB:

- to set individual targets for enrollment increases in the “Over 70” program in consultation with the institutions, and
- to study the effectiveness of PNSRP in addressing the nursing shortage, with the study conducted in coordination with a work group composed of stakeholders, including representatives of nursing deans from institutions of higher education.

Constitutional / Permanent Funds

Available University Fund (AUF)

Estimated earnings distributed to the Available University Fund are anticipated to be \$2,324.0 million, an increase of about \$299.1 million from the 2018-19 base.

Higher Education Fund (HEF)

The 87th Legislature passed legislation to update the Higher Education Fund (HEF) allocation among the eligible institutions beginning with fiscal year 2021 (Senate Bill 709 by West/Frullo). The funding level remains unchanged from the 2018-19 funding level of \$787.5 million. The allocation for the six A&M System HEF-eligible institutions will increase by \$1.8 million per year beginning in FY21. See the table below to show the changes in the updated allocation.

Annual HEF Allocation	FY20	FY21	Change
Texas A&M - Corpus Christi	\$ 11,136,344	\$ 11,478,824	\$ 342,480
Texas A&M - Kingsville	8,966,056	8,858,060	(107,996)
Texas A&M International	6,709,910	7,462,384	752,474
West Texas A&M	7,164,408	7,446,495	282,087
Texas A&M - Commerce	10,786,313	11,123,859	337,546
Texas A&M - Texarkana	<u>1,823,883</u>	<u>2,050,273</u>	<u>226,390</u>
Total, A&M System HEF Institutions	\$ 46,586,914	\$ 48,419,895	\$ 1,832,981

Support for Military and Veteran Exemptions

This appropriation bill pattern includes both the funding from the Permanent Fund Supporting Military and Veterans Exemptions (MVE) and General Revenue to offset partially the cost to institutions for the Hazlewood Legacy Program (HLP) exemptions. The amount allocated to eligible institutions is in proportion to each institution's respective share of the aggregate cost to all institutions for the HLP exemptions, as determined by the Legislative Budget Board using HLP data provided by the Texas Veterans Commission.

For the 2020-21 biennium the amount appropriated to the MVE is estimated to be \$17.8 million, an increase of \$0.45 million from the 2018-19 biennium in Other Funds. The total value in the permanent fund to supporting MVE on Aug. 31, 2018 was \$266.7 million, which is a 3.5 percent increase from the prior year. The appropriation for the HLP remains at the same level, \$30 million in General Revenue.

Available National Research University Fund

Estimated funding totals \$50.2 million, an increase of \$3.9 million from the 2018-19 level. The NRUF funding is allocated by a formula based on the earnings in the fund and number of eligible institutions. Currently, the University of Houston, Texas Tech University, and the University of Texas at Dallas (UT Dallas) are eligible to receive NRUF appropriations for the 2018-19 and 2020-21 biennia. Of the remaining emerging research universities, The University of Texas at Arlington (UT Arlington) and The University of Texas at El Paso (UT El Paso) may also become eligible to receive NRUF appropriations in the 2020-21 biennium according to the Texas Higher Education Coordinating Board (THECB). If the current three institutions are the only institutions that are eligible, their distribution from the fund would be \$16.7 million per institution, an increase from \$15.4 million per institution in the 2018-19 biennium. If a fourth institution becomes eligible, the distribution would drop to \$12.8 million and to \$10.2m if a fifth institution becomes eligible.

Other Appropriations

Cancer Prevention and Research Institute of Texas (CPRIT)

Funding for CPRIT includes \$164m in bond proceeds plus a contingency rider for passage of House Joint Resolution 12 by Zerwas/Nelson which is the proposed constitutional amendment to provide a second \$3 billion in General Obligation Bonds for the Cancer Prevention and Research Institute of Texas (CPRIT). HJR 12 will be submitted to voters at the general election on November 5, 2019.

Governor's University Research Initiative (GURI)

The Legislature appropriated \$40 million for GURI including \$17.1 million in new General Revenue and \$22.9 million in unexpended balances.

Benefits

Higher Education Group Insurance (HEGI)

Higher Education Group Insurance (HEGI) contributions total \$1,415.5 million, an increase of \$3.3 million over 2018-19. Funding for the **Texas A&M University System** totals \$246.3 million, which is an increase of \$8.8 million over the 2018-19 base.

Higher education employees within the Employees Retirement System group health insurance program are funded at 79.9 percent, up from 74.7 percent, of ERS general state employee premium rates; higher education employees within the University of Texas and **Texas A&M University Systems** are funded at 79.4 percent, up from 74.3 percent, of ERS rates. These funding rates are included in a new provision in the Article III Special Provisions to provide transparency regarding the funding level for higher education health insurance benefits. Community colleges are required by statute to be funded at 50 percent of the full ERS rates.

State agencies and institutions of higher education that participate in the ERS group insurance program are required to pay a 1 percent payroll assessment (Article IX, Sec. 17.03). UT System and **A&M System** institutions are exempt because they fund their own insurance programs.

Retirement Benefits

Teachers Retirement System: The Legislature passed comprehensive legislation regarding the Teachers Retirement System (SB 12 Huffman/Bonnen). For the 2020-21 biennium, the state contribution rate for the teacher retirement program will be 7.5%, up from 6.8 percent. Employee contributions remain at 7.7 percent for both years of the biennium. In the following biennium, 2022-23, rates for both the employer and employee are scheduled to increase. The state contribution will increase by 0.25 percent per year through 2025. The employee contribution will increase to 8 percent for the 2022-23 biennium and to 8.25 percent for the 2024-25 biennium.

Optional Retirement Program: The state contribution rates remain at 6.6 percent in both years of the biennium.

Article III Special Provisions

The following summarizes the changes to the Article III Special Provisions:

Amended Sections

Sec. 6. Expenditure Provisions. 9. Tuition Revenue Bonds and Revenue Bonds. Removes reference to enactments made in the Eighty-fourth Legislature

Sec. 13. Limitation of Nonresident Enrollment in Certain State-supported Professional Schools. Adds section to allow Texas A&M University System Health Science Center to admit up to 25 nonresident medical students for specialized programs of medical and research training.

Sec. 21. County Indigent Care Contracts. Amends reporting date from Dec. 1 to March 1.

Sec. 26. General Academic Funding. Aligns formula funding rates with decisions for the General Academic Institutions. Adds language requiring the Formula Advisory Committee to review the expenditure study and growth in costs and to review the space projection model related to distance education courses.

Sec. 27. Health Related Institutions Funding. Aligns formula funding rates with decisions with formula funding decisions for the Health Related Institutions. Adds language for each of the new mission specific formulas for UT Southwestern, UT Medical Branch, UT Health Science Center Houston, and UT Health Science Center San Antonio. Updated language is included in House Concurrent Resolution 190 by Zerwas that the mission specific pilot programs at UT Medical Branch, UT Health Science Center Houston and UT Health Science Center San Antonio expire at the end of FY2021.

Sec. 28. Optional Retirement Program Differential. Specifies that the GR to offset local funds are for employer contributions adjusted between 6.6 percent and 7.31 percent.

Sec. 39. Appropriations of Funds from the Permanent Health Fund for Higher Education. Updates total to be distributed.

Sec. 46. Report Concerning Designated Tuition. Adds the LBB to list of reports-required to be sent to.

Sec. 48. Cancer Prevention & Research Institute of Texas Awards for 2018. Updates to FY2018 awards.

Sec. 52. Informational Listing-Designated Tuition. Updates to estimated gross designated tuition amounts for FY2020 and FY21 as reported in the LAR.

Sec. 57. Texas Collegiate License Plate Scholarships. Updates to estimated revenue for FY20 and FY21.

Sec. 58. Research Funding for General Academic Institutions. Updates research expenditure amounts. Adds funding rate for the Texas Research University fund and the Comprehensive Research Fund.

Sec. 60. Emerging Research Universities Research Funding. Updates funding for the Texas Research Incentive Program and the Core Research Support. Adds funding rate for the Core Research Support.

Deleted Sections

Sec. 62 Non-Formula Support Items and Formula Study. Rider deleted due to the study being completed.

New Provisions

Sec. 62. Prohibition of Formula Funding for Sam Houston State University Medical Program. Prohibits Sam Houston from receiving formula funding for its Doctor of Osteopathic Medicine program.

Sec. 63. HEGI State Premium Contribution Rate. Adds funding rate for each higher education group insurance program relative to the ERS premium rates

Article IX – General Provisions

The following sections list selected major changes to provisions in Article IX.

Amended Sections

Sec. 2.01 Position Classification Plan. Adds multiple classified positions and updates existing position titles.

Sec. 3.04. Scheduled Exempt Positions. Revises schedule of exempt positions and respective salary groups. Amends procedures related to proposed salary increases.

Sec. 3.07. Equity Adjustments. Amends existing section to allow state agencies to award an equity adjustment if adjustment does not conflict with other laws.

Sec. 3.10. Exception – Contracts Less than 12 Months. Minor wording changes.

Sec. 4.04. Limitation on Grants to Units of Local Government. Revises the government codes that grants or contracts awarded are subject to various limitations and reporting requirements.

Sec. 5.01. Travel Definitions. Removes language that includes council of governments, local workforce development board, and community center under the definition of state agency.

Sec. 5.03. Transportation Expenses in Personally Owned or Leased Motor Vehicles. Adds the personally owned or leased vehicle into the title.

Sec. 5.07. Travel and Per Diem of Board or Commission Members. Removes reference to Article 6813f, VTCS, (September 1, 1983).

Sec. 6.02. Interpretation of Estimates. Amends language of specified sources from which funds are appropriated ~~from~~.

Sec. 6.07. Employee Benefit and Debt Service Items. Amends the employee benefit items.

Sec. 6.10. Limitation on State Employment Levels. Eliminates process for state agencies and institutions of higher education to request to exceed the FTE cap and conforming language changes. Amends the instances of employment that are not subject to the FTE cap.

Sec. 7.01. Budgeting and Reporting. Amends reporting date.

Sec. 7.04. Contract Notification: Amounts Greater than \$50,000. Amends definition of contract to exclude only contracts with a value of less than or equal to \$50,000. Removes confidentiality for contracts exceeding \$1 million that are found to be violation of rider requirements. Amends existing section requiring notification for amendments or renewals in excess of 10 percent or more to those contracts with an initial award of greater than \$1 million.

Sec. 7.11. Border Security. Clarifies reporting date.

Sec. 7.12. Notification of Certain Purchases or Contract Awards, Amendments, and Extensions.

Amends documents required to be submitted to the LBB to include information on corrective action plans and certification of compliance with the Vendor Performance Tracking System. Removes confidentiality notice if satisfactory notification requirements are not met.

Sec. 8.02. Reimbursement and Payments. Adds liquidated damages to list of reimbursements and payments.

Sec. 8.09. CMIA Interest and Other Federal Payments. Adds a new section relating to prior approval from the LBB and Governor.

Sec. 9.01. Purchase of Information Resources Technologies. Amends the Quality Assurance Team (QAT) oversight process for state agency information resource contracts.

Sec. 9.02. Quality Assurance Review of Major Information Resources Projects. Amends language to clarify QAT requests for analysis of major information resources projects to include project management policies and practices. Removes QAT annual report on the status of major information resources projects.

Sec. 9.03. Biennial Operating Plan and Information Resources Strategic Plan Approval. Removes the Information Strategic Plan.

Sec. 10.04. Statewide Behavioral Health Strategic Plan and Coordinated Expenditures. Adds Texas Tech Health Sciences Center and the Coordinating Board to the list of appropriations for behavioral health services. Provides additional guidance and reporting requirements.

Sec. 10.06. Cross-Agency Coordination on Healthcare Strategies and Measures. Combines Sec. 10.06 and 10.07 and directs the Health and Human Services Commission in coordination with other key players to compare healthcare data to identify potential improvements and contract with UH Health Science Center at Houston's data center for data analysis. Requires quarterly meetings. Changes report date to Sept. 1 and specifies items to be included in report.

Sec. 13.02. Report of Additional Funding. Amends guidance and reporting requirements. Authorizes Comptroller to immediately release federal funds associated with a disaster proclamation by the Governor.

Sec. 13.04. Reports to Comptroller. Modifies provision to apply when one or more state agencies are awarded \$1 billion in federal stimulus funds or similar.

Sec. 13.07. Limitations of Classified Positions. Amends section to apply to classified positions.

Sec. 14.01. Appropriation Transfers. Eliminates exception for capital budget items in this provision.

Sec. 14.02. Transfers for Contract Services. Updates language.

Sec. 14.03. Transfers – Capital Budget. Amends transfer regulations related to acquisition of information technologies and data center operations.

Sec. 15.02. Payments to the State Office of Risk Management (SORM). Changes process for temporary cash flow needs of SORM. Other minor wording changes.

Sec. 15.04. Appropriation Transfers: Billings for Statewide Allocated Costs. Amends allocation amount from \$40 million to \$30 million.

Sec. 17.03. Payroll Contribution for Group Health Insurance. Amends estimated contribution amount.

Sec. 17.04. Veterans Services at Other State Agencies. Adds requirement that information to be available via agency website.

Sec. 17.07 Border Security. Updates informational listing of appropriations.

Sec. 17.10. Contract Management and Oversight. This is an update to the Contract Cost Containment rider in the previous bill. Establishes processes and regulations to manage contracts for contracted goods and services. Establishes exemption request and approval process from certain requirements. Requires annual report by each state agency and institution of higher education.

Deleted Sections

Sec. 6.13. Performance Standards. Deletes sub-section regarding budget execution order.

Sec. 6.26. Policies for Certain Hospital Stays.

Sec. 7.13. Notification of Certain Expenditures Related to Mitigation of Adverse Environmental Impacts.

Sec. 7.14. Emergency Leave Report.

Sec. 9.07. Payments to the Department of Information Resources.

Sec. 9.08. Computer Inventory Report.

Sec. 9.12. Report of Information Technology (IT) Infrastructure.

Sec. 9.13. Cloud Computing Options.

Sec. 10.07. Cross-Agency Collaboration on Value-based Payment Strategies.

Sec. 11.08. Information for Joint Oversight Committee on Government Facilities.

Sec. 17.11. Tax Amnesty.

Sec. 17.12. Accelerated Sale of Unclaimed Securities.

Sec. 17.13. Border Security Report.

Sec. 17.14. Identified State Agency Deferred Maintenance Needs.

Sec. 17.16. Informational Listing of Certain Appropriations.

New Sections

Sec. 9.10. Centralized Accounting and Payroll/Personnel System Deployments. Requires certain agencies to coordinate with Comptroller for payroll functionality.

Sec. 9.11. Staff Telecommunications Survey and Analysis. Directs state agencies to survey employees regarding telecommunications preferences.

Sec. 9.12. Assignment of Contract Responsibility. Directs state agencies to evaluate contracts to ensure compliance with contracting standards.

Sec. 9.13. Report on Monitoring Assessments by Auditor. Requires LBB to assign ratings to the 25 largest state agencies and a report to be submitted to the Comptroller of Public Accounts of the rating assigned to each agency.

Sec. 17.11. Energy Efficiency Savings for State Facilities. Directs state agencies with facilities in excess of 100,000 gross square feet to contract with the Energy Systems Laboratory at Texas A&M Engineering Experiment Station or other entity to conduct an assessment of potential energy savings at state agencies and institutions of higher education and report to the LBB on the results of the assessment. If the assessment shows an estimated utilities cost savings of at least 10 percent, the ESL or other provider shall prepare a plan for implementation of savings practices and monitoring.

Sec. 17.12. Human Trafficking Prevention Coordinating Council. Creates a Human Trafficking Prevention Coordinating Council.

Sec. 17.13. Reports on Interagency Contracts. Directs state agencies to make available on their website annual reports on each interagency contract with a value in excess of \$10 million. Itemizes information to be included in report.

Sec. 17.14. Realtime Captioning of Open Meetings. Directs state agencies to make available live video broadcast of an open meeting of the agency, to the extent possible.

Bill Facts

Legislation Filed & Passed

The following table provides a summary comparison of legislative bill activity from the 85rd and 86th Regular Sessions.

85 rd Legislative Session				86 th Legislative Session		
Type	Filed	Passed	Pass Rate	Filed	Passed	Pass Rate
HBs	4333	700	16.2%	4765	969	20.3%
HJR	111	3	2.7%	147	7	4.8%
SBs	2298	511	22.2%	2559	460	18%
SJR	58	6	10.3%	70	3	4.3%
TOTAL	6800	1220	17.9%	7541	1439	19.1%

Bill Analysis Task Force

A legislative session requires the highest and best efforts of enormous numbers of the A&M System institutions' faculty, administration, and staff. In addition, because the Texas Legislature meets regularly only 140 days every other year, a session necessarily operates on its own highly compressed clock and takes no prisoners when it demands responses from institutions. One of the principal instruments we have created to respond to the demands of a session is the Bill Analysis Task Force (BATF). The BATF provides a timely synopsis of all legislation that affects the A&M System member universities and agencies. These analyses of key bills are provided to the Chancellor, his Executive Officers, System CEOs and the State Relations Team, so that they will be better prepared to furnish information to and communicate the A&M System's legislative program to the legislature and governor during the fast-paced session. Notably, all the BATF members serve voluntarily, taking on these extra duties while continuing to carry out their regular duties, and without extra compensation.

This session the Office of State Relations tracked and kept watch over **2,710 bills, or 35.9% of the total 7,541 bills that were filed across both chambers.** The Task Force members provided analyses for **819 of these tracked bills, 10.9% of all bills.**

Without the support and assistance of all the individuals who serve on the Bill Analysis Task Force, the Texas A&M University System would not have been able to provide legislators and their staff the information they required during the session.

The names and affiliation of members of the Bill Analysis Task Force may be found in the Appendix.

Texas A&M University System Institution-Specific Legislation

The following summary includes legislation that directly affects a member institution of The Texas A&M System or the entire System.

See the section “Disaster Response, Recovery, and Emergency Management: GCRT & TDEM” for more information on legislation addressing *Eye of the Storm: Report of the Governor’s Commission to Rebuild Texas*.

The Texas A&M University System

HB 3124 by Wilson – Authorizes non-resident tuition in the A&M System universities for certain national laboratory employees or dependents. This bill enables the payment of resident tuition rates at A&M System institutions for a person—or their dependent—if they are employed by a national laboratory with whom the Board of Regents has entered into a management and operation agreement or academic affiliation agreement. This bill supports the management contract for Los Alamos National Laboratory as awarded by the United States Department of Energy to Triad National Security, a group that includes The Texas A&M University System. This bill amends the Education Code by adding Section 54.369. Senator Pete Flores sponsored this bill in the Senate, where it passed unanimously on the Local Calendar on May 22, 2018.

Texas A&M University

HB 2345 by Walle – Relating to resources to facilitate disaster mitigation, response, and recovery. This bill creates the Institute for a Disaster Resilient Texas at Texas A&M University which shall:

- “Develop data analytics tools to support disaster planning, mitigation, response, and recovery by the state, its political subdivisions, and the public;
- “Create and maintain web-based analytical and visual tools to communicate disaster risks and ways to reduce those risks, including tools that work on the level of individual parcels of land;
- “Provide evidence-based information and solutions to aid in the formation of state and local partnerships to support disaster planning, mitigation, response, and recovery;
- “Collect, display, and communicate comprehensive flood-related information including applicable updated inundation maps, for use by decision-makers and the public;
- “Collaborate with institutions of higher education

Health Science Center

SB 11 by Taylor/G. Bonnen - Relating to policies, procedures, and measures for school safety and mental health promotion in public schools and the creation of the Texas Child Mental Health Care

Consortium. The bill primarily focuses on school safety and establishes various new programs and requirements related to improving public school safety and student mental health.

The legislation was amended at the end of the session to include the creation of the Texas Child Mental Health Care Consortium. This consortium is composed of thirteen health-related institutions of higher education (HRIs), including Texas A&M Health Science Center; the Health and Human Services Commission; the Texas Higher Education Coordinating Board; at least three nonprofit organizations that focus on mental health care; and any other entity the executive committee of the consortium considers necessary. The duties of the Consortium include:

1. Establishment of a network of comprehensive child psychiatry access centers at the member HRIs. A center shall provide consultation services and training opportunities for pediatricians and primary care providers in the center's geographic area to help them better care for children and youth with behavioral needs. The consortium would develop and post on its website a consent form for parents or guardians to sign on behalf of children under 18 years old.
2. Establishment or expansion of telemedicine or telehealth programs at the member HRIs for identifying and assessing behavioral health needs and providing access to mental health services, with a focus on the behavioral health needs of at-risk children and adolescents. The intent is for these programs to assist schools districts and maximize the number of school districts served in diverse regions of the state.
3. Funding a member HRI for full-time psychiatrists to serve as academic medical director at a community mental health provider and supervise two new resident rotation positions at those facilities.
4. Funding a member HRI for child and adolescent psychiatry fellowships. This funding would increase a member HRI's fellowship positions and not be used to replace existing funding for the institution.

The General Appropriations Act includes \$99 million appropriated to THECB for the purpose of implementing the provisions of the Texas Child Mental Health Care Consortium. The Consortium is required to submit a plan to implement the initiatives for approval to the Legislative Budget Board by November 30, 2019.

Texas A&M University – San Antonio

HB 1439 by Pacheco/Flores - Relating to the intercollegiate athletics fee at Texas A&M University--San Antonio. Filed on February 6, 2019. Senator Pete Flores filed the companion bill SB399. The house bill was given a hearing on the third of April, while the senate bill was heard later, on the 9th of May. The House bill was ultimately passed on the 27th of May and was given immediate effect. HB 1439 allows a fee not to exceed \$10 per semester credit hour. The bill also provides that the fee must be approved by a majority of the student body in an election as well as providing a limit of 5% on any fee increase if approved by student body vote.

The Texas A&M University San Antonio student body held a campus referendum on the issue of an Athletics fee back in January of 2019. The proposed athletics fee passed with overwhelming support

from the student body. The fee will now go before the Texas A&M System Board of Regents at their August board meeting.

Once the proposed fee is instituted on campus the current plan is for the university to enter the National Association of Intercollegiate Athletics (NAIA) and the Red River Conference. Plans also include starting the university athletics program with men's and women's Soccer, as well as offerings for Golf, Softball, and even E-Sports. TAMU San Antonio plans to begin competition by August of 2020.

Texas A&M AgriLife Research

HB 1325 – T. King/Perry – Relating to the production and regulation of hemp and products made from hemp. House Bill 1325 amends current law relating to the production of hemp; requires occupational licenses; authorizes fees and inspections; creates criminal offenses; and provides civil and administrative penalties. The bill requires the Texas Department of Agriculture (TDA), after consulting with the governor and Texas attorney general, to develop a state plan to monitor and regulate the production of hemp in this state. Requires the plan to comply with (1) 7 U.S.C. Section 1639p; (2) Chapter 122, Agriculture Code; and (3) Chapter 443, Health and Safety Code. The bill authorizes TDA to adopt any rules necessary to implement and administer the state plan. Among other requirements, the bill requires TDA to adopt rules to (1) prescribe sampling, inspection, and testing procedures, including standards and procedures for the calibration of laboratory equipment, to ensure that the delta-9 tetrahydrocannabinol concentration of hemp plants cultivated in this state is not more than 0.3 percent on a dry weight basis; and (2) provide due process consistent with Chapter 2001, Government Code, including an appeals process. The bill clarifies authorities by amending Chapter 141, Agriculture Code, to authorize the Texas Feed and Fertilizer Control Service (Office of the Texas State Chemist) to adopt rules authorizing, defining, and controlling the use of hemp and hemp products in commercial feed.

Texas A&M AgriLife Extension Service

HB 191 by Stephenson/Kolkhorst – Relating to the disposal of pesticides. House Bill 191 amends the Agriculture Code to require TDA to organize pesticide waste and pesticide container collection activities statewide in coordination with the Texas Commission on Environmental Quality and the Texas A&M AgriLife Extension Service and to authorize those entities to contract for services to implement those activities and facilitate the collection of unwanted pesticide products and pesticide containers. The bill creates the pesticide disposal fund to be administered by the TDA to fund those activities, provides for the deposit of pesticide registration fees to the fund, not to exceed \$400,000, and prohibits TDA from increasing such a fee for purposes related to those activities.

HB 2325 by Metcalf/Hancock – Relating to information and communication of governmental and other entities regarding disasters and health and human services. House Bill 2325 amends the

Government Code to provide for the following, among other provisions, with respect to disaster preparedness and response: (1) the coordination of state and local government, including in consultation with the Texas A&M AgriLife Extension Service, 9-1-1 text message capabilities; (2) the development of standards for the use of social media as a communication tool by governmental entities during and after a disaster; (3) the development of a mobile application and a comprehensive disaster web portal to facilitate communication of critical information during and following a disaster; (4) a study and report on the use of a standard communication format by first responders to create a common interoperable operating framework during a disaster; (5) annual disaster preparedness community outreach by certain governmental entities; and (6) the purchase of information technology commodity items to assist in providing disaster education or preparing for a disaster. The Texas Division of Emergency Management (TDEM) shall submit a report on the findings of the standard communication format study to the governor, lieutenant governor, and members of the legislature by September 1, 2020.

HB 2340 by Dominguez/Johnson – Relating to emergency and disaster management, response, and recovery. House Bill 2340 amends the Government Code to (1) establish the unmanned aircraft study group to study and report (report due by November 1, 2020) on issues related to the appropriate use of unmanned aircraft in responding to and recovering from a disaster; (2) require TDEM to establish a work group of certain state agencies and institutions of higher education involved in disaster management to develop and report recommendations for improving the manner in which electronic information is stored by and shared among state agencies to improve the capacity of the agencies to respond to a disaster; (3) require TDEM to form a task force, including the Texas A&M AgriLife Extension Service, to be activated when a state of disaster is declared because of weather conditions to expedite environmental permitting and access to funds from federal disaster relief programs and to develop recommendations for performing that action; and (4) require the Office of State-Federal Relations to study and report (report due by November 1, 2020) on federal laws and policies related to issues affecting the ability of federal and state agencies and local governments to cooperate in responding to a disaster.

SB 6 by Kolkhorst/Morrison – Relating to emergency and disaster management, response, and recovery. Senate Bill 6 amends the Government Code to require TDEM to develop a model guide for local officials regarding disaster response and recovery. The guide must provide a comprehensive approach to disaster recovery by local officials and include (1) contracting for debris removal; (2) obtaining federal disaster funding (3) coordinating the availability and construction of short-term and long-term housing; and (4) obtaining assistance from local, state, and federal volunteer organizations. TDEM in consultation with Texas A&M AgriLife Extensive Service and Texas A&M Engineering Extension Service, shall provide training based on the disaster response guide as part of the emergency management training course. Senate Bill 6 also includes provisions related to (1) catastrophic debris management plan, guide and training; (2) a wet debris study group and report (report due by November 1, 2020); (3) an emergency management work group to study and develop a proposal (proposal due by November 1, 2020) for enhancing training and credentialing of certain emergency management personnel; (4) a disaster recovery loan program and account; and (5) a study and report (report due September 1, 2020) to determine the feasibility of a single intake form to obtain disaster assistance from multiple state and federal programs.

SB 743 by Hall/Buckley – Relating to the Texas Olive Oil Industry Advisory Board. Senate Bill 743 amends the Agriculture Code to create the Texas Olive Oil Industry Advisory Board to assist the Department of Agriculture in assessing, promoting, and expanding the olive and olive oil industry in Texas. The Texas Department of Agriculture Commissioner appoints the nine-member board, with one member being a representative of the Texas A&M AgriLife Extension Service.

SB 986 Kolkhorst/Phelan – Relating to contract management standards and information for contracts related to emergency management. Senate Bill 986 amends the Government Code to require the comptroller of public accounts to update the contract management guide to include contract management standards and information for contracts related to emergency management. The comptroller shall develop the standards in consultation with TDEM, Texas A&M AgriLife Extension Service, Texas A&M Engineering Extension Service, and local governmental entities.

Texas A&M Forest Service

HB 2963 by Clardy/Nichols – Relating to the conveyance of certain state forest land in Cherokee County under the control of the board of regents of The Texas A&M University System. House Bill 2963 authorizes the Texas A&M University system Board of Regents to convey certain property in Cherokee County and requires the conveyance to be a fee title to the surface and provides that it is exclusive of all mineral rights.

HB 3070 by K. King/Zaffirini –Relating to grants for emergency assistance under the rural volunteer fire department assistance program. House Bill 3070 amends the Government Code to authorize a volunteer fire department whose firefighting equipment is damaged or lost in responding to a declared disaster under Section 418.014 to request emergency assistance under the rural volunteer fire department assistance program for (1) the replacement or repair of damaged or lost personal protective equipment or other firefighting equipment; and (2) the purchase of a machine to clean personal protective equipment. The bill provides for a minimum annual allocation of 10 percent of appropriations from the volunteer fire department assistance fund for use in providing such emergency assistance. In the event the emergency assistance requested in a fiscal year is less than the amount allocated, the remaining amount may be used for other types of requests for assistance.

SB 345 by Creighton/Toth –Relating to the use of land in the William Goodrich Jones State Forest. Senate Bill 345 amends the Education Code to require that the entire territory of the William Goodrich Jones State Forest remain natural, scenic, undeveloped, and open in a manner that maintains the forest's tree canopy cover and to prohibit the enforcement of any statute, rule, policy, or ordinance with respect to the forest territory unless it protects and conserves the forest's natural resources, air quality, or water quality. The bill specifies that the Texas A&M Forest Service may demonstrate reforestation and forest management at Jones State Forest.

SB 619 by Birdwell/Paddie – Relating to the sunset review process and certain governmental entities subject to that process. Senate Bill 619 adjusted the Sunset dates for several state agencies, established or changed provisions related to certain limited-scope reviews, and other Sunset review processes. The Texas A&M Forest Service’s Sunset date was moved up to 2021 in the filed version of the bill. During session the date was moved back to 2023.

Texas A&M Transportation Institute

SB 604 by Buckingham et al./Paddie (HB 1541) – Relating to the continuation and functions of the Texas Department of Motor Vehicles and to the operations of certain other entities performing functions associated with the department. Senate Bill 604, as substituted, amends several Codes, but specifically requires Texas Department of Motor Vehicles (TxDMV) to organize a study, using existing funds, on the following: (i) impact of the alternatively fueled vehicles (AFVs) industry on the state; (ii) options available to the state for collecting fees from owners of AFVs to replace the loss of revenue from motor fuel taxes; (iii) feasibility and desirability of establishing a fee for AFVs. This legislation is referred to as, “the DMV Sunset bill.”

Texas A&M Transportation Institute (TTI) is not specified in the bill, however TTI research and resources were provided during the legislative process. Effective 01 September 2019.

SB 616 by Birdwell et al./Paddie (HB 1530) – Relating to the continuation and functions of the Department of Public Safety of the State of Texas, the conditional transfer of the driver licensing program to the Texas Department of Motor Vehicles, the abolition of the Texas Private Security Board, the transfer of the motorcycle and off-highway vehicle operator training programs to the Texas Department of Licensing and Regulation, and the regulation of other programs administered by the Department of Public Safety; imposing an administrative penalty; authorizing and repealing the authorization for fees. Senate Bill 616, as passed, amends several Codes, but specifically names Texas A&M Transportation Institute (TTI) and Texas A&M Engineering Extension Service (TEEX) by amending the Transportation Code. This legislation is referred to as, “the DPS Sunset bill.” Certain elements of the legislation pertaining TTI and TEEX reference the following: (i) transferring equipment; (ii) motorcycle safety advisory board composition; (iii) licensing of motorcycle safety schools and instructors; (iv) research, advocacy and education.

TTI research and resources were provided during the legislative process. Effective 01 September 2019, except certain parts which take effect immediately.

SB 1076 by Watson/Israel (HB 4218) – Relating to imposing an additional fee for the registration of an alternatively fueled vehicle. Senate Bill 1076, as filed, amends the Transportation Code by requiring Texas Department of Motor Vehicles (TxDMV) to develop a methodology to calculate the fee – based on the average estimated tax – an alternatively fueled vehicle (AFV) type (ie, sedan, SUV, truck) would pay annually at discounted 15 to 25 percent.

During the legislative process, Texas A&M Transportation Institute (TTI) research and resources were provided to staff for the bill author and committees and Legislative Budget Board (LBB). However, this bill was *ultimately not passed*.

SB 1216 by Schwertner – Relating to imposing an additional fee for the registration of an alternatively fueled vehicle. Senate Bill 1216, as filed, amends the Transportation Code by requiring Texas Department of Motor Vehicles (TxDMV) to create a fee for alternatively fueled vehicles (AFVs) – based on vehicle miles traveled – and determining a rate similar to the amount a gasoline powered/traditionally fueled vehicle would pay for the gas tax as a means for imposing an additional fee for the registration of all AFVs.

During the legislative process, Texas A&M Transportation Institute (TTI) research and resources were provided to staff for the bill author and committees and Legislative Budget Board (LBB). However, this bill was *ultimately not passed*.

SB 1272 by Watson – Relating to the transfer of the motorcycle and off-highway vehicle operator training programs to the Texas Department of Licensing and Regulation. Senate Bill 1272, as filed, amends the Transportation Code by inserting new language which specifies for Texas A&M Transportation Institute (TTI) to: (i) codify the “Motorcycle Safety Advisory Board” and include a representative thereto from Texas A&M Transportation Institute (TTI); (ii) conduct research on motorcycle safety specifically for this state; (iii) provide advocacy on motorcycle safety issues in this state; (iv) provide education to the public on motorcycle safety issues in this state.

During the legislative process, TTI research and resources were provided to staff for the bill author and committees and Legislative Budget Board (LBB). However, this bill was *ultimately not passed*.

SB 1471 by Powell – Relating to imposing an additional fee for the registration of electric and hybrid vehicles. Senate Bill 1471, as filed, amends the Transportation Code by tasking the Comptroller of Public Accounts, in collaboration with Texas A&M Transportation Institute (TTI), with creating a special registration fee specifically for hybrid and electric vehicles (ie, alternatively fueled vehicles/AFVs) and ensuring that the proceeds of which are to be allocated to the State Highway Fund.

During the legislative process, TTI research and resources were provided to staff for the bill author and committees and Legislative Budget Board (LBB). However, this bill was *ultimately not passed*.

HB 260 by Blanco et al. – Relating to the creation of a cross-border motor vehicle traffic congestion web portal. House Bill 260, as filed, amends the Transportation Code by requiring Texas Department of Transportation (TxDOT) to create and maintain, in collaboration with Texas A&M Transportation Institute (TTI), a publicly accessible online portal designed to provide real-time information on motor vehicle movements at ports of entry on the Texas-Mexico border for the purpose of alleviating cross-border motor vehicle traffic congestion.

During the legislative process, TTI research and resources were provided to staff for the bill author and committees and Legislative Budget Board (LBB). However, this bill was *ultimately not passed*.

HB 270 by Israel/Watson (SB 271) – Relating to authority for certain state employees to work flexible hours and to work from home or other authorized alternative work sites. House Bill 270, as filed, amends the Government Code by requiring Texas Department of Transportation (TxDOT) to compile a report, in collaboration with Texas A&M Transportation Institute (TTI), about policies that authorizes state employees to be permitted to work from an alternative work site, including the employee's personal residence, as the employee's regular or assigned temporary place of employment.

During the legislative process, TTI research and resources were provided to staff for the bill author and committees and Legislative Budget Board (LBB). However, this bill was *ultimately not passed*.

HB 1720 by Blanco et al. – Relating to a study on the impacts of using certain motor vehicle technologies. House Bill 1720, as substituted, requires Texas Department of Transportation (TxDOT) and Department of Public Safety (DPS) to jointly conduct a study on the following: (i) the potential benefits of using automated driving systems and connected driving systems, as defined by the bill, in alleviating motor vehicle traffic congestion at ports of entry between Texas and the United Mexican States; (ii) the overall impact of using automated driving systems and connected driving systems on the transportation industry workforce, including the effects on driver and public safety.

During the legislative process, Texas A&M Transportation Institute (TTI) research and resources were provided to staff for the bill author and committees and Legislative Budget Board (LBB). However, this bill was *ultimately not passed*.

HB 2254 by Israel – Relating to a study by the Texas A&M Transportation Institute on the collection of road use fees from owners of alternatively fueled vehicles. House Bill 2254, as filed, requires Texas A&M Transportation Institute (TTI) to conduct a study pertaining to impacts of the alternatively fueled vehicle industry on this state and options available to the state for collecting road use fees from owners of alternatively fueled vehicles. Examination pertaining to traditional and alternative fueled vehicles includes the following: (i) current revenue generated from motor fuel taxes; (ii) net revenue generated by fees and taxes; (iii) average number of miles traveled; (iv) projected revenue to the state for each method examined; (v) methods by which other states generate revenue from alternatively fueled vehicles; (vi) alternative methods for determining and collecting road use fees from owners of alternatively fueled vehicles.

During the legislative process, TTI research and resources were provided to staff for the bill author and committees and Legislative Budget Board (LBB). However, this bill was *ultimately not passed*.

HB 2715 by Rodriguez – Relating to a study by the Texas Department of Transportation on shared motor-assisted scooters. House Bill 2715, as substituted, amends the Transportation Code by requiring Texas Department of Transportation (TxDOT), in consultation with Texas A&M Transportation Institute (TTI) or other institutions of higher education, local governments, or industry representatives, to conduct a study on the use of shared motor-assisted scooters.

A budget rider was submitted to the House Appropriations Committee for House Bill 1 (General Appropriations Act, Fiscal Years 2020-2021) as a source of necessary funds to TTI for implementing this legislation, if enacted, but the budget rider was not ultimately adopted.

During the legislative process, TTI research and resources were provided to staff for the bill author and committees and Legislative Budget Board (LBB). However, this bill was *ultimately not passed*.

HB 2802 by Darby et al. – Relating to the amounts, availability, and use of certain statutorily dedicated revenue and accounts. House Bill 2802, as engrossed, amends several Codes, by modifying provisions governing dedicated revenues that are available for budget certification, exclude certain funds from budget certification, and revise the uses of certain funds. During floor debate, St. Rep. Kyle Kacal successfully added Amendment #4 (language from his standalone HB 3249) which inserted new language requiring Texas A&M Transportation Institute (TTI) to conduct certain studies.

During the legislative process, TTI research and resources were provided to staff for the bill author and committees and Legislative Budget Board (LBB). However, this bill was ultimately not passed.

HB 2855 by Landgraf – Relating to a study by the Texas A&M Transportation Institute on the impacts to state and local roads and bridges from increasing maximum weight limits for certain vehicles transporting sand. House Bill 2855, as substituted, amends Transportation Code by requiring Texas A&M Transportation Institute (TTI) to conduct a study on the impacts to state and local infrastructure, traffic, and safety of increasing the maximum allowable weight for commercial motor vehicles (ie, tractor-trailers) transporting sand in areas already experiencing a high-saturation of traffic affiliated with oil and gas industry operators.

A budget rider was submitted to the House Appropriations Committee for House Bill 1 (General Appropriations Act, Fiscal Years 2020-2021) as a source of necessary funds to TTI for implementing this legislation, if enacted, but the budget rider was *not ultimately adopted*.

During the legislative process, TTI research and resources were provided to staff for the bill author and committees and Legislative Budget Board (LBB). However, this bill was *ultimately not passed*.

HB 3249 by Kacal – Relating to the use of Texas emissions reduction plan funds for a study conducted by the Texas A&M Transportation Institute. House Bill 3249, as substituted, amends the Health and Safety Code by providing funding capped at \$250,000 from certain money appropriated to the Texas Commission on Environmental Quality (TCEQ) to be used for programs under the Texas emissions reduction plan (TERP) to contract with Texas A&M Transportation Institute (TTI) for a study to do the following: (i) evaluate the relationship between traffic congestion and ozone precursors; (ii) identify effective strategies in reducing nitrogen oxide emissions from varying modes of transportation sources.

During the legislative process, TTI research and resources were provided to staff for the bill author and committees and Legislative Budget Board (LBB). However, this bill was *ultimately not passed*.

HB 3469 by Wilson – Relating to a study by the Texas Department of Transportation on the feasibility of charging a pavement consumption fee for the operation of certain motor vehicles on public

highways. House Bill 3469, as substituted, amends the Transportation Code by directing Texas Department of Transportation (TxDOT), in consultation with University of Texas Center for Transportation Research (UT-CTR) and Texas A&M Transportation Institute (TTI), to study the feasibility of a pavement consumption fee imposed on commercial motor vehicles (ie, tractor-trailers) as a funding mechanism for roadway repair and maintenance that proportionally assesses the amount of inflicted damage and deterioration.

A budget rider was submitted to the House Appropriations Committee for House Bill 1 (General Appropriations Act, Fiscal Years 2020-2021) as a source of necessary funds to TTI for implementing this legislation, if enacted, but the budget rider was not ultimately adopted.

During the legislative process, TTI research and resources were provided to staff for the bill author and committees and Legislative Budget Board (LBB). However, this bill was *ultimately not passed*.

Texas A&M Engineering Experiment Station

Texas Emission Reduction Program (TERP). A total of 3 senate bills and 11 house bills were filed relating to statutorily dedicated and funding sources for programs administered using the available balance of TERP account, which is a statutorily dedicated source of funding for conducting legislatively mandated duties by Texas A&M Engineering Experiment Station (TEES) Energy Systems Laboratory (ESL).

The following legislation was filed regarding TERP: *(i) Senate Bills 531 by Birdwell, 765 by Menendez, 2154 by Zaffirini; (ii) House Bills 1043 by Blanco, 1345 by Ed Thompson, 1507 by Minjarez, 1746 by Lozano, 2094 by Ed Thompson, 2581 by Reynolds, 2802 by Darby, 3249 by Kacal, 3745 by Bell, 3802 by Guillen, 4378 by Ed Thompson.*

During the legislative process, TEES research and resources were provided to staff for the bill author and committees and Legislative Budget Board (LBB). However, all except one bill was ultimately not passed. HB 3745 by Bell et al. takes effect on 20 August 2019, except certain parts which take effect on 01 September 2021.

Emergency Management and Disaster Preparedness/Mitigation/Operations/Response/Recovery. A total of 4 senate bills and 1 house bill were filed relating to natural disasters and emergency management policy issues which were identified as part of the “Governor’s Commission to Rebuild Texas” (GCRT) in response to Hurricane Harvey in 2018 and referenced Texas A&M Engineering Experiment Station (TEES) respectively.

The following legislation was filed regarding natural disasters and emergency management: (i) Senate Bills 6 by Kolkhorst, 799 by Alvarado, 1668 by Kolkhorst; (ii) House Bill 2794 by Morrison.

During the legislative process, TEES research and resources were provided to staff for the bill author and committees and Legislative Budget Board (LBB). However, SB 1668 was ultimately not passed. SB 6 takes effect on 01 September 2019 and HB 2794 takes effect immediately. SB 799 takes effect on 01 September 2019, except certain parts which take effect immediately.

Texas A&M Engineering Extension Service

SB 616 by Birdwell et al./Paddie (HB 1530) – Relating to the continuation and functions of the Department of Public Safety of the State of Texas, the conditional transfer of the driver licensing program to the Texas Department of Motor Vehicles, the abolition of the Texas Private Security Board, the transfer of the motorcycle and off-highway vehicle operator training programs to the Texas Department of Licensing and Regulation, and the regulation of other programs administered by the Department of Public Safety; imposing an administrative penalty; authorizing and repealing the authorization for fees. Senate Bill 616, as passed, amends several Codes, but specifically names Texas A&M Transportation Institute (TTI) and Texas A&M Engineering Extension Service (TEEX) by amending the Transportation Code. This legislation is referred to as, “the DPS Sunset bill.” Certain elements of the legislation pertaining TTI and TEEX reference the following: (i) transferring equipment; (ii) motorcycle safety advisory board composition; (iii) licensing of motorcycle safety schools and instructors; (iv) research, advocacy and education.

TTI research and resources were provided during the legislative process. Effective 01 September 2019, except certain parts which take effect immediately.

Skills Development Fund (SDF). A total of 2 senate bills and 3 house bills were filed relating to the use of Skills Development Fund grants from Texas Workforce Commission (TWC), which is a statutorily defined source of eligible funding for Texas A&M Engineering Extension Service (TEEX).

The following legislation was filed regarding SDF: (i) Senate Bills 352 by Powell, 1724 by Campbell; (ii) House Bills 700 by Guillen, 1469 by Thierry, 1472 by Thierry.

During the legislative process, TEEX research and resources were provided to staff for the bill author and committees and Legislative Budget Board (LBB). However, all except one bill was ultimately not passed. HB 700 by Guillen et al. takes effect on 01 September 2019.

Emergency Management and Disaster Preparedness/Mitigation/Operations/Response/Recovery. A total of 3 senate bills and 4 house bills were filed relating to natural disasters and emergency management policy issues which were identified as part of the “Governor’s Commission to Rebuild Texas” (GCRT) in response to Hurricane Harvey in 2018 and referenced Texas A&M Engineering Extension Service (TEEX) respectively.

The following legislation was filed regarding natural disasters and emergency management: (i) Senate Bills 6 by Kolkhorst, 799 by Alvarado, 986 by Kolkhorst; (ii) House Bills 5 by Phelan, 6 by Morrison, 2325 by Metcalf, 2794 by Morrison.

During the legislative process, TEEX research and resources were provided to staff for the bill author and committees and Legislative Budget Board (LBB). All these bills were passed, but each have the following

effective dates: SBs 6 and 986 as well as HBs 5, 6 and 2325 all take effect on 01 September 2019. HB 2794 takes effect immediately. SB 799 takes effect on 01 September 2019, except certain parts which take effect immediately.

Texas Division of Emergency Management

HB 2794 by Morrison/Kolkhorst – Relating to the administration of emergency management in this state. HB 2794 transferred the Texas Division of Emergency Management from the Department of Public Safety to the Texas A&M University System as an agency of the System. This bill is in direct response to recommendation #1 of *Eye of the Storm: Report of the Governor’s Commission to Rebuild Texas*. The change is intended to improve the State’s response to natural disasters and was one of the recommendations from the Governor’s Commission to Rebuild Texas.

Overview of Key Higher Education Legislation

Academic Affairs Related Legislation

TEA/Dual Credit/Community College Related/Transfer

HB 539 by Leman/Kolkhorst - Relating to the automatic admission to general academic teaching institutions and eligibility for certain scholarships of a student who is the valedictorian of the student's high school graduating class. This bill requires each general academic teaching institution to admit an applicant for admission to the institution as an undergraduate student if the applicant graduated as the valedictorian of the student's high school graduating class in one of the two school years preceding the academic year for which the student is applying for admission and satisfies certain other criteria for automatic admission. The bill establishes that a valedictorian applicant admitted under this requirement is considered automatically admitted for purposes of statutory automatic admission procedures. The bill makes a student who graduated from a public or accredited private high school in Texas as the valedictorian of the student's graduating class and who meets other applicable criteria eligible for the scholarship program for students graduating in the top 10 percent of their high school class. The bill's provisions apply beginning with admissions to a general academic teaching institution and with scholarships awarded, as applicable, for the 2019-2020 academic year.

HB 1891 by Stucky/Powell - Relating to an exemption from the assessment requirements of the Texas Success Initiative for students who achieve certain scores on certain high school equivalency examinations. This bill exempts a student who has achieved a score set by the Texas Higher Education Coordinating Board on a high school equivalency examination from testing requirements under the Texas Success Initiative. The bill requires the commissioner of higher education by rule to establish the period for which an exemption under the bill's provisions is valid. The bill applies beginning with the assessment of entering undergraduate students at public institutions of higher education for the 2020 fall semester.

HB 3217 by Ashby/Paxton - Relating to certain eligibility requirements for issuance of a teaching certificate. This bill removes the specification that the academic major or interdisciplinary academic major of a bachelor's degree that satisfies State Board for Educator Certification (SBEC) rules requiring a bachelor's degree for certain teaching certificates is a major other than education. The bill removes the prohibition against the SBEC requiring more than 18 semester credit hours of education courses at the baccalaureate level for the granting of a teaching certificate.

HB 3650 by Turner/Creighton - Relating to an agreement between a school district and public institution of higher education to provide a dual credit program to high school students enrolled in the

district. This bill amends current law relating to an agreement between a school district and public institution of higher education to provide a dual credit program to high school students enrolled in the district. Further it seeks to take advantage of this option by requiring an agreement to establish a dual credit program to include a requirement for the partner institutions to consider the use of such resources.

HB 3808 by Walle/Powell - Relating to the filing of a degree plan by students at public institutions of higher education. This bill decreases from 45 credit hours to 30 credit hours the minimum semester credit hours earned by a student enrolled at a public institution of higher education in an associate or bachelor's degree program that trigger the requirement to file a degree plan with the institution.

The bill includes each student enrolled in a course for joint high school and junior college credit in this degree plan requirement and makes conforming changes to a provision relating to a student enrolled in a multidisciplinary studies associate degree program established at a junior college. Finally it replaces the authorization for the Texas Higher Education Coordinating Board to adopt rules as necessary for the administration of the provisions requiring the filing of a degree plan with a requirement for the coordinating board to do so and requires those rules to include rules to ensure compliance with these provisions.

SB 25 by West/Turner - Relating to measures to facilitate the transfer, academic progress, and timely graduation of students in public higher education. This bill requires each general academic teaching institution and public junior college, no later than March 1 of each year, to provide to the coordinating board and the legislature a report describing any courses for which a student who transfers to the institution from another institution is not granted academic credit at the receiving institution. The bill requires the report to include the reason why the receiving institution did not grant academic credit for the course.

This bill requires the coordinating board to ensure that applicants to an institution may indicate on their application their consent, to allow other public institutions of higher education to which they hadn't applied but have the same degree program, to grant them admission if the original institution denies them admission to that degree program.

This bill requires students enrolled in dual credit while in high school to file a degree plan after reaching 15 semester credit hours and it requires students who may not have been enrolled in dual credit but ultimately become enrolled at an institution of higher education to file a degree plan after the student reaches 30 semester credit hours.

This bill further requires each public institution of higher education to develop at least one recommended course sequence for each undergraduate certificate or degree program offered by the institution and requires each recommended course sequence to meet specified criteria. The bill requires each institution to include the recommended course sequences in the institution's course catalog and on the institution's website and to submit the recommended course sequences to the coordinating

board as provided by coordinating board rule. In easing transfer related activities this bill allows 4 year and 2 year institutions to reach articulation agreements with each other as well.

Another component of this bills allows for the release of student ~~of~~ information to an institution for purposes of transferring course credit to that institution or enabling the awarding of course credit by that institution, in accordance with federal law regarding the confidentiality of student information and any state law relating to the privacy of student information.

Finally this bill requires the coordinating board to conduct a study and make recommendations to the legislature regarding the feasibility of implementing statewide meta majors for public institutions of higher education and to establish an advisory committee to assist the coordinating board in completing the board's duties relating to the study and provide the coordinating board with subject matter expertise and analysis. Recommendations on the feasibility of meta-majors will be provided to the Legislature no later than October of 2020.

SB 502 by Seliger/Howard - Relating to requiring certain institutions of higher education to issue reports on the transferability of credit. This bill will better inform students and institutions of higher education around the state as to the reason a course credit was not accepted. Specifically, it requires credit receiving institutions to report the reason the institution did not grant academic credit for the course, the course name and type, and which institution provided the academic course credit

SB 1276 by Powell/Frullo - Relating to an agreement between a school district and public institution of higher education to provide a dual credit program to high school students enrolled in the district. This bill requires an agreement, including a memorandum of understanding or articulation agreement, between a public school district and a public institution of higher education to provide dual credit program to: ; establish common advising strategies and terminology related to dual credit and college readiness; ; provide for the alignment of endorsements offered by the district and dual credit courses offered under the agreement that apply towards those endorsements with postsecondary pathways and credentials at the institution and industry certifications; and finally identify tools to assist school counselors, students, and families in selecting endorsements offered by the district and dual credit courses offered under the agreement

SB 1324 by Taylor/Turner - Relating to the filing of a degree plan by students at public institutions of higher education. This bill requires a student enrolled in a course for joint high school and junior college credit at a public junior college and to whom certain degree plan requirements for a student enrolled in an associate or bachelor's degree program do not apply to file a degree plan with the college not later than the end of the second regular semester or term immediately following the semester or term in which the student earned a cumulative total of 15 or more semester credit hours of course credit for dual credit courses successfully completed by the student; or if the student begins the student's first semester or term at the college with 15 or more semester credit hours of course credit for dual credit courses successfully completed by the student, the end of the student's second regular semester or term at the college.

General Bills

HB 277 by Oliverson/Creighton - Relating to a requirement that online admission application forms for public institutions of higher education include a link to certain comparative gainful employment data.

This bill requires an electronic common admission application form adopted by the Texas Higher Education Coordinating Board (THECB) or by the governing board of a university system to include a prominent link to comparative gainful employment data regarding institutions of higher education, including certain information prepared by the Texas Education Agency, on a website maintained by THECB or the governing board, using data compiled by the applicable board in coordination with the Texas Workforce Commission.

HB 476 by Howard/Menendez - Relating to certain duties of public institutions of higher education and the Department of State Health Services regarding policies on the use of epinephrine auto-injectors by public institutions of higher education. This bill requires each public institution of higher education that adopts a policy regarding the maintenance, storage, administration, and disposal of epinephrine auto-injectors on the institution's campus to include the policy in the institution's student handbook or similar publication and to publish the policy on the institution's website. The bill requires an institution that adopts such a policy to submit to the Department of State Health Services (DSHS) a copy of the policy and any amendment to the policy adopted by the institution. The bill requires DSHS to maintain a record of the most recent policy and amendments submitted by each institution and to make that information available to the public on request.

HB 3601 by Bell/Menendez - Relating to the accreditation by the Texas Higher Education Coordinating Board of competency-based education degree plans for members of the Texas military forces. This bill authorizes the Texas Higher Education Coordinating Board to approve a public institution of higher education recognized by the coordinating board to offer a degree in coordination with the Texas Military Department that uses alternative methods of determining mastery of program content, including competency-based education. The bill establishes eligibility requirements for such a degree, including satisfying the minimum active military service obligation for certain types of degrees based on the number of years of service. The bill authorizes the coordinating board to propose rules to establish requirements under which a person's training and experience acquired during military service and verified by the department serve as proof of the person's demonstration of subject matter knowledge. The bill applies beginning with degree plans offered for enrollment for the 2020-2021 academic year.

HB 3652 by Turner/Creighton - Relating to the creation of a state repository for open educational resources by the Texas Higher Education Coordinating Board. This bill requires the Texas Higher Education Coordinating Board to contract with a high-quality open educational resource repository to develop and maintain a web portal customized to meet the needs of individual institutions of higher education, students, and others who may benefit from access to open educational resources and to set

out related requirements. The bill requires resources developed with state funds to be made available under a Creative Commons license and submitted for use through the portal. The bill authorizes a publisher to submit instructional materials for inclusion in a repository available through the portal and the coordinating board to request the assistance of the Learning Technology Advisory Committee to establish, maintain, and market the web portal. The bill requires the coordinating board to develop the web portal not later than September 1, 2020.

HB 3655 by Turner/Buckingham - Relating to the administration and operation of the state's programs for paying, prepaying, or saving toward the costs of attending an institution of higher education. This bill requires certain specified statutory requirements applicable to the Prepaid Higher Education Tuition Board under the prepaid higher education tuition program also to apply to the board for purposes of the higher education savings plan, Texas tomorrow fund II, Texas save and match program, and Texas achieving a better life experience program.

SB 1017 by Powell/Guerra - Relating to the creation of the advisory council on postsecondary education for persons with intellectual and developmental disabilities. This bill changes the frequency with which the Texas Higher Education Coordinating Board is required to update the coordinating board inventory of postsecondary educational programs and services provided for persons with intellectual and developmental disabilities by public institutions of higher education from once every two years to annually. The bill requires the coordinating board, with the assistance of the advisory council established by the bill, to periodically review the policies and practices that increase access to higher education opportunities for such persons and to distribute educational outreach materials developed by the advisory council to increase awareness regarding those opportunities.

SB 1441 by Zaffirini/Turner - Relating to a study by the Texas Higher Education Coordinating Board comparing postsecondary educational outcomes for certain traditional and nontraditional students. This bill requires the Texas Higher Education Coordinating Board to conduct a study, disaggregated by the high school equivalency examination completed, comparing postsecondary educational outcomes for students enrolled at public institutions of higher education who received a high school diploma and students enrolled at those institutions who received a high school equivalency certificate. The bill requires the coordinating board, not later than December 1, 2020, to submit to the governor, the lieutenant governor, and the speaker of the house of representatives a report on the results of the study and any recommendations for legislative or other action. The bill's provisions expire September 1, 2021.

Financial Aid Related Legislation

HB 766 by Huberty/Watson - Relating to exemptions for disabled peace officers and fire fighters from payment of tuition and fees at public institutions of higher education. This bill requires Texas' public institutions of higher education to waive the tuition and fees for the children of peace officers and firefighters who became disabled or were killed in the line of duty. The Education Code also creates an optional tuition exemption for the disabled peace officers themselves and amends current law relating to exemptions for disabled peace officers and fire fighters from payment of tuition and fees at public institutions of higher education

HB 2140 by Neave/Powell - Relating to creating an electronic application system for state student financial assistance. This bill requires the Texas Higher Education Coordinating Board to adopt procedures to allow a person to complete and submit the Texas Application for State Financial Aid (TASFA) or a similar application for state student financial assistance by electronic submission through the website through which the coordinating board provides the common admission application form. The bill requires the coordinating board to appoint an advisory committee composed of financial aid personnel at public institutions of higher education and stakeholders who represent the needs of interested students to assist the coordinating board in adopting the procedures and to develop recommendations for that purpose.

HB 2261 by Walle/Hinojosa - Relating to the physician education loan repayment program. This bill increases the maximum amount of education loan repayment assistance a qualifying physician may receive for each year for which the physician establishes eligibility for the assistance. The bill raises the cap on the total amount of repayment assistance made to an individual physician from \$160,000 to \$180,000.

HB 2668 by Turner/Paxton - Relating to the dissolution of a direct-support organization established by the Prepaid Higher Education Tuition Board and the transfer of funds related to prepaid higher education tuition scholarships to the Texas Save. This bill authorizes the comptroller of public accounts to dissolve a direct-support organization established by the Prepaid Higher Education Tuition Board for the purpose of awarding prepaid higher education tuition scholarships if the comptroller determines that the purpose of the organization has been substantially complied with and orders the dissolution. The bill transfers title to all funds and property held by a dissolved direct-support organization to the Texas Match the Promise Foundation or a successor entity on dissolution of the organization.

SB 16 by Hancock/Stucky - Relating to a student loan repayment assistance program for certain persons who agree to employment as full-time peace officers in this state. This bill requires the Texas Higher Education Coordinating Board to establish and administer a program to provide loan repayment assistance in the repayment of eligible loans for eligible persons who agree to continued employment as full-time peace officers in Texas for a specified period. The bill sets out eligibility requirements for receiving loan repayment assistance for the first year for which a person seeks the assistance, including application, education, and employment requirements. The bill makes a person eligible to continue to receive loan repayment assistance in a subsequent year after initially qualifying for the assistance on the condition that the person annually submit an application in the manner and on a form prescribed by coordinating board rule that requires employer verification of the person's continuous employment as a full-time peace officer in Texas for the year ending immediately before the application submission date. The bill limits the period during which a person may receive the assistance to five years.

SB 37 by Zaffirini/Krause - Relating to the abolition of student loan default or breach of a student loan repayment or scholarship contract as a ground for nonrenewal of professional license. This bill prohibits an occupational licensing authority of the state or a political subdivision from taking disciplinary action against a person based on the person's default on a student loan or breach of a student loan repayment contract or scholarship contract.

SB 1192 by West/Turner - Relating to the Texas college work-study program and to establishing a program for the off-campus employment of certain students at public or private institutions of higher education. This bill establishes the Texas Working Off-Campus: Reinforcing Knowledge and Skills (WORKS) internship program for the purpose of providing jobs funded in part by the state to enable students employed through the program to attend public or private institutions of higher education in Texas while exploring career options and strengthening marketable skills. The bill requires the Texas Higher Education Coordinating Board to administer the program and collaborate with eligible employers to provide students employed through the program with employment funded in part by the state. The bill requires the coordinating board to establish criteria to ensure that a participating employer is reimbursed under the program at the rate established by the coordinating board only for fully paid eligible wages and that marketable skills to be strengthened or gained through a student's internship position are identified.

Student Affairs Related Legislation

HB 449 by Turner/Watson - Relating to a requirement that a public or private institution of higher education include a disciplinary notation on a student's transcript under certain circumstances. This bill addresses *these concerns* (what is the referent for “these concerns”?) by requiring public, private, and independent institutions of higher education in Texas to add a notation on the transcript of a student who is ineligible to reenroll at the institution for a reason other than an academic or financial reason. The bill also requires institutions to complete the investigatory process if a student withdraws from the institution pending disciplinary charges that may result in the student becoming ineligible to reenroll for reasons other than academic and financial reasons. This bill also respects due process by creating a mechanism to remove the notation if the student becomes eligible to reenroll or the institution determines that good cause exists to remove it. It gives institutions of higher education another tool to ensure they do not inadvertently admit a student who has been expelled for serious misconduct that could pose a danger to other students. Finally this bill amends current law relating to a requirement that a public or private institution of higher education include a notation on a student's transcript under certain circumstances.

SB 18 by Huffman/Geren - Relating to the protection of expressive activities at public institutions of higher education. This bill seeks to protect expressive constitutional rights of individuals by recognizing freedom of speech and assembly as central to the mission of public institutions of higher education. It requires that institutions ensure that common outdoor areas are deemed to be traditional public forums and permit any individual to engage in expressive activities in those areas freely. The bill requires each institution of higher education to adopt a policy detailing students' rights and responsibilities regarding expressive activities at the institution. Finally it prohibits an institution of higher education from taking action against a student organization or denying the organization any benefit generally available to other student organizations at the institution on the basis of a political, religious, philosophical, ideological, or academic viewpoint expressed by the organization or of any expressive activities of the organization.

SB 38 by Zaffirini/Lozano - Relating to the offense of hazing. This bill adds to the definition of “hazing” by including in that definition an act involving coercing a student to consume an alcoholic beverage, liquor, or drug, by coercion. The bill excludes a person who reports the person's own act of hazing from being eligible for such immunity. This bill also requires each postsecondary educational institution to develop and post in a prominent location on the institution's website a report on hazing committed on or off campus by an organization registered with or recognized by the institution and sets out the required contents of the report. The bill requires the report to be updated to include information regarding each disciplinary process or conviction not later than the 30th day after the date on which the disciplinary process is resolved or the conviction becomes final, as applicable. The bill prohibits the report from including personally identifiable student information and requires the report to comply with the federal Family Educational Rights and Privacy Act of 1974. Finally it requires each institution to provide to each student who attends the institution's student orientation a notice regarding the nature and availability of the report, including the report's website address.

Sexual Assault Related Legislation

HB 1735 by Howard/Watson - Relating to sexual harassment, sexual assault, dating violence, and stalking at public and private postsecondary educational institutions. This bill is a more comprehensive Title IX bill that the legislature chose to act upon rather than wait for any forthcoming guidance from the Federal Department of Education. This bill requires that institutions of higher education adopt certain policies and procedures to address sexual misconduct. This bill refines existing state policy and will require some adjustments to existing policies. For example, the bill requires that universities email information about prevention and outreach programs to students at the beginning of all academic terms, imposes new requirements regarding counseling, and requires all UPD officers to complete trauma-informed training.

SB 212 by Huffman/Morrison - Relating to reporting requirement for certain incidents of sexual harassment, sexual assault, dating violence, or stalking at certain public and private institutions of higher education. State Relations and Office of General Counsel staff began working with Senator Huffman and her staff on this bill early on. We began a round of stakeholder meetings back in November of 2018. Similar legislation had been filed during the 2017 session but failed to pass. We understood that this bill would have quite a bit of momentum behind it in the 2019 session so we engaged early and made several modifications from the original 2017 language in order to make the bill much more livable.

Reporting: Much of the bill language focuses on a new reporting requirement. SB212 requires that all employees must promptly report any incidents to their Title IX office. This reporting requirement is bracketed to information obtained in the course and scope of employment. SB212 provides for an exception for any employee who is enrolled as a student. The bill further provides that the employee reasonably believes the observed incident constitutes sexual harassment, sexual assault, dating violence or stalking; and that the incident was committed by or against a student or employee.

Under the bill, an employee who knowingly fails to make a report must have his/her employment terminated. The Title IX office must provide quarterly reports to the CEO that include statistics specified in the bill, and the CEO must provide a similar report to the Board of Regents at least once each fall and spring semester. Finally, the CEO must certify substantial compliance to the THECB on an annual basis. If the THECB determines that an institution is not in substantial compliance, it may assess a fine up to \$2 million.

In addition, there are criminal penalties if an employee knowingly fails to make a report, or knowingly makes a false report.

General Counsel Related Legislation

HB 1999 by Leach/Creighton - Relating to certain construction liability claims concerning public buildings and public works. HB 1999 adds Government Code, Chapter 2272, which applies to claims for real or personal property damages caused by alleged construction defects as asserted by the governmental entity affected by the construction defect against a contractor, subcontractor or design professional. It excludes claims involving personal injury, survival or wrongful death, or claims involving residential property, Texas Department of Transportation contracts, projects receiving money from state or federal highway funds, or certain civil works projects. HB 1999 requires a governmental entity to provide a report to the parties with which it has a contract for the design and construction of the affected structure identifying the defect, current physical condition of the affected improvements, and descriptions of any modifications or maintenance made by the government entity before a the entity can bring action asserting a claim. Any action brought before complying with this chapter will be dismissed. The governmental entity must allow each such party an opportunity to inspect, and then either correct or enter into an agreement to correct any defective condition contained in the report. The governmental entity is not required to allow the correction or repair if the contractor cannot provide required bonds or insurance, has previously been terminated for cause by the entity, has been convicted of a felony or failed to correct the defective condition as required or created new defective conditions. The governmental entity can recover report costs if the report identifies a construction defect that is either corrected or for which the entity recovers damages, and may also make emergency repairs as needed to protect the health, safety, and welfare of the public or building occupant. Insurance claims brought as a result of a report shall be treated as the filing of a suite for purposes of the policy.

HB 1791 by Krause/Fallon - Relating to the carrying of handguns by license holders on property owned or leased by a governmental entity. Under current law, a state agency or political subdivision of the state is prohibited from posting a 30.06 notice (concealed carry) sign prohibiting a licensed gun owner from entering the premises of the governmental entity with a handgun. HB 1791 amends the Government Code to add that a state agency or a political subdivision may not take any action, including posting a 30.06 (concealed carry) and a 30.07 (open carry) notice, that would state or imply that a licensed gun owner who is carrying a handgun is prohibited from entering or remaining on the premises of the governmental entity unless carrying a handgun on the premises is prohibited pursuant to preexisting law.

HB 2730 by Leach/Hughes – Relating to civil actions involving the exercise of certain constitutional rights. HB 2730 adds to the types of legal actions that were exempted from the Texas Citizens Participation Act (TCPA) and revises procedures related to motions to dismiss legal actions under the statute. The bill would revises various definitions as they relate to the TCPA. HB 2730 specifies that the TCPA applies in cases involving the free speech rights of persons involved in the media and artistic endeavors, consumer reviews of business, and for victims of certain criminal acts.

HB 4390 Capriglione/Nelson - Relating to the privacy of personal identifying information and the creation of the Texas Privacy Protection Advisory Council. Section 1 of HB 4390 amends the breach notification provision applicable to state agencies through Tex. Gov't Code 2054.1125. The time period for notifying the affected persons is changed from "as quickly as possible" to "without unreasonable delay" not later than the 60th day the breach is determined to have occurred. Also, the bill creates a requirement to notify the AG of a breach if it involves at least 250 Texas residents.

HB 4390 also creates the Texas Privacy Protection Advisory Council; one member of the council is designated to be law professor who is an expert in data privacy.

Senate Bill 22 by Campbell/Noble – Relating to prohibiting certain transactions between a governmental entity and an abortion provider or affiliate of the provider. The bill prohibits a governmental entity from entering into a taxpayer resource transaction with abortion providers including licensed abortion facilities, ambulatory surgical centers providing fifty (50) or more abortions in a calendar year, or an affiliate of these providers. The bill does not apply to certain hospitals, including a teaching hospital of a public or private institution of higher education, certain physicians, or accredited residency programs providing training to resident physicians. This bill also does not apply to entities that System members enter into educational affiliation agreements with.

SB 18 by Huffman/Geren - Relating to the protection of expressive activities at public institutions of higher education. SB 18 addresses free speech on campus. Public universities are required to ensure that common outdoor areas of the campus are treated as traditional public forums. Public universities must adopt a policy regarding expressive activities that includes a disciplinary sanctions process for students who unduly interfere with campus expressive activities, a complaint mechanism and a prohibition against viewpoint discrimination. The policy must be approved by the Board of Regents and must be in effect by August 1, 2020. The legislation also requires universities to include the new policy in the student and personnel handbooks, provide a copy to students during freshman or transfer orientation and post the policy on the institution's website.

SB 943 by Watson/Capriglione - Relating to the disclosure of certain contracting information under the public information law. SB 943 expands public disclosure requirements related to government contracting information under the Public Information Act. The bill imposes recordkeeping requirements on certain contractors in possession of such information. SB 943 revises exceptions from disclosure based on competitive advantage and trade secrets, creates a new exception from disclosure for third-party proprietary information, and expands the definition of a governmental body. SB 943 will require governmental bodies and certain contractors to release more contracting information, as compared to current law, including communications with vendors and contractors. It specifically eliminates the ability to withhold pricing information that a vendor/contractor may consider proprietary. The bill also imposes new procedural requirements for requests for certain contracting information and lengthens the related deadlines for requesting AG's Office review of information that may be withheld.

SB 944 by Watson/Capriglione - Relating to the public information law. SB 944 amends current law relating to the public information law. The bill clarifies that an employee or former employee of a governmental body has a duty to return or preserve and surrender upon the governmental body's request, public information stored on the employee or former employee's private devices. SB 944

creates a new exception to disclosure for certain healthcare information obtained by a governmental body from an out-of-state health care provider in connection with a quality management or similar program paid for by the out-of-state health care provider. SB 944 allows governmental bodies to designate a single e-mail address and a single mailing address to receive PIA requests. The bill directs the Office of the Attorney General to promulgate a PIA request form that governmental bodies and requestors may use. This form must allow a requestor to exclude from a request information determined by a governmental body to be confidential or otherwise excepted from disclosure, which would eliminate the governmental body's requirement to seek an attorney general letter ruling on the request and result in a faster response to the requestor.

SB 988 by Watson/Capriglione - Relating to the assessment of litigation costs and attorney's fees in certain actions under the public information law. SB 988 amends the Government Code; it addresses the issue of lawsuits against the Office of the Attorney General by another governmental body seeking to withhold information under the Public Information Act. The bill provides that a court may not award costs or attorney's fees to a plaintiff or defendant who substantially prevails unless the court finds the action or defense of the action was groundless in fact or law.

SB 1370 by Nichols/Ashby - Relating to invoices and payments under certain state contracts for outside legal services. SB 1370 amends Chapter 402 and Section 2251.021 of the Government Code relating to attorney general review of and prompt payment guidelines for outside legal services contracts. Specifically, the bill requires agencies to submit correct invoices to the attorney general for within 25 days of receipt, and adds language limiting the attorney general's invoice review to determining whether the legal services within the invoice are within the terms and scope of the legal services authorized by the contract and within the contract term. Agencies are also required to submit certifications from its Office of General Counsel certifying that the legal services were performed within the contract term, are within the scope of services under the contract and are reasonably necessary. Finally, Section 2251.021 of the Government Code was amended to provide that payment for legal services is overdue on the 46th day after an agency receives an invoice.

SB 1640 by Watson/Phelan - Relating to the open meetings law. SB 1640 restores the "walking quorum" prohibition to the Texas Open Meetings Act by addressing the issues found by the Texas Court of Criminal Appeals to be unconstitutionally vague. The bill addresses the court's concerns by making the conduct that constitutes the offense more specific, precise, and clear. An offense is now committed if a member of a governmental body knowingly engages in at least one communication in a series of communications outside of a public meeting about an issue within the governmental body's jurisdiction, with each communication involving less than a quorum but the members engaging in the series of communications constitutes a quorum. The governmental body member would also have to know that the communications would involve a quorum and as such constitute a deliberation under the Act. The bill also clarifies that a "deliberation" under the Act includes written exchanges in addition to verbal exchanges.

SB 1755 by Crighton/Oliverson - Relating to the status of certain medical residents and fellows as governmental employees for purposes of the Texas Tort Claims Act. The bill establishes that residents and fellows in a graduate medical training program that is sponsored by a governmental unit, including a

medical and dental unit, are considered to be employees of a governmental unit for purposes of the Texas Tort Claims Act regardless of the method or source of payment of the resident or fellow.

General Operation Related Legislation

Contracting

SB 20 by Huffman/Thompson - Relating to the prevention of, reporting regarding, investigation of, prosecution of, criminal and civil penalties for, and other consequences of prostitution, trafficking of persons, and related criminal offenses, to treatment, services, and compensation available to victims of those offenses, and to orders of nondisclosure for certain persons who are victims of certain of those offenses. Included in this omnibus bill is language that prohibits a state agency from accepting a bid or awarding a contract that includes proposed financial participation by a person who, during the five-year period preceding the date of the bid or award, has been convicted of any offense related to the direct support or promotion of human trafficking. The bill requires that contract language specifically address this issue.

SB 65 by Nelson/Geren - Relating to oversight of and requirements applicable to state agency contracting and procurement. This was the major contracting bill of the session. If you have questions regarding applicability of specific sections, please contact the Office of General Counsel or State Relations.

- Section 1 of the bill amends Section 441.1855, Government Code and requires an electronic contract solicitation document to be retained by a state agency in its electronic form. A state agency could print and retain the document in paper form only if the agency provided for the preservation, examination, and use of the electronic form in accordance with applicable state law.
- Section 2 of the bill amends section 2054.003(10), Government Code, to redefine "major information resources project" as any information resources technology project identified in a state agency's biennial operating plan whose development costs exceed \$5 million, rather than \$1 million, in addition to other certain criteria.
- Numerous sections in the bill revise and expands the duties of the Quality Assurance Team (QAT); the impact on higher education will be if /when a major information project falls under the QAT oversight, the new reviews processes may impact the procurement of such a project, if applicable. Many of the statutory changes were previously Article IX QAT riders.
- Section 14 of the bill amends Section 2102.005, Government Code, and requires that a state agency, including an institution of higher education, when conducting the internal auditing program, to consider methods for ensuring compliance with contract processes and controls and for monitoring agency contracts.
- Section 15 of the bill addresses vendor performance. If the value of a contract exceeds \$5million, a state agency would have to review the vendor's performance at least once each year during the contract term at each key milestone and report to the Comptroller. A state agency could not extend a vendor's contract until after the agency reported the results of each review of the vendor.
- Sections 17 and 21 deal with reporting of certain expenditures relating to lobbying activities. Section 17 amends Section 2252.908 of the Government Code dealing with Disclosure of

Interested Parties that is reported to the Texas Ethics Commission. If services are procured that would require a person to register as a lobbyist, that individual would have to report pursuant to the requirements. Section 21 does not have an impact upon institutions of higher education.

- Section 28 of the bill will require the State Auditor to review the 25 largest state agencies (as determined by the LBB) and provide an assessment regarding contract monitoring. This ranking and review will be applicable to institutions of higher education.

SB 986 by Kolkhorst/Phelan Relating to contract management standards and information for contracts related to emergency management. SB 986 requires the Comptroller of Public Accounts of the State of Texas to update the contract management guide to include contract standards and information for contracts related to emergency management. SB 986 requires the Comptroller to consult with the Texas Division of Emergency Management, Texas A&M Agrilife, the Texas A&M Engineering Extension Service, and local governments in developing these standards. SB 986 requires the guide to include preferred contracting standards related to disaster response contracts, specifically, the construction and repair of infrastructure and clearing debris.

HB 793 by King/Creighton - Relating to certain government contracts with companies that boycott Israel. HB 793 amends the Government Code to remove the requirement that sole proprietorships, and other companies with less than 10 employees, include in a contract with a governmental agency for goods and services a written verification from the contracting company stating the company does not boycott Israel and will not boycott Israel during the term of the contract. For remaining companies, the bill would limit the verification requirement to contracts of \$100,000 or more.

Information Resources

SB 709 by West/Frullo - Relating to the allocation and use of the annual constitutional appropriation to certain agencies and institutions of higher education. SB 709 is the constitutionally required reallocation of Higher Education Fund (HEF) money to certain institutions of higher education. SB 709 includes language that clarifies the allowable use of higher education funds (HEF) funds to include cloud computing and other intangible assets with an expected life or contract period of more than one year. This clarification maintains the original intent of the Legislature and allows institutions to transition software purchases from the antiquated license-based products to current cloud-based products.

SB 819 by Nelson/Phelan - Relating to state agency electronic information and processes. SB 819 amends Chapter 2054, Government Code, relating to state agency electronic information and process. The bill replaces the term "statewide data coordinator" with "chief data officer" as it relates to the administration of the Department of Information Resources (DIR) and would add to the chief data officer's duties. SB 819 requires each state agency to designate an agency employee to serve as the agency's information resources manager. An information resources manager could serve two or more state agencies if the DIR approved the joint designation.

The bill requires DIR to create a digital transformation guide to assist state agencies with modernizing operations and services with respect to electronic data and to establish a central

depository of publicly accessible electronic data to be designated as the Texas Open Data Portal. SB 819 amends Chapter 2157, Government Code, to require a state agency to consider cloud computing options and compatibility with cloud computing services in the development of new information technology software application.

SB 64 by Nelson/Phelan - Relating to cybersecurity for information resources. SB 64 revises and updates various cybersecurity requirements for state agency information resources, including oversight of cybersecurity practices and the state's electrical grid. Below find some of the key provisions that were included in the bill.

- Section 1 of the bill requires the THECB in collaboration with the Department of Information Resources (DIR) to identify and develop strategies to incentivize institutions of higher education to develop degree programs in cybersecurity. The THECB is required to submit a report detailing findings no later than September 1, 2020 to legislative leadership.
- Section 2 amends the Government Code 418.004 to redefine "disaster" to include a cybersecurity event.
- Section 10 requires DIR to establish an information sharing and analysis organization to provide a forum for state agencies, local governments, public and private institutions of higher education, and the private sector, rather than for state agencies, to share information regarding cybersecurity threats, best practices, and remediation strategies.
- Section 13 amends Government Code 2054.077 to require the information security officer, rather than the information resources manager, of a state agency or an institution of higher education to prepare or have prepared a report, including certain information related to device vulnerability.
- Section 14 of the bill amends Government Code 2054.1125 by deleting the existing requirement that the state cybersecurity coordinator be notified not later than 48 hours after the discovery of a breach, suspected breach, or unauthorized exposure; DIR and the chief information security officer are still required to be notified. The section also requires a state agency, not later than the 10th business day after the date of the eradication, closure, and recovery from a breach, suspected breach, or unauthorized exposure, to notify DIR, including the chief information security officer, of the details of the event and include in the notification an analysis of the cause of the event.
- Section 15 amends Government Code 2054.133 and requires each state agency to include in the agency's information security plan a written document that is signed by the head of the agency, the chief financial officer, and each executive manager designated by the state agency and states that those persons have been made aware of the risks revealed during the preparation of the agency's information security plan, rather than a written acknowledgment that the executive director or other head of agency, the chief financial officer, and each manager as designated by the state agency have been made aware of such risks.
- Section 16 amends Government Code 2054.516 which deals with data security procedures for online and mobile applications; this section is now applicable to institutions of higher education.
- Section 17 of the bill requires the state cybersecurity coordinator, in collaboration with the cybersecurity council, to establish a cyberstar certificate program to recognize public and private entities that implement the best practices in cybersecurity.
- Section 18 adds language to the Government Code that requires each state agency, including institutions of higher education, to consider using next generation technologies, including cryptocurrency, blockchain technology, and artificial intelligence. Language is included.

- Section 18 provides a liability exemption for people who in good faith discloses to a state agency or other governmental entity information regarding a potential security issue with respect to the agency's or entity's information resources technologies is not liable for any civil damages resulting from disclosing the information unless the person stole, retained, or sold any data obtained as a result of the security issue.

HB 2364 by Darby/Perry - Relating to the provision of certain services through statewide technology centers. HB 2364 clarifies that the Data Center Services (DCS) Program managed by DIR can continue to offer its customers services such as email. HB 2364 amends the Government Code to make state law relating to the provision of information resources through statewide technology centers applicable to electronic messaging services and outsourced managed services that are obtained by a state agency using state money, used by a state agency, or used by a participating local government.

HB 3834 by Capriglione/Paxton - Relating to the requirement that certain state and local government employees and state contractors complete a cybersecurity training program certified by the Department of Information Resources. HB 3834 requires the Department of Information Resources (DIR), in consultation with the cybersecurity council, to annually certify at least 5 cybersecurity training programs for state and local government employees; DIR would be authorized to contract with an independent third party to certify the cybersecurity training programs. The bill requires certain state employees to annually complete a certified cybersecurity training program. Certain local government employees would be required to annually complete either a certified cybersecurity training program or a cybersecurity training program offered by the local government's information resources cybersecurity officer. HB 3834 requires a state agency to require any contractor with access to a state computer system or database to complete a certified cybersecurity training program.

Facilities, Planning, and Construction

HB 985 by Parker/Hancock - Relating to the effect of certain agreements with a collective bargaining organization on certain state-funded public work contracts. HB 985 prohibits a governmental entity, including an institution of higher education, from prohibiting, requiring, discouraging, or encouraging a contractor or subcontractor from entering into or adhering to an agreement with a collective bargaining organization for a state-funded project, including state-guaranteed debt. A governmental body cannot discriminate against a contractor or subcontractor based on involvement in an agreement, including the contractor or subcontractor's status or lack of status as a party to the agreement or willingness or refusal to enter into the agreement.

HB 985 would not prohibit activity protected by or permit conduct prohibited under the National Labor Relations Act.

This bill would apply only to a public work contract for which an invitation for offers, requests for proposals, or other similar solicitations was published or distributed on or after the bill's effective date.

HB 1999 by Leach/Creighton - Relating to certain construction liability claims concerning public buildings and public works. HB 1999 adds Government Code, Chapter 2272, which relates to certain construction liability claims. Provisions of the bill would apply to claims for real or personal property

damages caused by alleged construction defects as asserted by the public entity affected by the construction defect against a contractor and would exclude claims involving personal injury, claims involving residential property, Texas Department of Transportation contracts, projects receiving money from state or federal highway funds, or certain civil works projects. HB 1999 requires an inspection and report by a licensed engineer identifying the defect, current physical condition of the affected improvements, and descriptions of any modifications or maintenance made by the government entity before a governmental entity brings action asserting a claim. The bill would allow the government entity to recover report costs if the report identifies a construction defect that is either corrected or for which the entity recovers damages.

HB 2868 by Phelan/West - Relating to the procurement of interior design services by a governmental entity. HB 2868 adds interior design to the list of professional services, regardless of whether the person is registered as an interior designer under Chapter 1053, Occupations Code, from which a government entity can procure services.

Risk Management

SB 615 by Buckingham/Paddie - Relating to the operations and functions of the Texas Windstorm Insurance Association and the sunset review date for and programs administered by the association; authorizing a fee.

HB 1592 by Smithee/West - Relating to health care professional liability coverage for certain public institutions of higher education. HB 1592 adds the Texas State University System, the University of Houston System, Stephen F. Austin State University, and the University of North Texas System to the list of university systems authorized to self-insure for health care professional liability coverage. These systems are authorized to create a health care professional liability fund for self-insurance.

The bill would expand the applicability of health care professional liability coverage. Coverage would apply to 1) physicians, dentist, veterinarians, podiatrists, physician assistants, nurses, pharmacists, and other health care providers who are either appointed or employed on a full-time basis by a university system, or who are appointed or volunteer on a part-time basis and devote their total professional service to providing health services; and 2) interns, residents, fellows, medical students, dental students, veterinary students, students of osteopathic medicine, nursing students, and students of any other health care profession that requires a license, certificate, or other authorization participating in a patient-care program at the university systems.

HB 1592 replaces applicable statutory references to medical staff, medical malpractice insurance, and medical malpractice claims with references to health care professional staff members, health care liability insurance, and health care liability claims, respectively.

HB 2503 by Kacal/Menendez - Relating to workers' compensation death benefit eligibility for certain spouses of first responders killed in the line of duty. HB 2503 would extend lifetime workers' compensation death benefits to the spouse of an individual who died in the course and scope of employment as a peace officer of the state or while employed as a peace officer by a private institution of higher education in Texas, including a private junior college, regardless of whether the spouse remarried.

Miscellaneous

SB 241 by Nelson/Longoria - Relating to certain required reports received or prepared by state agencies and other governmental entities. SB 241 revises the deadlines, contents, recipients, and other statutory requirements for certain statutory required reports. Of note are the following:

- Section 1.02 amends Section 51.402(b), Education Code, to delete the requirement that existing rules and regulations concerning faculty academic workloads be reported to the Texas Higher Education Coordinating Board (THECB).
- Section 1.03 amends Section 51.680(c), Education Code, to require that each institution of higher education is required to have a current copy of its intellectual property policies that meet the minimum standards set out in Subsection (a) (relating to requiring the commissioner of higher education (commissioner) to review the intellectual property policies of certain entities by a certain date for certain policies) posted on the institution's web site. The requirement to have these standards on file at the THECB is deleted.
- Section 1.04 amends Section 51.751(b), Education Code, to delete existing text requiring the Educational Economic Policy Center to provide annual progress reports to the governor, Legislative Budget Board (LBB), and commissioner of education.
- Section 1.05. Amends Section 52.335, Education Code, by adding Subsection (b-1) to provide that a participating higher educational institution is not required to provide in any disclosure or report required under this section (Required Loan Debt Disclosure) information regarding loans issued by a private entity.
- Section 3.01 repeals sections Education Code 51.0052 (b) relating to the requirement that an institution of higher education report to the secretary of state (SOS) any projects funded by the institution that provide assistance to colonias) and (c) relating to the requirement that the report contain certain information, Education Code.
- Section 3.01 repeals section Education Code 61.506(g) relating to requiring the family practice residency advisory committee to send certain assessments to the comptroller and state auditor for review.

SB 1571 by Campbell/Stuckey - Chapter 2115 of the Government Code requires the comptroller of public accounts of the State of Texas (comptroller) to contract with one or more consultants to conduct recovery audits of payments made by state agencies to vendors. SB 1571 lowers the vendor expenditure level to \$50 million (from \$100 million), updates reporting requirements, and provides greater flexibility to the comptroller to determine the frequency of audits based on the state's best interest.

HB 639 by Springer/Nichols- Relating to the eligibility of land used as an ecological laboratory for appraisal for ad valorem tax purposes as qualified open-space land. HB 639 amends the Tax Code to condition the eligibility of land used as an ecological laboratory by a public or private college or university for appraisal for property tax purposes as qualified open-space land on that land having been used principally in that manner by a college or university for five of the preceding seven years. The bill provides for the delayed applicability of that change for land that first qualified for such appraisal on the basis of its use as an ecological laboratory in the 2014-2020 tax years.

HB 2042 by Stucky/Birdwell - Relating to postpayment audits conducted by the comptroller and annual financial reports submitted by state agencies.

HB 2263 by Paddie/Hancock - Relating to the sale of electric power to certain public customer. HB 2263 amends the Natural Resources Code, the Tax Code, and the Utilities Code regarding the sale of electricity to certain public retail customers. Prior to HB 2263, the General Land Office could purchase wholesale electricity with royalties taken in kind from land owned by the Permanent School Fund (PSF), sell the electricity at a profit, and deposit the proceeds to the PSF. The GLO was authorized to sell power only to public retail customers, defined as state agencies, state institutions of higher education, public school districts, political subdivisions, U.S. military installations, and the U.S. Department of Veterans Affairs facilities. The GLO's sales of electricity was exempt from the miscellaneous gross receipts tax (MGRT) and public utility gross receipts assessment.

HB 2263 removes the GLO's authority to sell electricity generated from royalties taken in kind. The GLO will be able to continue providing electricity for contracts entered into before the effective date of the bill. Existing contracts will not be able to be extended beyond January 1, 2024.

HB 2263 amends the Tax Code effective January 1, 2024, to exempt receipts from the sale of electricity to public school district customers from the MGRT and requires electricity providers to adjust the electric bills of school district customers accordingly.

Employment/Benefit/Human Resources

SB 12 by Huffman/Bonnen - Relating to the contributions to the Teacher Retirement System of Texas.

SB 12 amends the Government Code to increase state, employee, and employer contributions to Teacher Retirement System (TRS) for public and higher education retirement benefits. SB 12 requires the **state** to contribute to TRS the following percentages of aggregate annual compensation for all members during each fiscal year: 7.5 percent for fiscal year 2020, 7.5 percent for fiscal year 2021, 7.75 percent for fiscal year 2022, 8.0 percent for fiscal year 2023, and 8.25 percent per year thereafter.

SB 12 requires TRS active **employee** members to contribute to TRS the following percentages of annual compensation per year: 7.7 percent for fiscal years 2020 and 2021, 8.0 percent for fiscal years 2022 and 2023, and 8.25 percent per year thereafter. The bill would reduce these required contribution rates by 0.1 percent for each 0.1 percent the state reduces its contribution rate from the rates specified by the bill for that fiscal year.

SB 12 requires TRS to provide a onetime supplemental payment of a retirement or death benefit to certain annuitants not later than September 2020, contingent upon receipt of an additional appropriation from the state equal to the cost of the payment. The payment would equal the lesser of \$2,000 or the gross annuity payment to which the annuitant is entitled for the month preceding the month when TRS issues the payment.

Senate Bill 22 by Campbell/Noble – Relating to prohibiting certain transactions between a governmental entity and an abortion provider or affiliate of the provider. The bill prohibits a governmental entity from entering into a taxpayer resource transaction with abortion providers including licensed abortion facilities, certain ambulatory surgical centers, or an affiliate of these providers. The bill does not apply to certain hospitals, including a teaching hospital of a public or private institution of higher education, certain physicians, or accredited residency programs providing training

to resident physicians. Taxpayer resource transactions deemed, by the executive commissioner of the Health and Human Services Commission with written confirmation from the Attorney General, as required by federal law would be excluded from the prohibition. The Attorney General would be permitted to enjoin a violation of the prohibition on behalf of the state.

SB 370 by Watson/Smithee - Relating to employment protections for jury service. SB 370 amends the Civil Practice and Remedies Code to expand an existing prohibition against employers discharging employees due to jury service in a Texas court to additional negative employment actions. The bill would also extend these prohibitions for participation in any jury service in the United States

SB 1264 by Hancock/Oliverson - Relating to consumer protections against certain medical and health care billing by certain out-of-network providers – SB 1264 is legislation that attempts to address concerns that consumers who receive surprise medical bills face unnecessary hurdles in addressing those bills under the existing mediation system. SB 1264 aims to address these concerns by making certain changes to the current mediation process, establishing an arbitration process, expanding the types of plans that are eligible for mediation, and prohibiting providers from sending surprise balance bills to consumers.

The bill applies only to a health care or medical service or supply provided on or after January 1, 2020. The bill would take effect on September 1, 2019.

Senate Bill 2270 by Miles/Sheffield - Relating to employment policies for certain health care providers employed by medical and dental units. The bill expands eligibility for the president of medical or dental units to provide full-time employee benefits to any person employed by the medical and dental unit for patient care or clinical activities rather than just nurses employed for patient care or clinical activities. The employing medical and dental unit may contribute to the cost of employee benefits from money other than appropriated General Revenue Funds for amounts in excess of the state contribution for these designated individuals.

HB 41 by Metcalf/Alvarado – Relating to paid leave for a state employee who is a search and rescue volunteer. HB 41 inserts a "search and rescue volunteer" alongside current volunteer firefighters and emergency medical service volunteers as being entitled to a leave of absence without deduction in salary to attend fire service, emergency medical services, or search and rescue training conducted by a state agency or institution of higher education. The leave may not exceed five working days in a fiscal year.

HB 621 by Neave/Zaffirini – Relating to prohibited adverse employment action against an employee who in good faith reports child abuse or neglect. HB 621 amends the Family Code to prohibit an employer from taking any adverse employment action against a child-care or education professional that reports possible child abuse or neglect. The bill defines adverse employment action and authorizes

a suit for injunctive relief or damages or both to the person suspended, terminated, discriminated against, or who suffers an adverse employment action.

HB 1074 by Price/Zaffirini – Relating to the prohibition against age discrimination in certain employment training programs. HB 1074 repeals Section 21.054(b), Labor Code, that addresses protections against age discrimination and allows workers age 56 and older equal access to training programs in the workplace.

HB 2629 by Flynn/Huffman - Relating to the deadline to appeal administrative decisions of the Teacher Retirement System of Texas. HB 2629 requires the board of trustees of the Teacher Retirement System of Texas (TRS), in adopting rules governing the appeal of a final administrative decision of TRS, to ensure that rules establishing deadlines for the filing of an appeal afford a member or retiree at least the same amount of time to file an appeal as TRS has to issue TRS's decision.

HB 2240 by Murphy/Hinojosa – Relating to the payment of wages by an employer through a payroll card account. HB 2240 amends the Labor Code relating to the payment of wages by an employer through a payroll card account.

HB 3834 by Capriglione/Paxton – Relating to the requirement that certain state and local government employees and state contractors complete a cybersecurity training program certified by the Department of Information Resources.

Institution and Agency Related Legislation

Prairie View A&M University Related Legislation

HB 3745 by Bell – Relating to the Texas emissions reduction plan fund and account. Requested funds for the state agriculture match were in a contingency rider to HB 3745, and the HB 1 rider for additional Juvenile Crime Prevention Center funding. Although HB 3745 was voted favorably from the House and the Senate, PVAMU did not receive the funding noted in the rider.

SB 346 by Zaffirini - Relating to the consolidation and allocation of state criminal court costs; increasing the amounts of certain court costs and reducing the amounts of certain other court costs. Passed and enacted without the signature of the Governor.

*Section 1 (e) (7) an account in the state treasury to be used only for the establishment and operation of the Center for the Study and Prevention of Juvenile Crime and Delinquency at Prairie View A&M University 0.6255; Fund 5029 for PVAMU from 2020 - 2024 shows and increase.

Health Science Center Related Legislation

SB 71 by Nelson/S. Thompson - Relating to the establishment of a statewide telehealth center for sexual assault forensic medical examination. The bill establishes a Statewide Telehealth Center for Sexual Assault Forensic Medical Examination at the Office of the Attorney General to expand access to sexual assault nurse examiners for underserved populations. The center is authorized to facilitate, in person or with technology, the provision by a sexual assault nurse examiner of training, technical assistance, or consulting with a sexual assault examiner on a forensic medical examination. The Office of the Attorney General may provide funds for establishment or maintenance of the center, training, certain travel expenses, equipment/software, and any other purpose considered appropriate for the center and is required to consult with experts in medicine and forensic medical examinations, attorneys, and certain advocacy groups in the implementation of the center.

HB 1590 by Howard/Watson - Relating to statewide policies and practices, personnel training, evidence collection and preservation, and data collection and analysis regarding the prevention, investigation, and prosecution of sexual assault and other sex offenses. The bill creates the Sexual Assault Survivors' Task Force in the Office of the Governor's Criminal Justice Division. Among other provisions, the bill requires the task force to advise the Office of the Attorney General on rules governing the collection and preservation of evidence in sexual assault cases and training and certification of sexual assault nurse examiners; advise the Texas Commission on Law Enforcement on resources to improve officer training in the investigation and documentation of sexual assault cases; biennially contract for a survey of resources provided to survivors; and develop best practice standards for the provision of resources to survivors. The Task Force must biennially prepare a report on resources provided to child and adult survivors, recommendations to better comply with statewide standards, and descriptions/recommendations on possibly sources of funding and ways to accomplish policy goals. The task force and its functions expires September 1, 2023.

SB 479 by Watson/Longoria - Relating to the inclusion in the definition of a medical and dental unit of the Dell Medical School at The University of Texas at Austin and the School of Medicine at The University of Texas Rio Grande Valley and the participation of those schools in certain programs and funding. This bill adds the Dell Medical School at The University of Texas at Austin and the School of

Medicine at The University of Texas Rio Grande Valley to the definition of a “medical and dental unit” in the Education Code. The legislation also adds these two medical schools into the list of schools participating in the Joint Admission Medical Program, a program that supports and encourages highly qualified, economically disadvantaged Texas resident students pursuing a medical education. Additionally, the legislation adds Dell Medical School as a receiving entity for distributions from the Permanent Health Fund for Higher Education, a trust fund established from tobacco settlement receipts, whose distributions fund medical research, health education, and treatment program at health-related institutions of higher education, and provides that the school will receive an allocation from the Permanent Health Fund beginning in fiscal year 2020.

HJR 12 by Zerwas/Nelson - Proposing a constitutional amendment authorizing the legislature to increase the maximum bond amount authorized for the Cancer Prevention and Research Institute of Texas; and House Bill 39 by Zerwas/Nelson - Relating to the repeal of certain time limitations on the award of grants by the Cancer Prevention and Research Institute of Texas Oversight Committee.

House Joint Resolution (HJR) 12 provides for a constitutional amendment that would authorize a second \$3 billion in General Obligation Bonds for the Cancer Prevention and Research Institute of Texas (CPRIT). HJR 12 will be submitted to voters at the general election on November 5, 2019. This funding builds on the first constitutional amendment approved in 2007 establishing CPRIT and authorizing the issuance of the first \$3 billion in bonds for cancer research and prevention. In conjunction with HJR12 and assuming the additional bond amount is authorized by voters this fall, House Bill 39 removes a statutory restriction against new grant awards by the CPRIT Oversight Committee after fiscal year 2022.

HB 80 by Ortega/Rodriguez - Relating to a study and report regarding shortages in certain health professions. House Bill 80 requires the Texas Higher Education Coordinating Board to conduct a study in collaboration with the Texas Health Professions Resource Center, the Texas Center for Nursing Workforce Studies, and the Texas Demographic Center to identify statewide and regional shortages in health professions, with an emphasis on shortages in doctoral-level training in specified professions. The bill would require THECB to make recommendations regarding the establishment or expansion of programs to meet the increased need for health professionals. The bill would require THECB to submit the results of the study and any recommendations by December 1, 2023 to the Governor, Lieutenant Governor, the Speaker of the House of Representatives, and each legislative standing committee with primary jurisdiction over higher education.

HB 826 by Zerwas/Huffman - Relating to the creation of the University of Houston College of Medicine at the University of Houston. House Bill 826 establishes the University of Houston College of Medicine as a college of the University of Houston under the management and control of the board of regents of the University of Houston System. The bill authorizes the board of regents of the University of Houston System to enter into agreements for the provision of certain additional facilities by a public or private entity and authorizes the dean of the college, on behalf of the board, to make an affiliation or coordinating agreement with any other entity or institution in the college's region. The bill authorizes a teaching hospital considered suitable by the board to be provided by a public or private entity. However,

the bill contains a provision similar to the statutory authority of other medical schools and health science centers that the hospital may not be constructed, maintained, or operated with state funds. The bill adds the University of Houston College of Medicine to the definition of “medical and dental unit” in the Education Code. The bill makes the college eligible to receive distributions from the Permanent Health Fund for Higher Education and makes applicable to the college statutory provisions relating to certain medical malpractice coverage and relating to certain family practice medical residency programs.

HB 2867 by Metcalf/Creighton - Relating to the creation of the Sam Houston State University College of Osteopathic Medicine. House Bill 2867 creates a new college of osteopathic medicine at Sam Houston State University, under the management and control of the board of regents of the Texas State University System. The bill authorizes the board, among other powers, to enter into agreements for the provision of certain additional facilities by a public or private entity and authorizes the provost of the university, on behalf of the board, to make an affiliation or coordinating agreement with any other entity or institution. The bill authorizes a teaching hospital considered suitable by the board to be provided by a public or private entity. However, the bill contains a provision similar to the statutory authority of other medical schools and health science centers that the hospital may not be constructed, maintained, or operated with state funds. The bill adds the Sam Houston State University College of Osteopathic Medicine to the definition of “medical and dental unit” in the Education Code.

The bill establishes that the university is not entitled to receive any formula funding for the college. However, the bill makes the college eligible to receive distributions from the Permanent Health Fund for Higher Education and provides that the school will receive an allocation from the Permanent Health Fund beginning in fiscal year 2020. Additionally, the bill makes applicable to the college statutory provisions relating to certain medical malpractice coverage and relating to certain family practice medical residency programs.

HB 1592 by Smithee/West - Relating to health care professional liability coverage for certain public institutions of higher education. HB 1592 adds the Texas State University System, the University of Houston System, Stephen F. Austin State University, and the University of North Texas System to the list of university systems authorized to self-insure for health care professional liability coverage. These systems are authorized to create a health care professional liability fund for self-insurance.

The bill would expand the applicability of health care professional liability coverage. Coverage would apply to 1) physicians, dentists, veterinarians, podiatrists, physician assistants, nurses, pharmacists, and other health care providers who are either appointed or employed on a full-time basis by a university system, or who are appointed or volunteer on a part-time basis and devote their total professional service to providing health services; and 2) interns, residents, fellows, medical students, dental students, veterinary students, students of osteopathic medicine, nursing students, and students of any other health care profession that requires a license, certificate, or other authorization participating in a patient-care program at the university systems.

HB 1592 replaces applicable statutory references to medical staff, medical malpractice insurance, and medical malpractice claims with references to health care professional staff members, health care liability insurance, and health care liability claims, respectively.

SB 22 by Campbell/Noble – Relating to prohibiting certain transactions between a governmental entity and an abortion provider or affiliate of the provider. The bill prohibits a governmental entity from entering into a taxpayer resource transaction with abortion providers including licensed abortion facilities, ambulatory surgical centers providing fifty (50) or more abortions in a calendar year, or an affiliate of these providers. The bill does not apply to certain hospitals, including a teaching hospital of a public or private institution of higher education, certain physicians, or accredited residency programs providing training to resident physicians. This bill also does not apply to entities that System members enter into educational affiliation agreements with.

SB 2270 by Miles/Sheffield - Relating to employment policies for certain health care providers employed by medical and dental units. The bill expands eligibility for the president of medical or dental units to provide full-time employee benefits to any person employed by the medical and dental unit for patient care or clinical activities rather than just nurses employed for patient care or clinical activities. The employing medical and dental unit may contribute to the cost of employee benefits from money other than appropriated General Revenue Funds for amounts in excess of the state contribution for these designated individuals.

SB 1755 by Crighton/Oliverson - Relating to the status of certain medical residents and fellows as governmental employees for purposes of the Texas Tort Claims Act. The bill establishes that residents and fellows in a graduate medical training program that is sponsored by a governmental unit, including a medical and dental unit, are considered to be employees of a governmental unit for purposes of the Texas Tort Claims Act regardless of the method or source of payment of the resident or fellow.

HB 1065 by Ashby/Kolkhorst - Relating to the establishment of a rural resident physician grant program. The bill requires the Texas Higher Education Coordinating Board (THECB) to administer a Rural Resident Physician Grant Program as a competitive grant program to encourage the creation of new graduate medical education positions in rural and nonmetropolitan areas. The bill requires THECB to award grants to new or expanded physician residency programs at teaching hospitals and other entities. THECB could provide grants only to support a residency program that provided the level of medical care that was most needed in a rural area. After a program became eligible for federal funding, the grant would end. Under the provisions of the bill, all grant funds awarded under the program could only be used to pay direct costs associated with creating or maintaining a residency position, including the salary of the resident physician. The THECB is required to provide grants only if the Legislature appropriates money specifically for that purpose. If the legislature does not appropriate money for this purpose, THECB may implement the provisions of the legislation using available appropriations. Funding was not specifically provided in the General Appropriations Act for the FY20-21 biennium to implement this legislation.

SB 2011 by Buckingham/Sheffield - Relating to a study and report regarding streamlining physician licensing requirements for advanced practice registered nurses. The bill requires the Texas Higher Education Coordinating Board to collaborate with an institution of higher education, the Texas Medical Board, and the Texas Board of Nursing to conduct a study regarding the feasibility of developing a pilot program to streamline the requirements of an advanced practice registered nurse to become eligible for a medical license. The results of the study and any recommendations for legislative action are due to the governor, lieutenant governor, speaker of the House of Representatives, and other legislative committees by December 1, 2020.

HB 3285 by Sheffield/Huffman - Relating to programs and initiatives to prevent and respond to opioid addiction, misuse, abuse, and overdose and identify and treat co-occurring substance use disorders and mental illness. The bill requires a public or private institution of higher education that imposes any mandatory training requirements on residential advisors or officers of student organizations, to insure overdose awareness and appropriate response training is included with that training. The bill requires the Texas Higher Education Coordinating Board (THECB) to encourage health related institutions of higher education and their faculty to conduct public health research on substance use disorders and addiction involving prescription drugs. The bill requires the executive commissioner of the Health and Human Services Commission (HHSC) to establish a program to expand access to telehealth treatment for substance use disorders, operate a statewide public awareness campaign explaining risks related to opioid misuse, and operate a program to provide opioid antagonists to certain groups likely to be in a position to respond to an opioid overdose. With certain exceptions, HHSC is required to provide medical assistance reimbursement for medication-assisted opioid or substance use disorder treatment without requiring preauthorization or precertification for the treatment. Additionally, the Criminal Justice Division in the Office of the Governor is required to administer a grant program to provide financial assistance to law enforcement agencies to provide opioid antagonists to certain groups. The bill requires prescribers or dispensers of opioids to annually attend at least one hour of continuing education on pain management. The bill also requires the Department of State Health Services to collect and analyze data related to opioid overdose deaths and the co-occurrence of substance use disorders and mental illness.

HB 2425 by Kacal/Schwertner – Relating to the authority of physicians to delegate to certain pharmacists the implementation and modification of a patient's drug therapy. The bill adds pharmacists practicing at a federally qualified health center to a list of specified pharmacists that a physician may delegate the performance of certain acts of drug therapy management under a protocol, including the authority to sign a prescription drug order for dangerous drugs.

SB 20 by Huffman/S. Thompson - Relating to the prevention of, reporting regarding, investigation of, prosecution of, criminal and civil penalties for, and other consequences of prostitution, trafficking of persons, and related criminal offenses, to treatment, services, and compensation available to victims of those offenses, and to orders of nondisclosure for certain persons who are victims of certain of

those offenses. The bill permits the Office of the Attorney General to enter into a contract with an institution of higher education for the institution's assistance in the collection and analysis of information related to human trafficking. The bill establishes a sex trafficking prevention and victim treatment program at the Health and Human Services Commission (HHSC) in collaboration with a designated health-related institution (HRI) to operate the program. HHSC would provide the designation after a solicitation and review of applications from HRIs. The designated institution will dedicate units at the institution to provide or contract for inpatient and outpatient care for victims; create opportunities for research and workforce expansion related to treating victims; and assist other HRIs in establishing similar programs. The bill establishes a matching grant program for municipal sex trafficking prevention programs at HHSC to award grants for sex trafficking prevention needs assessments done in collaboration with a local institution of higher education. Additionally, the bill requires the Office of the Governor to establish and administer a grant program to train local law enforcement officers to recognize signs of sex trafficking.

HB 2261 by Walle/Hinojosa - Relating to the physician education loan repayment program. The bill increases the amount of money a physician can receive under the Physician Education Loan Repayment Program (PELRP) by \$5,000 each year. The program is administered by the Texas Higher Education Coordinating Board and the legislation brings the total amount of repayment assistance available program to \$180,000, up from \$160,000. The purpose of the PELRP is to encourage qualified physicians to practice medicine in a Health Professional Shortage Area and to provide health care services to certain populations.

SB 1378 by Buckingham/C. Turner - Relating to meeting the graduate medical education needs of medical degree programs offered or proposed by public institutions of higher education. During the 85th Legislative Session, legislation was passed requiring institutions that complete preliminary planning for a new doctor of medicine (M.D.) or doctor of osteopathic medicine (D.O.) degree to submit a specific plan to the Texas Higher Education Coordinating Board (THECB) regarding the addition of first-year residency positions for the graduate medical education program to be offered in connection with the new degree program. The purpose of the legislation was for schools with new programs to create residency programs with enough first-year positions to accommodate the number of medical graduates it produces per year and therefore, be able to retain the graduates within the state of Texas. Senate Bill 1378 builds on this requirement to require a plan regarding the addition of first-year residency positions for the graduate medical education program, if in its preliminary planning the institution establishes a long-term targeted maximum individual enrollment class size that differs from its proposed initial maximum individual enrollment class size. The plan would include a proposed increase in the number of first-year residency positions over time that will be sufficient to accommodate the institution's planned increase or increases in maximum individual enrollment class size. The bill, among other provisions, requires any institution that experiences substantial growth in an applicable class size after the approval of its plan to promptly provide to the Texas Higher Education Coordinating Board an updated plan that complies with the statutory requirement to increase first year residency positions accordingly, based on the institution's actual maximum class size and, if the institution anticipates continued substantial growth, based on the institution's targeted maximum class size.

HB 1401 by Howard/Hinojosa - Relating to the use of money from the permanent fund for health-related programs to provide grants to nursing education programs. This bill extends the use of funds from the Permanent Fund for Higher Education Nursing, Allied Health, and Other Health Related Programs, a trust fund established from tobacco settlement receipts, to provide grants for nursing education programs from expiring at the end of fiscal year 2019 to the end of fiscal year 2023.

HB 1504 by Paddie/Nichols - Relating to the continuation and functions of the Texas Medical Board; authorizing a fee. The Sunset Commission performed a limited review of the Texas Medical Board after the failure of the Sunset bill to pass during the 85th Legislative Session. House Bill 1504 continues the Texas Medical Bill for 12 years. The bill authorizes the board to establish a risk-based approach to inspecting office-based anesthesia providers, requires an expedited licensing process for qualified out-of-state physicians, clarifies the process by which the Medical Board may appeal an administrative law judge's findings of facts and conclusions of law on a disciplinary case, and authorizes the removal of certain nondisciplinary actions from physician public profiles. The bill also creates a new certificate type for Radiology Assistants and establishes that it is a violation of the Medical Practice Act to willfully fail to make a reasonable effort to transfer a patient to a physician who will comply with a patient's advanced directive

SB 21 by Huffman/Zerwas - Relating to the distribution, possession, purchase, consumption, and receipt of cigarettes, e-cigarettes, and tobacco products. The bill raises the minimum age requirement in applicable Texas law to 21 years old from 18 years old for buying, attempting to buy, possessing, consuming, or accepting cigarettes, e-cigarettes, or tobacco products. The bill creates an exception that the person to whom the cigarette, e-cigarette, or tobacco product was sold was at least 18 years old and presented a valid military identification card of the United States military forces or state military forces upon purchase. Individuals aged 18 and over on the effective date of the bill, September 1, 2019, would be exempt from the new age requirement.

SB 2111 by Watson/Price - Relating to the Health and Human Services Commission developing a plan to contract with a public institution of higher education to operate a certain state hospital. The bill requires the Health and Human Services Commission (HHSC) to develop a plan to transfer the operations of Austin State Hospital from HHSC to a local public institution of higher education. The bill would require HHSC to produce a report containing the plan and recommendations by September 1, 2020.

HB 16 by Leach/Kolkhorst - Relating to the enforcement of the rights of a living unborn child after an abortion; providing a civil penalty; creating a criminal offense. House Bill 16 establishes a physician-patient relationship between a child born alive after an abortion and the physician who performed or attempted to perform the abortion. The bill requires the physician to exercise the same

degree of professional skill, care, and diligence to preserve the life and health of the child as a reasonably diligent and conscientious physician would render to any other child born alive at the same gestational age. The bill creates a third degree felony offense for a physician or health care practitioner who fails to provide the appropriate medical treatment to such a child and makes a physician who fails to do so liable for a civil penalty.

HB 531 by Miller/Buckingham - Relating to the retention by hospitals and physicians of certain medical records of a sexual assault victim. The bill extends the records retention period for hospitals and physicians with respect to the medical records of a sexual assault victim. The bill prohibits medical records from forensic medical examinations of sexual assault victims from being destroyed until 20 years after the record was created.

HB 8 by Neave/Nelson - Relating to the criminal statute of limitations for certain sex offenses and the collection, analysis, and preservation of evidence of sexual assault and other sex offenses. The bill amends current law relating to the criminal statute of limitations for certain sex offenses and the collection, analysis, and preservation of evidence of sexual assault and other sex offenses. Among various provisions, the bill requires the contents of certain sexual assault exam kits, and other biological evidence, to be retained for 40 years, or until the statute of limitations expires, whichever period is longer. A health care facility or other entity that performs a medical examination to collect evidence of sexual assault, upon receipt of signed, written consent to release the evidence, shall promptly notify any investigating law enforcement agency. The bill requires a standardized form by the Department of State Health Services to provide certain information to certain victims of sexual assault, before the survivor is released from the facility. The bill requires an audit of untested rape kits and sets deadlines for those kits to be analyzed and processed.

Additionally, the bill includes the same provisions as Senate Bill 71 and establishes a Statewide Telehealth Center for Sexual Assault Forensic Medical Examination at the Office of the Attorney General to expand access to sexual assault nurse examiners for underserved populations. The center is authorized to facilitate, in person or with technology, the provision by a sexual assault nurse examiner of training, technical assistance, or consulting with a sexual assault examiner on a forensic medical examination. The Office of the Attorney General may provide funds for establishment or maintenance of the center, training, certain travel expenses, equipment/software, and any other purpose considered appropriate for the center and is required to consult with experts in medicine and forensic medical examinations, attorneys, and certain advocacy groups in the implementation of the center.

HB 2570 by Zerwas/Nelson- Relating to the award of grants by the Cancer Prevention and Research Institute of Texas Oversight Committee and to the payment of claims related to those grants by the comptroller of public accounts. House Bill 2570 amends the Government Code to extend the deadline by which a claim relating to a grant awarded by the Cancer Prevention and Research Institute of Texas Oversight Committee must be presented to the comptroller of public accounts for payment to be eligible to be paid from an appropriation from two years after the end of the fiscal year for which the

appropriation from which the claim is to be paid was made to seven years after the end of that fiscal year.

HB 2530 by Flynn/Zaffirini - Relating to the development by the Texas Veterans Commission of an online repository of information of use to active duty military relocating to this state. The bill requires the Texas Veterans Commission to provide for the development and maintenance on the state electronic Internet portal project an online repository of information of use to active duty members of the U.S. armed forces and their families relocating to Texas, including information on assistance, fee waivers, and state provided programs related to occupational and professional licenses, education, and health care.

SB 670 by Buckingham/Price - relating to telemedicine and telehealth services. The bill makes necessary changes to the regulation and payment of telemedicine and telehealth services provided through the Texas Medicaid program. Among other provisions, the bill requires the Health and Human Services Commission to ensure that Medicaid health plans not deny payment of services solely because the service was provided via telemedicine/telehealth rather than in person.

HB 906 by S. Thompson/Powell - relating to the establishment of a collaborative task force to study certain public school mental health services. House Bill 906 amends the Education Code to establish the Collaborative Task Force on Public School Mental Health Services for purposes of studying and evaluating:

- Mental health services that are funded by the state and provided at a public school district or open-enrollment charter school directly to a student enrolled in the district or charter school, a parent or family member of or person standing in parental relation to such a student, or an employee of the district or charter school;
- Training provided to an educator employed by the district or charter school to provide the mental health services; and
- The impact such mental health services have on the physical and emotional safety and well-being of the individuals who are provided the mental health services and on the number of violent incidents that occur at districts or charter schools.

The bill requires the commissioner of education to designate one institution of higher education with experience in evaluating mental health services to serve as the lead institution for the task force. This institution would be required to provide faculty, staff, and administrative support services to the task force as determined necessary to administer the provisions of the bill. The lead institution would lead the task force in its charges to gather data on individuals provided with mental health services; to study, evaluate, and make recommendations on mental health services, including academic, disciplinary, and personal outcomes; and to submit biennial reports on the task force's activities. The bill also requires the commissioner to designate two other institutions of higher education to assist the lead institution in its responsibilities.

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Disaster Response & Recovery; Emergency Management; GCRT and TDEM

On August 25, 2017, Hurricane Harvey made landfall northeast of Corpus Christi on the Texas Gulf Coast. As part of the state's effort to respond quickly and effectively, Governor Abbott created the *Governor's Commission to Rebuild Texas* (GCRT) and appointed John Sharp, Chancellor of the Texas A&M University System as Commissioner. The Commission's role was to "oversee the response and relief effort between the state and local governments to ensure victims of the storm get everything they need as quickly as possible." Its efforts culminated in the document entitled "Eye of the Storm: Report of the Governor's Commission to Rebuild Texas".

Eye of the Storm describes how Texas responded to Hurricane Harvey and began the long road to recovery in its aftermath. The product of many months of effort by the Commission, in which the Texas A&M University System Office of State Relations and Texas A&M AgriLife Extension played an active role, Eye of the Storm is based on hundreds of hours of interviews and after-action reports. "Eye of the Storm" contains a detailed account of Hurricane Harvey and offers 44 recommendations of needed actions for improving Texas' response and recovery to future disasters.

During the 86th Legislative Session 262 emergency management related bills were filed, of which 74 passed, and 5 were vetoed by Governor Abbott. Of the 69 emergency management bills that were signed by the governor, 50 were directly tied to the "Eye of the Storm" report with **27 bills directly addressing 43 of the 44 recommendations issued by the Governor's Commission to Rebuild Texas.** Recommendation number 4 to "strengthen the role of the Texas A&M Veterinary Emergency Team by giving it a more appropriate designation in the State of Texas Emergency Management Plan and consider additional appropriations" was the only recommendation not addressed by the 86th Legislature.

In direct response to recommendation number 1 of "Eye of the Storm," the 86th Legislature passed **House Bill 2794 by Morrison/Kolkhorst**; it transfers the Texas Division of Emergency Management (TDEM) from the Texas Department of Public Safety and establishes it as an agency of the Texas A&M University System. Since the System already includes several disaster related agencies, this change is made to improve the State's preparation and coordination of its response to natural disasters.

The State of Texas leads the nation in the number of federally declared disasters averaging one every 8.1 months. To be a federally declared disaster the total amount of uninsured losses must meet a current threshold of \$37.7 million. TDEM, currently led by Chief Nim Kidd, is responsible for the coordination of the preparedness, response, recovery and mitigation of disasters in the state. If a local jurisdiction cannot manage a disaster on their own, it requests assistance from the state at which time TDEM through the State Operations Center, made up of state agencies and volunteer organizations that are a part of the Emergency Management Council, provides the requested support. Before disasters, TDEM

prepares the state by providing planning, training, and exercises. Post disaster, TDEM oversees the recovery and mitigation funds that are needed to rebuild and mitigate future disasters.

During the 86th Legislature, TDEM was assigned to:

- 10 Legislatively Mandated Task Forces and study groups
- 11 TEMAC (Texas Emergency Management Advisory Council) committees Created by TDEM
- 2 Fund distribution projects
- 41 Reports/Plans/Actions

Additionally, TDEM saw General Revenue funding increase by \$20.4 million, including \$10.4 million for a disaster recovery team and \$10 million for the Disaster Recovery Loan Program created by Senate Bill 6 by Kolkhorst/Morrison. TDEM will be transferred to the A&M System effective Sept. 1, 2019.

“Eye of the Storm” Recommendations and Legislation

Recommendation 1

Reorganize emergency management functions to unify the most critical emergency response and recovery functions.

- SB 799 by Alvarado - Relating to the creation of a business advisory council to provide advice on economic recovery following a disaster.
- HB 1 by Zerwas – General Appropriations Bill. (Article IX, Section 18.29)
- HB 2794 by Morrison - Relating to the administration of emergency management in this state.
HB 2794 directs the transfer of TDEM to the Texas A&M University System

Recommendation 2

Update and expand the Texas Emergency Management Council.

- SB 799 by Alvarado - Relating to the creation of a business advisory council to provide advice on economic recovery following a disaster.

Recommendation 3

Consider appropriating additional funds from the existing Emergency Radio Infrastructure Account to fund radio infrastructure.

- HB 2952 by Guillen - Relating to the establishment of an emergency radio infrastructure revolving loan program.

Recommendation 4

Strengthen the role of the Texas A&M Veterinary Emergency Team by giving it a more appropriate designation in the State of Texas Emergency Management Plan and consider additional appropriations.

Recommendation 5

Create a catastrophic debris management plan and model guide for local use.

- SB 6 by Kolkhorst - Relating to emergency and disaster management, response, and recovery.
- HB 5 by Phelan - Relating to debris management and other disaster recovery efforts.
- HB 6 by Morrison - Relating to developing a disaster recovery task force to assist with long-term disaster recovery.

Recommendation 6

Improve contracting for debris removal.

- SB 6 by Kolkhorst - Relating to emergency and disaster management, response, and recovery.
- HB 5 by Phelan - Relating to debris management and other disaster recovery efforts.

Recommendation 7

Study the issues surrounding the removal of “wet” debris.

- SB 6 by Kolkhorst - Relating to emergency and disaster management, response, and recovery.
- SB 799 by Alvarado - Relating to the creation of a business advisory council to provide advice on economic recovery following a disaster.
- HB 5 by Phelan - Relating to debris management and other disaster recovery efforts.

Recommendation 8

Improve the process for applying for D-SNAP (Disaster Supplemental Nutrition Assistance Program) benefits during a major disaster.

- SB 981 by Kolkhorst - Relating to the disaster supplemental nutrition assistance program.
- HB 2335 by Walle - Relating to the disaster supplemental nutrition assistance program.

Recommendation 9

Investigate the possibility of creating a state case management program administered by the Health and Human Services Commission.

- HB 1307 by Hinojosa - Relating to the creation of a disaster case management system by the Texas Division of Emergency Management.
- HB 2330 by Walle - Relating to a study of an intake system and state case management system for state and federal disaster assistance.

Recommendation 10

Determine the feasibility of developing a single intake form for disaster victims to complete to determine their eligibility for disaster programs.

- SB 6 by Kolkhorst - Relating to emergency and disaster management, response, and recovery.
- HB 2330 by Walle - Relating to a study of an intake system and state case management system for state and federal disaster assistance.

Recommendation 11

Improve oversight, accountability, and availability of individuals in the building trades offering services to disaster survivors.

- HB 2320 by Paul - Relating to services provided during and following a disaster.

Recommendation 12

Institutionalize the use of extension agents from the Texas A&M AgriLife Extension Service as a “force extender” in support of the Texas Division of Emergency Management

- HB 1 by Zerwas - General Appropriations Bill. (AgriLife Rider #10)

Recommendation 13

Use available state resources, such as staff from AgriLife Extension, TEEX, and other state agencies, to create a recovery task force to provide specialized assistance for communities and individuals in areas

like financial issues, federal assistance programs, and recovery and resiliency planning to speed recovery at the local level.

- HB 1 by Zerwas - General Appropriations Bill. (AgriLife Rider #10 Disaster Readiness and Recovery for Texas)
- HB 6 by Morrison - Relating to developing a disaster recovery task force to assist with long-term disaster recovery.
- SB 289 by Lucio, Jr. - Relating to natural disaster housing recovery.
- SB 799 by Alvarado - Relating to the creation of a business advisory council to provide advice on economic recovery following a disaster.

Recommendation 14

Set up a response team at the state level to respond to questions and other inquiries from local emergency management officials.

- HB 1 by Zerwas - General Appropriations Bill. (AgriLife Rider #10 Disaster Readiness and Recovery for Texas)
- HB 6 by Morrison - Relating to developing a disaster recovery task force to assist with long-term disaster recovery.
- SB 289 by Lucio, Jr. - Relating to natural disaster housing recovery.
- SB 799 by Alvarado - Relating to the creation of a business advisory council to provide advice on economic recovery following a disaster.

Recommendation 15

Organize ongoing briefings at least quarterly or as needed to inform legislators, their staff, and appropriate agency personnel on hazard threats and disasters.

- HB 6 by Morrison - Relating to developing a disaster recovery task force to assist with long-term disaster recovery.
- SB 289 by Lucio, Jr. - Relating to natural disaster housing recovery.
- SB 799 by Alvarado - Relating to the creation of a business advisory council to provide advice on economic recovery following a disaster.

Recommendation 16

Ensure the state is prepared to quickly develop and present a well-reasoned report to the federal government listing projects requiring federal funding after large-scale disasters.

- HB 6 by Morrison - Relating to developing a disaster recovery task force to assist with long-term disaster recovery.
- SB 289 by Lucio, Jr. - Relating to natural disaster housing recovery.
- SB 799 by Alvarado - Relating to the creation of a business advisory council to provide advice on economic recovery following a disaster.

Recommendation 17

Clarify the requirements local elected officials must meet to communicate in emergency situations under the state's Open Meetings Act.

- SB 494 by Huffman - Relating to certain procedures applicable to meetings under the open meetings law and the disclosure of public information under the public information law in the event of an emergency, urgent public necessity, or catastrophic event.

Recommendation 18

Develop a process to capture vehicle identification information in FEMA's vehicle assistance program.

- HB 2310 by Vo - Relating to the information necessary to appropriately title certain flood damaged vehicles that have been repaired with federal financial assistance.

Recommendation 19

Explore ways to solve the issue of titling trailers in the FEMA temporary housing program.

- HB 2315 by Thompson of Brazoria - Relating to evidence of ownership of temporary housing provided by a government agency in response to a natural disaster or other declared emergency.

Recommendation 20

Compile and maintain a comprehensive list of all the regulatory waivers needed during disaster to expedite suspensions in any future event.

- HB 7 by Morrison - Relating to disaster preparation for state agencies and political subdivisions.
- HB 852 by Holland - Relating to information a municipality may consider in determining the amount of certain building permit and inspection fees.
- SB 1113 by Lucio, Jr. - Relating to a waiver authorizing the application of pesticides for mosquito control by certain municipal or county employees in an emergency.

Recommendation 21

Increase utility customers' awareness of utility payment relief programs.

- HB 2320 by Paul - Relating to services provided during and following a disaster.

Recommendation 22

Grant the Texas Department of Transportation (TxDOT) statutory authority to pre-purchase food and water and stockpile these essentials for each hurricane season.

- SB 537 by Kolkhorst - Relating to the purchase of food and beverages by the Texas Department of Transportation for certain employees responding to emergencies or disasters.

Recommendation 23

Study and recommend ways to resolve restrictions of home owner associations or local jurisdictions impeding debris removal or trailer placement for short-term housing during disasters.

- HB 5 by Phelan - Relating to debris management and other disaster recovery efforts.
- SB 289 by Lucio, Jr. - Relating to natural disaster housing recovery.

Recommendation 24

Establish in statute a special study committee to evaluate and propose options for a state-local partnership to help future-proof Texas against flood events on a watershed basis.

- SB 8 by Perry - Relating to state and regional flood planning.

Recommendation 25

Establish and fund a new Institute for a Disaster Resilient Texas to be established within Texas A&M University.

- HB 2345 by Walle - Relating to resources to facilitate disaster mitigation, response, and recovery.

Recommendation 26

Investigate ways to improve the hardening of utilities and facilities.

- HB 2320 by Paul - Relating to services provided during and following a disaster.

Recommendation 27

Create a comprehensive inventory of needed mitigation and resiliency projects statewide and develop a prioritization methodology to guide local, state, and federal decision makers.

- SB 7 by Creighton - Relating to flood control planning and the funding of flood planning, mitigation, and infrastructure projects.
- SB 8 by Perry - Relating to state and regional flood planning.

Recommendation 28

Develop for the Legislature a proposal for training and credentialing emergency management personnel.

- SB 6 by Kolkhorst - Relating to emergency and disaster management, response, and recovery.
- HB 2305 by Morrison - Relating to a work group on enhancing the training and credentialing of emergency management personnel.

Recommendation 29

Review current training courses with the goal of strengthening training for recovery operations for state and local personnel in emergency management.

- SB 6 by Kolkhorst - Relating to emergency and disaster management, response, and recovery.
- HB 2305 by Morrison - Relating to a work group on enhancing the training and credentialing of emergency management personnel.

Recommendation 30

Explore possible expansion of current degree programs in emergency management.

- SB 6 by Kolkhorst - Relating to emergency and disaster management, response, and recovery.
- HB 2305 by Morrison - Relating to a work group on enhancing the training and credentialing of emergency management personnel.

Recommendation 31

Examine and report on ways to strengthen the quality and sharing of data used in emergency management operations.

- HB 2325 by Metcalf - Relating to providing information and communication regarding and during a disaster.
- HB 2340 by Dominguez - Relating to emergency and disaster management, response, and recovery.

Recommendation 32

Emphasize to emergency management personnel the importance of working out partnership agreements and contracted services before a disaster strikes.

- HB 7 by Morrison - Relating to disaster preparation for state agencies and political subdivisions.
- SB 986 by Kolkhorst - Relating to contract management standards and information for contracts related to emergency management.

Recommendation 33

Explore whether the purchasing programs of the Texas Comptroller's Office could be tailored to help local jurisdictions with their emergency management needs.

- HB 7 by Morrison - Relating to disaster preparation for state agencies and political subdivisions.

Recommendation 34

Collaborate with Congress and the federal government to improve emergency management laws and policies.

- HB 2340 by Dominguez - Relating to emergency and disaster management, response, and recovery.

Recommendation 35

Embrace the basic tenets of FEMA's Strategic Plan with its emphasis on cooperation among federal emergency management agencies, state government, local government, non-governmental organizations, the private sector, and individual citizens to meet the critical basic goals of making the Nation better prepared for and better able to deal with future disasters.

- HB 2340 by Dominguez - Relating to emergency and disaster management, response, and recovery.

Recommendation 36

Review laws and practices affecting the use of drones during emergency events and recommend changes in statutes or operations to promote their use.

- HB 2340 by Dominguez - Relating to emergency and disaster management, response, and recovery.

Recommendation 37

Establish a single, well publicized state website at the Texas A&M University System that is easy to use and presents important post-disaster information about response and recovery activities.

- HB 2325 by Metcalf - Relating to providing information and communication regarding and during a disaster.

Recommendation 38

Consider ways to make better use of 911 and social media during disaster response.

- HB 2325 by Metcalf - Relating to providing information and communication regarding and during a disaster.

Recommendation 39

Explore expansion of the capabilities of the Rebuild Texas application or development of a new mobile app to deliver important information to responders and disaster victims alike.

- HB 2325 by Metcalf - Relating to providing information and communication regarding and during a disaster.

Recommendation 40

Examine the costs and benefits of promoting a technology standard enabling a wider video representation of a disaster area for first responders.

- HB 2325 by Metcalf - Relating to providing information and communication regarding and during a disaster.

Recommendation 41

Continue to cultivate relationships with private technology providers to coordinate their assistance in the early days of a disaster when communications systems are damaged or destroyed.

- HB 2320 by Paul - Relating to services provided during and following a disaster.

Recommendation 42

Examine ways for the state to apply data analytics to improve disaster management through more effective and timely information.

- HB 2325 by Metcalf - Relating to providing information and communication regarding and during a disaster.
- HB 2345 by Walle - Relating to resources to facilitate disaster mitigation, response, and recovery.

Recommendation 43

Examine ways to better inform the public about how to prepare for and survive a disaster.

- SB 285 by Miles - Relating to information and outreach regarding hurricane preparedness and mitigation.
- HB 2325 by Metcalf - Relating to providing information and communication regarding and during a disaster.

Recommendation 44

Consider appropriating additional funds to expand and improve the state's trauma care network to be better prepared for future disasters.

- SB 982 by Kolkhorst – Relating to awareness of and access to health care service programs available during a disaster or emergency.
- SB 500 by Nelson – Relating to making supplemental appropriations and reductions in appropriations and prescribing limitations regarding appropriations. (Section 17, DSHS)

Texas Division of Emergency Management

HB 2794 by Morrison/Kolkhorst – Relating to the administration of emergency management in this state. HB 2794 transferred the Texas Division of Emergency Management from the Department of Public Safety to the Texas A&M University System as an agency of the System. This bill is in direct response to recommendation #1 of *Eye of the Storm*: Report of the Governor's Commission to Rebuild Texas. The change is intended to improve the State's response to natural disasters and was one of the recommendations from the Governor's Commission to Rebuild Texas.

Legislatively Mandated Task Forces and Study Groups*

Business Advisory Group

- SB 799 by Alvarado

Wet Debris Study Group

Recommendation 7 – Includes federal agencies

- SB 6 by Kolkhorst
- SB 799 by Alvarado
- HB 5 by Phelan

Work Group on Local Restrictions that Impede Disaster Recovery Efforts

Recommendation 23

- HB 5 by Phelan
- SB 289 by Lucio, Jr.

Credentialing and Training

Recommendations 28, 29, 30 – Includes Institutions of Higher Education

- SB 6 by Kolkhorst
- HB 2305 by Morrison

Drone Use During Response and Recovery

Recommendation 36

- HB 2340 by Dominguez

Disaster Recovery Task Force

Recommendations 12, 13, 14

- HB 6 by Morrison
- SB 289 by Lucio, Jr.
- SB 799 by Alvarado

Faith-Based Disaster Response

- HB 3616 by Hunter

Texas Infrastructure Resiliency Fund Advisory Board

- SB 7 by Creighton

Information Sharing

Recommendation 31

- HB 2340 by Dominguez

Environmental Permitting

- HB 2340 by Dominguez

TEMAC Committees Created by TDEM*

Catastrophic Debris Management

Recommendation 5 – Includes TxDOT, TEEX, TCEQ, Local Jurisdictions

- SB 6 by Kolkhorst
- HB 5 by Phelan
- HB 6 by Morrison

Single Intake & Case Management

Recommendations 10, 9 – Includes HHSC, FEMA

- SB 6 by Kolkhorst
- HB 1307 by Hinojosa
- HB 2330 by Walle

Standard Communications Systems

- HB 2325 by Metcalf

Tradespeople after a Disaster

Recommendation 11 – Includes TDLR, Trade Associations, Law Enforcement Groups

- HB 2320 by Paul

Disaster Response Guide

Recommendation 29

- SB 6 by Kolkhorst

Hardening of Facilities and Infrastructure

Recommendation 26 – Includes TCEQ, Railroad Commission

- HB 2320 by Paul

Social Media Standards

Recommendation 38

- HB 2325 by Metcalf

Special Populations in Shelters

Includes DSHS

- SB 982 by Kolkhorst

Mobile Medical Units

- SB 982 by Kolkhorst

Plan & Training of Local Jurisdictions on Contracts

Recommendations 32, 33 – Includes CPA

- SB 6 by Kolkhorst
- SB 986 by Kolkhorst
- HB 7 by Creighton

911 Text Capability

Recommendation 38

- HB 2325 by Metcalf

Fund Distribution Projects***Disaster Recovery Loan Program**

Includes FEMA

- SB 6 by Kolkhorst

Texas Infrastructure Resiliency Fund

Includes TWDB

- SB 7 by Creighton

Reports, Plans & Actions*

Texas Infrastructure Resiliency Fund Scoring

Includes TWDB

- SB 7 by Creighton

Catastrophic Debris Management Plan & Model Guide

Recommendation 5 – Includes TxDOT, TEEX, TCEQ, Local Jurisdictions

- SB 6 by Kolkhorst
- HB 5 by Phelan

Single Disaster Benefits Intake

Recommendation 10 – Includes HHSC, FEMA

- SB 6 by Kolkhorst
- HB 2330 by Walle

Single Disaster Case Management System

Recommendation 9 – Includes HHSC, GLO, DSHS, TxDMV, TWC, TDI, TDA, Federal

- HB 1307 by Hinojosa
- HB 2330 by Walle

Standard Communication Format by First Responders

- HB 2325 by Metcalf

Wet Debris Study Group Report

Recommendation 7

- SB 6 by Kolkhorst
- SB 799 by Alvarado
- HB 5 by Phelan

Local Restrictions that Impede Disaster Recovery

Recommendation 23

- HB 5 by Phelan
- SB 289 by Lucio, Jr.

Credentialing & Training Recommendations

Recommendations 28, 29, 30

- SB 6 by Kolkhorst
- HB 2305 by Morrison

Drone Use During Response & Recovery

Recommendation 36 – Includes Institutions of Higher Education

- HB 2340 by Dominguez

Recommendations on Increasing Availability of Tradespeople after a Disaster

Recommendation 11 – Includes TDLR, Trade Associations, Law Enforcement Groups

- HB 2320 by Paul

Faith-Based Disaster Response

- HB 3616 by Hunter

Business Advisory Group

- SB 799 by Alvarado

Information Sharing

Recommendation 31

- HB 2340 by Dominguez

Agency Hurricane Preparedness Report

Recommendation 43

- SB 285 by Miles

Environmental Permitting

- HB 2340 by Dominguez

Hardening of Utility Facilities & Critical Infrastructure

Recommendation 26 – Includes TCEQ, Railroad Commission

- HB 2320 by Paul

Social Media Standards

Recommendation 38

- HB 2325 by Metcalf

Capabilities of Local Emergency Shelter for Special Populations

Includes DSHS

- SB 982 by Kolkhorst

Disaster Response Guide for Local Officials

Recommendation 29

- SB 6 by Kolkhorst

Plan to Coordinate Local Volunteer Mobile Medical Units

- SB 982 by Kolkhorst

Plan and training to Assist Local Jurisdictions with Contracts for Services after Disaster

Recommendations 32, 33 – Includes CPA

- SB 6 by Kolkhorst

- SB 986 by Kolkhorst
- HB 7 by Morrison

Projects Qualified for Federal Assistance after Disasters

Recommendation 16

- HB 6 by Morrison
- SB 289 by Lucio
- SB 799 by Alvarado

Federal Funds Spent on Flood Research, Planning and Mitigation Projects

Includes TWDB

- SB 7 by Creighton
- SB 563 by Perry

Disaster Recovery Task Force

Recommendation 15

- HB 6 by Morrison
- SB 289 by Lucio, Jr.
- SB 799 by Alvarado

Disaster Billing Outreach

Includes PUC

- HB 2320 by Paul

911 Text Capability

Recommendation 38

- HB 2325 by Metcalf

Electric Grid Security Council

Includes USDOE, USDHS, North American Electric Reliability Corporation, Texas Reliability Entity

- SB 475 by Hancock

Communications Companies inclusion in disaster Planning

Includes private telecom companies

- HB 2320 by Paul

Mobile Application Development

Recommendation 39

- HB 2325 by Metcalf

Web Portal for Disaster Information on Response & Recovery

Recommendation 37

- HB 2325 by Metcalf

Disaster Training Update for Response Guide

Recommendation 29 – Includes AgriLife Extension, TEEX

- SB 6 by Kolkhorst

FEMA Goal Adoption

- HB 2340 by Dominguez

Disaster Analytics

Recommendations 40, 42 – Includes federal agencies

- HB 2325 by Metcalf

State Flood Plan

Includes TWDB, TCEQ, GLO, TDA, TPWD, Soil and Water Conservation Board

- SB 8 by Perry

Elderly Persons and People with Disabilities

- SB 982 by Kolkhorst

Model Debris Removal Contract

Recommendation 6 – Includes FEMA

- SB 6 by Kolkhorst
- HB 5 by Phelan

Vehicle Titling for Salvage or Repaired Vehicles

Recommendation 18 – Includes TxDMV, FEMA

- HB 2310 by Vo

Disaster Preparation Outreach

Recommendation 43 – Includes TEA, CPA, TDI, DSHS

- SB 285 by Miles
- HB 2325 by Metcalf

Transition TDEM to TAMUS

Recommendation 1 – TDEM, DPS, TAMUS

- HB 2794 by Morrison/Kolkhorst
- SB 799 by Alvarado

Federal Laws for Disaster Assistance Programs

Recommendation 34 – Federal

- HB 2340 by Dominguez/Johnson

Local Housing Recovery

Includes GLO, TDEM, FEMA, HUD, TAMU

- SB 289 by Lucio/Morrison

List of GCRT and TDEM Bills

SB 6 by Kolkhorst - Relating to emergency and disaster management, response, and recovery.

SB 7 by Creighton - Relating to flood control planning and the funding of flood planning, mitigation, and

SB 8 by Perry - Relating to state and regional flood planning.

SB 285 by Miles - Relating to information and outreach regarding hurricane preparedness and mitigation.

SB 289 by Lucio, Jr. - Relating to natural disaster housing recovery.

SB 416 by Huffman – Relating to the legal counsel provided by the attorney general to a political subdivision subject to a declared state of disaster.

SB 475 by Hancock – Relating to an advisory body on the security of the electric grid.

SB 494 by Huffman - Relating to certain procedures applicable to meetings under the open meetings law and the disclosure of public information under the public information law in the event of an emergency, urgent public necessity, or catastrophic event.

SB 500 by Nelson – Relating to making supplemental appropriations and reductions in appropriations and prescribing limitations regarding appropriations. (Section 17, DSHS)

SB 537 by Kolkhorst - Relating to the purchase of food and beverages by the Texas Department of Transportation for certain employees responding to emergencies or disasters.

SB 563 by Perry – Relating to the reporting of information about the use of federal money for flood research, planning, and mitigation projects.

SB 799 by Alvarado - Relating to the creation of a business advisory council to provide advice on economic recovery following a disaster.

SB 981 by Kolkhorst - Relating to the disaster supplemental nutrition assistance program.

SB 982 by Kolkhorst – Relating to awareness of and access to health care service programs available during a disaster or emergency.

SB 986 by Kolkhorst - Relating to contract management standards and information for contracts related to emergency management.

SB 1113 by Lucio, Jr. - Relating to a waiver authorizing the application of pesticides for mosquito control by certain municipal or county employees in an emergency.

HB 5 by Phelan - Relating to debris management and other disaster recovery efforts.

HB 6 by Morrison - Relating to developing a disaster recovery task force to assist with long-term disaster recovery.

HB 7 by Morrison - Relating to disaster preparation for state agencies and political subdivisions.

HB 852 by Holland - Relating to information a municipality may consider in determining the amount of certain building permit and inspection fees.

HB 1307 by Hinojosa - Relating to the creation of a disaster case management system by the Texas Division of Emergency Management.

HB 2305 by Morrison - Relating to a work group on enhancing the training and credentialing of emergency management personnel.

HB 2310 by Vo - Relating to the information necessary to appropriately title certain flood damaged vehicles that have been repaired with federal financial assistance.

HB 2315 by Thompson of Brazoria - Relating to evidence of ownership of temporary housing provided by a government agency in response to a natural disaster or other declared emergency.

HB 2320 by Paul - Relating to services provided during and following a disaster.

HB 2325 by Metcalf - Relating to providing information and communication regarding and during a disaster.

HB 2330 by Walle - Relating to a study of an intake system and state case management system for state and federal disaster assistance.

HB 2335 by Walle - Relating to the disaster supplemental nutrition assistance program.

HB 2340 by Dominguez - Relating to emergency and disaster management, response, and recovery.

HB 2345 by Walle - Relating to resources to facilitate disaster mitigation, response, and recovery.

HB 2794 by Morrison - Relating to the administration of emergency management in this state.

HB 2952 by Guillen - Relating to the establishment of an emergency radio infrastructure revolving loan program.

HB 3616 by Hunter - Relating to a task force on faith-based programs that provide assistance during a disaster.

Bills with Reporting or Posting Requirement

SEE ALSO: Section on Governor's Commission to Rebuild Texas and Texas Division of Emergency Management Reports, Task Forces, etc.

SB 6 by Kolkhorst - Relating to emergency and disaster management, response, and recovery.

SB 11 by Taylor - Relating to policies, procedures, and measures for school safety and mental health promotion in public schools.

SB 25 by West - Relating to measures to facilitate the transfer, academic progress, and timely graduation of students in public higher education.

SB 64 by Nelson - Relating to cybersecurity for information resources.

SB 65 by Nelson - Relating to state contracting and procurement.

SB 212 by Huffman – Relating to reporting requirement for certain incidents of sexual harassment, sexual assault, dating violence, or stalking at certain public and private institutions of higher education.

SB 241 by Zaffirini - Relating to exemptions to reporting and list requirements for certain attorneys ad litem, guardians ad litem, mediators, and guardians.

SB 502 by Seliger - Relating to requiring certain institutions of higher education to issue reports on the transferability of credit.

SB 999 by Campbell - Relating to a state plan for education on and treatment of Alzheimer's disease and related disorders.

SB 1441 by Tinderholt – Relating to reenrollment of certain retirees in the Texas Public School Employees Group Insurance Program.

SB 1636 by Zaffirini - Relating to an annual report prepared by the Health Professions Council.

SB 2011 by Buckingham - Relating to a study and report regarding streamlining physician licensing requirements for nurses.

SB 2111 by Watson - Relating to the Health and Human Services Commission developing a plan to contract with public institutions of higher education to operate state hospitals.

HB 80 by Ortega - Relating to a study and report regarding shortages in certain health professions.

HB 1070 by Price - Relating to the mental health first aid training program reporting requirements.

HB 1590 by Howard - Relating to the establishment of the Office for Sexual Assault Survivor Assistance within the criminal justice division of the governor's office.

HB 1999 by Leach - Relating to certain construction liability claims concerning public buildings and public works.

HB 2325 by Metcalf - Relating to providing information and communication regarding and during a disaster.

HB 2340 by Dominguez - Relating to emergency and disaster management, response, and recovery.

Other Bills of Interest That Passed

Texas A&M University

Academic Affairs

SB 37 by Zaffirini – Relating to the abolition of student loan default or breach of a student loan repayment or scholarship contract as a ground for nonrenewal of professional license.

SB 241 by Nelson – Relating to certain required reports received or prepared by state agencies and other governmental entities.

SB 289 by Lucio – Relating to disaster recovery.

SB 500 by Nelson – Relating to making supplemental appropriations and reductions in appropriations and giving direction, including direction regarding reimbursement, and adjustment authority regarding appropriations.

SB 502 by Seliger – Relating to requiring certain institutions of higher education to issue reports on the transferability of credit.

SB 1276 by Powell – Relating to an agreement between a school district and public institution of higher education to provide a dual credit program to high school students enrolled in the district.

SB 1324 by Taylor – Relating to the filing of a degree plan by students at public institutions of higher education.

SB 1413 by Zaffirini – Relating to consolidation of annual reporting requirements of the Texas Workforce Commission.

SB 1441 by Zaffirini – Relating to a study by the Texas Higher Education Coordinating Board comparing postsecondary educational outcomes for certain traditional and nontraditional students.

SB 1680 by West – Relating to the approval of certain private or independent institutions of higher education to participate in the tuition equalization grant program.

SB 1757 by Creighton – Relating to student loan repayment assistance under the math and science scholars loan repayment program.

HB 114 by White - Relating to providing public high school students information regarding the availability of college credit awarded for military experience, education, and training obtained during military service.

HB 277 by Oliverson – Relating to a requirement that online admission application forms for public institutions of higher education include a link to certain comparative gainful employment data.

HB 449 by Turner – Relating to a requirement that a public or private institution of higher education include a notation on a student's transcript under certain circumstances.

HB 539 by Leman – Relating to the automatic admission to general academic teaching institutions and eligibility for certain scholarships of a student who is the valedictorian of the student's high school graduating class.

HB 1891 by Stucky – Relating to an exemption from the assessment requirements of the Texas Success Initiative for students who achieve a certain score on a high school equivalency examination.

HB 2140 by Neave – Relating to creating an electronic application system for state student financial assistance.

HB 2668 by Turner – Relating to the dissolution of a direct-support organization established by the Prepaid Higher Education Tuition Board and the transfer of funds related to prepaid higher education tuition scholarships to the Texas Save.

HB 3124 by Wilson – Relating to tuition and fees charged by The Texas A&M University System for certain national laboratory or national laboratory operator employees and dependents.

HB 3650 by Turner – Relating to an agreement between a school district and public institution of higher education to provide a dual credit program to high school students enrolled in the district.

HB 3655 by Turner – Relating to the administration and operation of the state's programs for paying, prepaying, or saving toward the costs of attending an institution of higher education, including the powers and duties of the Prepaid Higher Education Tuition Board.

HB 3808 by Walle – Relating to measures to facilitate the timely graduation of and attainment of marketable skills by students in public higher education.

HB 4465 by Turner – Relating to the student loan program administered by the Texas Higher Education Coordinating Board and to the repeal of a related bond program.

Finance and Operations

SB 12 by Huffman – Relating to the contributions to the Teacher Retirement System of Texas.

SB 16 by Hancock – Relating to a student loan repayment assistance program for certain full-time peace officers in this state.

SB 65 by Nelson – Relating to state contracting and procurement.

SB 340 by Huffman – Relating to the creation of a grant program to assist law enforcement agencies with the purchase of opioid antagonists.

SB 345 by Creighton – Relating to the use of land in the William Goodrich Jones State Forest.

SB 709 by Wright – Relating to the allocation and use of the annual constitutional appropriation to certain agencies and institutions of higher education.

SB 943 by Watson – Relating to the disclosure of certain contracting information under the public information law.

SB 1091 by Nichols – Relating to vehicles eligible for veteran toll discount programs.

SB 1504 by Zaffirini – Relating to the abolition of the B-On-time student loan account and the allocation of funds remaining in that account.

HB 41 by Metcalf – Relating to paid leave for a state employee who is a search and rescue volunteer.

HB 81 by Canales – Relating to the disclosure under the public information law of certain information related to parades, concerts, or other entertainment events open to the general public that are paid for with public funds.

HB 766 by Huberty – Relating to exemptions for disabled peace officers and fire fighters from payment of tuition and fees at public institutions of higher education.

HB 793 by King – Relating to certain government contracts with companies that boycott Israel.

HB 864 by Anchia – Relating to pipeline incidents; clarifying changes to related administrative penalties.

HB 985 by Parker – Relating to the effect of certain agreements with a collective bargaining organization on certain state-funded public work contracts.

HB 986 by Price – Relating to the deployment of advanced metering and meter information networks by certain non-ERCOT utilities.

HB 1070 by Price – Relating to the mental health first aid training program reporting requirements.

HB 1401 by Howard – Relating to the use of money from the permanent fund for health-related programs to provide grants to nursing education programs.

HB 1524 by Shaheen – Relating to correcting outdated references to the Texas Building and Procurement Commission.

HB 1592 by Smithee – Relating to health care professional liability coverage for certain public institutions of higher education.

HB 1702 by Howard – Relating to services provided for students at public institutions of higher education who were formerly in foster care.

HB 1960 by Price – Relating to the creation of the governor's broadband development council.

HB 2320 by Paul – Relating to services provided during and following a disaster.

HB 2816 by Lucio – Relating to compensation and leave for certain employees of the fraud unit of the Texas Department of Insurance.

HB 3871 by Krause – Relating to the process for establishing speed limits on roads near certain schools.

Information Technology

SB 64 by Nelson – Relating to cybersecurity for information resources.

Research

HB 39 by Zerwas – Relating to the repeal of certain time limitations on the award of grants by the Cancer Prevention and Research Institute of Texas Oversight Committee.

HB 2345 by Walle – Relating to resources to facilitate disaster mitigation, response, and recovery.

HB 2570 by Zerwas – Relating to the award of grants by the Cancer Prevention and Research Institute of Texas Oversight Committee and to the payment of claims related to those grants by the comptroller of public accounts.

Student Affairs/Compliance

SB 18 by Huffman – Relating to the protection of expressive activities at public institutions of higher education.

SB 38 by Zaffirini – Relating to the offense of hazing.

SB 194 by Perry – Relating to the creation of the criminal offense of indecent assault, to judicial protection for victims of that offense, and to certain criminal acts committed in relation to that offense.

SB 212 by Huffman – Relating to a reporting requirement for certain incidents of sexual harassment, sexual assault, dating violence, or stalking at certain public and private institutions of higher education; creating a criminal offense; authorizing administrative penalties.

SB 1978 by Hughes – Relating to the protection of membership in, affiliation with, and support provided to religious organizations.

HB 476 by Howard – Relating to certain duties of public institutions of higher education and the Department of State Health Services regarding policies on the use of epinephrine auto-injectors by public institutions of higher education.

HB 1735 by Howard – Relating to sexual harassment, sexual assault, dating violence, and stalking at public and private postsecondary educational institutions; providing an administrative penalty.

HB 2554 by Bucy – Relating to regulation of the display of signs containing political advertising.

Health Science Center

SB 24 by Lucio/Paddie - Relating to the provision of informational materials and certain other information to a pregnant woman before an abortion.

SB 37 by Zaffirini/Krause - relating to a prohibition on the use of student loan default or breach of a student loan repayment or scholarship contract as a ground for refusal to grant or renew an occupational license or other disciplinary action in relation to an occupational license.

SB 72 by Nelson/Guillen - Relating to the establishment and duties of the human trafficking prevention coordinating council.

SB 234 by Nelson/Morrison - Relating to the right to vacate and avoid residential lease liability following the occurrence of family violence.

SB 340 by Huffman/P. King - Relating to the creation of a grant program to assist law enforcement agencies with the purchase of opioid antagonists.

SB 384 by Nelson/Sheffield - Relating to the reporting of health care-associated infections and preventable adverse events at health care facilities.

SB 436 by Nelson/Price - Relating to statewide initiatives to improve maternal and newborn health for women with opioid use disorder.

SB 586 by Watson/Neave - Relating to the training of peace officers for family violence and sexual assault assignments.

SB 633 by Kolkhorst/Lambert - Relating to an initiative to increase the capacity of local mental health authorities to provide access to mental health services in certain counties.

SB 683 by Buckingham/Allison - Relating to the licensing and regulation of pharmacists and pharmacies.

SB 749 by Kolkhorst/Price - Relating to level of care designations for hospitals that provide neonatal and maternal care.

SB 750 by Kolkhorst/Button - Relating to maternal and newborn health care and the quality of services provided to women in this state under certain health care programs.

SB 822 by Nelson/Flynn - Relating to the administration of a grant program to support community mental health programs for veterans and their families.

SB 971 by Huffman/Herrero - Relating to peace officer training on recognizing and recording circumstances that indicate strangulation in certain cases.

SB 999 by Campbell/Zerwas - Relating to a state plan for education on and treatment of Alzheimer's disease and related disorders.

SB 1056 by Zaffirini/Raney - Relating to the authority of physicians to delegate to certain pharmacists the implementation and modification of a patient's drug therapy.

SB 1264 by Hancock/Oliverson - relating to consumer protections against certain medical and health care billing by certain out-of-network providers.

SB 1312 by Lucio/Guerra - Relating to certain programs to prevent vector-borne and zoonotic diseases in border counties.

SB 1564 by West/Klick - Relating to access to medication-assisted treatment for opioid use disorder under Medicaid.

SB 1621 by Kolkhorst/Price - relating to certain rural medical facilities; requiring a license; authorizing fees and taxes

SB 1636 by Zaffirini/Price - Relating to an annual report prepared by the Health Professions Council.

SB 1788 by Zaffirini/Raymond - Relating to the payment of certain costs associated with certain programs of The University of Texas Health Science Center at San Antonio.

SB 2151 by Kolkhorst/Sheffield - Relating to the Texas Diabetes Council and the state plan for diabetes and obesity treatment and education.

SB 2813 by Price/Nelson - Relating to the statewide behavioral health coordinating council.

HB 29 by Minjarez/Hughes- Relating to the regulation of the practice of physical therapy.

HB 278 by Oliverson/Perry - Relating to the frequency and location of certain meetings required by a prescriptive authority agreement.

HB 387 by Cortez/Creighton - Relating to submission of reports by an advanced practice registered nurse under the workers' compensation system.

HB 616 by Neave/Nelson - relating to reimbursement for a certain portion of a forensic medical examination of a sexual assault survivor and for the evidence collection kit required for the examination.

HB 833 by Hernandez/Menendez - Relating to the creation of a statewide alert system for missing military members.

HB 871 by Price/Perry - Relating to use of telemedicine medical service by certain trauma facilities.

HB 906 by S. Thompson/Powell - Relating to the establishment of a collaborative task force to study certain public school mental health services.

HB 1063 by Price/Buckingham - relating to telemedicine medical, telehealth, and home telemonitoring services under Medicaid.

HB 1225 by Guillen/Menendez - Relating to the re-creation of the Chronic Kidney Disease Task Force.

HB 1264 by S. Thompson/Buckingham - Relating to pharmacist communications to prescribing practitioners regarding certain dispensed biological products.

HB 1386 by S. Thompson/Zaffirini - Relating to training and development activities for persons who may interact with an individual with autism or other pervasive developmental disorder.

HB 1418 by Phelan/Huffman - Relating to disease prevention and preparedness information for emergency medical services personnel on certification or recertification.

HB 1501 by Nevarez/Nichols - relating to the creation of the Texas Behavioral Health Executive Council and to the continuation and transfer of the regulation of psychologists, marriage and family therapists, professional counselors, and social workers to the Texas Behavioral Health Executive Council; providing civil and administrative penalties; authorizing a fee.

HB 1518 by Coleman/Seliger - Relating to the regulation of the sale of dextromethorphan to minors; providing civil penalties.

HB 1532 by Meyer/Hughes - relating to the regulation of certain health organizations certified by the Texas Medical Board; providing an administrative penalty; authorizing a fee.

HB 1899 by G. Bonnen/Kolkhorst - Relating to the revocation or denial of certain health care professional licenses and the reporting of the grounds for revocation or denial.

HB 1941 by Phelan/Watson - Relating to unconscionable prices charged by certain health care facilities for medical care.

HB 1960 by Price/Perry - Relating to the creation of the governor's broadband development council.

HB 2059 by Blanco/Taylor - relating to required human trafficking prevention training as a condition of registration permit or license renewal for certain health care practitioners.

HB 2088 by Dean/Hughes - relating to providing information and other resources regarding safe disposal of Schedule II controlled substance prescription drugs.

HB 2174 by Zerwas/Kolkhorst - relating to controlled substance prescriptions and reimbursement for treatment for certain substance use disorders; authorizing a fee.

HB 2243 by Oliverson/Buckingham - Relating to the use of prescription asthma medicine on public and private school campuses.

HB 2362 by Moody/Hughes - Relating to the standard of proof in health care liability claims involving emergency medical care.

HB 2410 by Klick/Perry - Relating to a request for a nursing peer review committee determination.

HB 2454 by Price/Hughes - Relating to continuing education requirements for certain health professionals regarding pain management and the prescribing of opioids.

HB 3148 by Parker/Bettencourt - Relating to the administration and oversight of investigational adult stem cell treatments administered to certain patients.

HB 3284 by Sheffield/Nelson - relating to the prescribing and dispensing of controlled substances under the Texas Controlled Substances Act; authorizing a fee; providing for administrative penalties; creating criminal offenses.

HB 3301 by Darby/Perry - Relating to merger agreements among certain hospitals; authorizing fees.

HB 3304 by Raymond/Buckingham - relating to the sunset review of the Texas Health Services Authority and the repeal of certain provisions affecting the electronic exchange of health information.

HB 3345 by Price/Hughes - relating to health benefit coverage provided by certain health benefit plans for telemedicine medical services and telehealth services.

HB 3405 by Johnson/Miles - Relating to the establishment of a sickle cell task force.

HB 3703 by Klick/Campbell - relating to the prescription of low-THC cannabis for medical use by certain qualified physicians to patients with certain medical conditions.

HB 3800 by S. Thompson/Huffman - relating to required reporting of human trafficking cases by certain law enforcement entities and by prosecutors.

HB 3934 by Frank/Perry - Relating to the authority of rural hospitals to establish a health care collaborative.

HB 3980 by Hunter/Menendez - Relating to a requirement that the Statewide Behavioral Health Coordinating Council prepare a report regarding suicide rates in this state and state efforts to prevent suicides.

HB 4429 by Blanco/Menendez - relating to mental health first aid training for veterans and immediate family members of veterans.

HB 4455 by Miller/Campbell - Relating to the provision of mental health services through a telemedicine medical service or telehealth service.

HB 4531 by Neave/Zaffirini - relating to the rights and treatment of and services provided to certain adult sexual assault survivors.

HCR 35 by Miller/Huffman - Recognizing human trafficking as a public health issue.

AgriLife

SB 8 by Perry - Relating to state and regional flood planning.

SB 69 by Nelson - Relating to strategic fiscal reviews of state agencies and programs.

SB 317 by Hughes - Relating to the taking of feral hogs without a hunting license.

SB 572 by Kolkhorst - Relating to foods produced by a cottage food production operation and a cottage food industry study.

SB 1312 by Eddie Lucio - Relating to certain programs to prevent vector-borne and zoonotic diseases in border counties.

HB 5 by Phelan - Relating to debris management and other disaster recovery efforts.

HB 6 by Morrison - Relating to developing a disaster recovery task force to assist with long-term disaster recovery.

HB 7 by Morrison - Relating to disaster preparation for state agencies and political subdivisions.

HB 70 by Gonzalez - Relating to a strategic plan goal by the Department of Agriculture to prevent crop diseases in this state.

Vetoed

HB 639 by Springer - Relating to the eligibility of land used as an ecological laboratory for appraisal for ad valorem tax purposes as qualified open-space land.

HB 1300 by Hunter - Relating to cultivated oyster mariculture.

HB 1694 by Lambert - Relating to limitations on food regulations at farms, farmers' markets, and cottage food production operations.

HB 2305 by Morrison - Relating to a work group on enhancing the training and credentialing of emergency management personnel.

HB 2570 by Zerwas - Relating to the award of grants by the Cancer Prevention and Research Institute of Texas Oversight Committee and to the payment of claims related to those grants by the Comptroller of Public Accounts.

HB 2900 by Fierro - Relating to the authority of a commodity producers board or a committee to hold meetings by telephone conference.

TDEM & GCRT

SB 300 by Miles - Relating to indefinite quantity contracts for the provision of certain services to declared disaster areas following a natural disaster.

SB 339 by Huffman - Relating to a seller's disclosure notice for residential property regarding floodplains, flood pools, or reservoirs.

SB 416 by Huffman - Relating to legal counsel provided by the attorney general to a political subdivision subject to a declared state of disaster.

SB 442 by Hancock - Relating to a disclosure regarding flood coverage under a residential property insurance policy.

SB 443 by Hancock - Relating to the period for which a property owner may receive a residence homestead exemption from ad valorem taxation for property that is rendered uninhabitable or unusable as a result of a disaster.

SB 812 by Lucio - Relating to the application of the limit on appraised value of a residence homestead for ad valorem tax purposes to an improvement that is a replacement structure for a structure that was rendered uninhabitable or unusable by a casualty or by wind or water damage.

SB 982 by Kolkhorst - Relating to awareness of and access to health care service programs available during a disaster or emergency.

SB 1082 by Taylor - Relating to the feasibility of creating and maintaining a coastal barrier system.

SB 1113 by Lucio - Relating to a waiver authorizing the application of pesticides for mosquito control by certain municipal or county employees in an emergency.

HB 26 by Metcalf - Relating to the creation of an alert system to notify affected persons of certain releases of water from certain dams.

HB 492 by Shine - Relating to a temporary local option exemption from ad valorem taxation of a portion of the appraised value of certain property damaged by a disaster

HB 1059 by Lucio, III - Relating to a biennial report on water infrastructure in this state.

HB 1152 by Bernal - Relating to the deceptive trade practice of charging exorbitant or excessive prices for necessities during a declared disaster.

HB 1263 by Thompson of Brazoria - Relating to an order by a drainage district to maintain certain infrastructure.

HB 1306 by Frullo - Relating to the provision of flood coverage under insurance policies issued by surplus lines insurers.

HB 1900 by Bonnen of Galveston - Relating to replacement cost coverage in policies issued by the Texas Windstorm Insurance Association.

HB 1902 by Bonnen of Galveston - Relating to maximum liability limits for windstorm and hail insurance coverage provided through the Texas Windstorm Insurance Association.

HB 1940 by Lucio, III - Relating to eligibility of surplus lines insurers to provide windstorm and hail coverage.

HB 1944 by Lucio, III - Relating to extension of deadlines for claims and related settlement and dispute resolution under the Texas Windstorm Insurance Association Act.

HB 2112 by Thompson of Brazoria - Relating to safety recall vehicles, including flood vehicles, and non-repairable motor vehicles.

HB 2856 by Morrison - Relating to restrictions on disaster remediation contracts; creating a criminal offense.

HB 3022 by Miller - Relating to emergency warning systems operated by municipalities and counties.

HB 3175 by Deshotel - Relating to the confidentiality of certain personal information of an applicant for disaster recovery funds.

HB 3384 by Shine - Relating to the authority of the comptroller to conduct a limited-scope review of an appraisal district located in an area declared by the governor to be a disaster area.

HB 3616 by Hunter - Relating to a task force on faith-based programs that provide assistance during a disaster.

HB 3815 by Morrison - Relating to requiring notices of property located in floodplains, flood pools, or reservoirs to be provided by sellers of real property and on subdivision plats.

HJR 4 by Phelan - Proposing a constitutional amendment providing for the creation of the flood infrastructure fund to assist in the financing of drainage, flood mitigation, and flood control projects.

HJR 34 by Shine - Proposing a constitutional amendment authorizing the legislature to provide for a temporary local option exemption from ad valorem taxation of a portion of the appraised value of certain property damaged by a disaster.

Other Bills of Interest That Did Not Pass

Prairie View A&M University

HB 10 by Thompson of Harris – Relating to grants and programs for researching and treating behavioral health and psychiatric issues.

HJR 5 by Thompson of Harris - Proposing a constitutional amendment providing for the dedication of certain sales and use tax revenue to the Texas mental and behavioral health research fund established to fund research, treatment, and access to services in this state for behavioral health, mental health, and substance use and addiction issues.

Health Science Center

SB 2480 by Kolkhorst - Relating to the establishment of the Medicaid Waiver Legislative Oversight Committee.

SB 1758 by Creighton/Pacheco - Relating to the application of certain occupation-related postsecondary educational financial aid and student loan repayment programs.

SB 1120 by Lucio/Guerra - relating to health professional continuing education to address communicable and other diseases in border counties.

HB 10 by S. Thompson/Kolkhorst - Relating to the creation of the Texas Mental and Behavioral Health Research Institute.

HB 454 by White - Relating to performance incentive funding for certain medical schools based on public health impact.

HB 471 by Thierry - relating to required suicide prevention training for certain health care practitioners.

HB 607 by Thierry - relating to continuing education in cultural competence and implicit bias for certain physicians.

HB 719 by Thierry - relating to medical education coursework and training for physicians in cultural competence and implicit bias.

HB 955 by S. Thompson - Related to eligibility requirements for student loan repayment assistance for certain mental health professionals

HB 1118 by Swanson - relating to a requirement that public and private institutions of higher education provide certain cost and employment opportunity data for degree programs.

HB 1669 by Lucio, III/Lucio - relating to increasing and improving the mental health and substance use disorder workforce in this state and increasing the capacity of local mental health authorities to provide access to mental health services in certain counties.

HB 1782 by Cortez - Relating to a plan to increase the use of telemedicine medical services, telehealth services, and interprofessional Internet consultations in this state

HB 2980 by Howard - Relating to the creation of an incentive program to fund innovative solutions for clinical education of graduate nurses.

HB 3538 by Rose - Relating to the establishment of the Opioid and Substance Abuse Advisory Council.

HB 4003 by Sheffield - Relating to a study by the Texas Higher Education Coordinating Board concerning a shortage of primary care physicians in this state.

HJR 5 by S. Thompson/Kolkhorst - Proposing a constitutional amendment providing for the dedication of certain sales and use tax revenue to the Texas mental and behavioral health research fund established to fund research, treatment, and access to services in this state for behavioral health, mental health, and substance use and addiction issues.

AgriLife

SB 116 by Menendez - Relating to industrial hemp.

SB 677 by Hall - Relating to repeal of the permit requirement for intrastate shipment of bees.

SB 718 by Fallon - Relating to equal opportunity for access by home-schooled students to University Interscholastic League sponsored activities.

SB 1672 by Perry - Relating to the detection and mitigation of plant pests and diseases.

SB 1673 by Perry - Relating to the creation of a grant program to assist certain counties with employing or contracting for a qualified emergency management coordinator.

SB 2170 by Rodriguez - Relating to pollinator health.

HB 32 by Gonzalez - Relating to the licensing and regulation of certain pecan buyers in certain counties.

HB 136 by Gonzalez - Relating to pollinator health.

HB 319 by Ken King - Relating to the creation of a grant program to assist fire departments and volunteer fire departments with the purchase of certain equipment and machines.

HB 376 by Ken King - Relating to a deer breeding facility affected by chronic wasting disease.

HB 478 by Phelan - Relating to the funding of flood planning, mitigation, and infrastructure projects.

HB 989 by Guillen - Relating to industrial hemp.

HB 1230 by Domiguez - Relating to the production and regulation of hemp.

HB 1550 by Paddie - Relating to certain governmental entities subject to the sunset review process.

HB 1723 by Meza - Relating to repeal of the permit requirement for intrastate shipment of bees.

HB 2166 by Kacal - Relating to the administration of seed and plant certification in this state by the State Seed and Plant Certification Council and the Texas Crop Improvement Association.

HB 2484 by Farrar - Relating to the establishment of the Bee Pollinator Goals Task Force to develop and report on statewide pollinator goals.

HB 2670 by Guillen - Relating to the regulation of beekeeping.

HB 2748 by Perez - Relating to regulation of the retail sale of fireworks.



Bill Analysis Task Force

The following is a listing of those individuals that served as analysts on the Bill Analysis Task Force (BATF) during the 86th Legislative Session.

Academic Related Issues

James Hallmark
Ken Poenisch

Facilities/Construction Related Issues

James Davidson

Financial Aid Related Issues

Delisa Falks
Joe Pettibon

Finance Related/General Operation Issues

Jeff Zimmerman
Joseph Duron
Wade Wynn

Equal Opportunity/Diversity Issues

Joni Baker

Information Technology Related Issues

Mark Stone

HR/Benefit/Workers Comp Related Issues

Adam Davidson
Ellen Gerescher
Henry Judah
Paul Bozeman
Sheri Meyer

Governor's Commission to Rebuild Texas

Alphonse Davis
Chuck Phinney
Don Galloway
Hank Lawson
Kelli Linza
Mark Stanford
Monty Dozier
Roy Dewitt
Samuel Brody
Suzannah Jones

Health Science Center

Carly McCord
Emily Cormier
Laurie Charles
Stacey Mitchell

Legal Related Issues

Andrea Pereira
Bret Davis
Brian Bricker
Brooks Moore
Claudene Marshall
David Halpern
Elinore Tecson
Gina Joseph
Glenda Rogers
Jan Faber
Jennifer Wright
Jerry Brown
Jorge Canales
Julie Masek
Katherine Knight
Lynda Cook
Mark Kelley
Melia Jones
Ray Bonilla
Rick Olshak
Steve Garrett
Tom Silver
Warren DeLuca

Research Related Issues

Jon Mogford

Student Service Related Issues

Mike Knox
Shonda Gibson

Treasury/Investment Related Issues

Maria Robinson

Texas A&M University System

State and Federal Relations Team

