



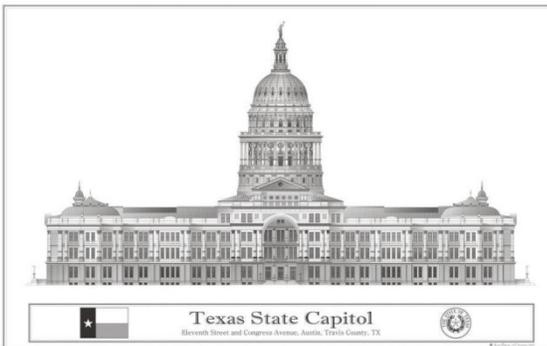
GARY

VanDeaver

STATE REPRESENTATIVE



House District 1 - Bowie, Franklin, Lamar & Red River counties
District & Capitol Report - 85th Legislature
Regular Session Wrap-up & Special Session Called



Legislature adjourns. The 85th regular session of the Texas Legislature adjourned on May 29, amid demonstrations against the "sanctuary city" bill (Senate Bill 4) and a shoving match on the House floor. These events reflect the contentious atmosphere that permeated the entire 140-day session when tensions ran high among legislators and the between leaders of the House and Senate.

According to the Legislative Reference Library, as of May 31, there were 6,631 House and Senate bills filed this session with 1,208 bills passing both chambers and sent to the governor who has until June 18, 2017, to sign, veto or let become law without his signature.

Accomplishments. The legislature adopted a very conservative budget for the 2018-19 biennium. The day before the session started on January 10, state

Comptroller Glen Hegar issued the Biennial Revenue Estimate (BRE) telling the legislators they would have fewer dollars for the next biennium than they had for the current biennium. The comptroller's BRE said there would be \$104.9 billion in *state general revenue** available for 2018-19, as compared to the \$113 billion available for 2016-17. The decreased revenue was attributed to the declining prices of oil and natural gas and the tax revenues from the oil patch's ancillary industries and dedicating significant revenues to the state's transportation department. *State general revenue is combined with other sources of revenue, including federal funds and other state- or constitutional-dedicated funds to arrive at an "all funds" amount included in the total budgeted amount approved each session.

The House and Senate each filed their own versions of the budget for the next biennium. The House budget, as filed, came in at \$218.1 billion. The Senate's budget, as filed, was priced at \$217.7 billion.

The legislature took belt-tightening very seriously and passed the budget (Senate Bill 1) that only grows \$0.4 billion over the current budget. To help balance the budget, the legislature used \$1 billion from the state's Rainy Day Fund and delayed a \$1.8

billion transfer from general revenue to the state highway fund. The new \$216.8 billion budget bill has been certified by the comptroller as balanced between proposed expenditures and revenues and now just awaits action by the governor to be effective at the start of the new biennium on September 1.

Reforming CPS and foster care. To address the serious concerns within Child Protective Services (CPS), SB 1 appropriates an additional \$508 million for agency improvements. This includes \$88 million for an added 597 CPS caseworkers and \$32.5 million in additional support for kinship care. With these funds the agency hopes to provide quicker response times and more frequent visits from CPS caseworkers.

The legislature also passed three major bills to address CPS and the foster care system that have been ineffective in protecting our most vulnerable children. The trio of bills (House Bill 4, House Bill 5 and Senate Bill 11) builds on the governor's emergency order from 2016 that provided funding to hire an additional 800 caseworkers.

HB 4 strengthens "kinship" care for children and families in crisis, which has been found to be the best setting for children who can no longer live with their parents. This bill increases payments to family members who agree to take these children into their homes and protect them.

HB 5 restructures the Department of Family and Protective Services (DFPS) so it can respond more quickly to children and families. The bill also allows investigations of child abuse and neglect in Texas to be consolidated under CPS.

SB 11 expands community-based foster care system in which a single-source continuum coordinator (SSCC) will manage foster care for a particular region of the state and provide for cases to be transferred from DFPS to the SSCC. The bill also

establishes additional transparency and training provisions to ensure quality foster care options exist, as well as enhancing systems to get children needed medical care more quickly.

Mental health. This session lawmakers made it a top priority to provide an additional \$300 million in funding to the state's mental health care agency. The improvements will increase bed capacity reducing the number of individuals on a facility waiting list, as well as new construction projects and repairs to existing facilities. These funds would also help incentivize mental healthcare professionals to practice in underserved areas of the state.

Telemedicine. In an effort to expand healthcare to rural and underserved patients, lawmakers passed a bill to allow telemedicine relationships between physicians and patients. SB 1107 has been signed by the governor; allowing patients to meet with a physician via technology, such as audiovisual meetings. This bill requires the same standard of care that is required by law for in-person appointments.

Public education legislation. Though we were unable to agree on legislation that reformed our "lawful, but awful" school finance system, the legislature did pass significant legislation affecting our public schools. One of the highest profile issues that passed related to legislation enacted in 2015 that called for an A-F accountability rating system of school districts. Preliminary ratings were required to be released prior to January 1, 2017, and were roundly criticized as not truly reflecting accomplishments of our districts. One problem with the then five-domain structure was that it lacked information yet to be developed by the school districts. Another criticism was that the rating in one domain's grade relied 55 percent on just student performance on the STAAR standardized tests. Legislators worked with the Texas Education Agency and school district

representatives to refine the A-F rating system with the passage of House Bill 22. Features of the new system include fewer domains (3 vs. 5) focusing on student achievement; school progress and closing the achievement gap. School districts will be rated under the new system beginning with the accountability ratings released in August 2018, which will rate districts on student performance and other factors from the 2017-18 school year.

Student Privacy. Digital learning resources and technology integration in the classroom are transforming education. These new technologies allow information to flow within schools and beyond, enabling the development of new learning environments and new tools to understand and improve the way teachers teach and students learn. Schools and the service providers supporting education must ensure that they maintain responsible privacy practices to safeguard student data.

I am proud to have filed and passed a student privacy bill, HB 2087, that provides a framework to be followed by schools and service providers to ensure student data security through safety standards and accountability. HB 2087 would allow the student personal information to be collected and used only for purposes authorized by the school or teacher using the school service, or with the consent of a student or the student's parent. A school service provider must maintain a comprehensive information security program to protect the security, privacy, confidentiality, and integrity of student personal information. HB 2087 was signed by the governor on June 1st and has an effective date of September 1, 2017.

TRS-Care. House Bill 3976 restructures the state's insurance program for retired school employees known as TRS-Care. The program has struggled with solvency for decades and without changes could have been forced to close. The legislature

restructured the funding streams that are paid by the state and local school districts.

Retiree health insurance funding includes \$997.6 million in general revenue funds, which is a \$416.7 million increase over the 2016-17 biennium. The state increased its contribution rate from 1 percent of employee payroll to 1.25 percent for TRS Care. HB 3976 also increases the required contribution by school districts to TRS Care from 0.55 to 0.75 percent of public education payroll.

The legislature appropriated \$4 billion in all funds for the state contribution to retirement benefits to TRS. The state contributes 6.8 percent of employee payroll toward the teacher retirement system for pension benefits.

Military families. The Texas Virtual School Network is a form of public school that provides many military families a reliable choice in education. Before this legislative session, families that moved to Texas would have to wait one year before having access to our virtual school network. I am proud to have sponsored SB 587 in the House, which provides consistency of access to the virtual school network for students from military families that move to Texas by removing the previous one-year barrier. This bill is identical to a bill I filed, HB 539, and has been signed by the governor.

Public safety. SB 1 (the state budget) provides another \$800 million to provide an increase of state troopers to the Texas-Mexico border to address the movement of illegal contraband and humans crossing the border. The legislature found this to be an important appropriation of state funds as Texas has still not received any additional aid or funding from the federal government.

Senate Bill 4 was one of the first bills to pass this session and be signed by the governor. This "sanctuary cities" bill establishes penalties to local entities and campus police that do not enforce

immigration laws. Individuals who do not enforce such laws are personally liable up to \$25,000, and the Office of Attorney General was authorized to file a petition to remove an elected public official for not upholding and enforcing immigration laws.

The legislature also passed Senate Bill 7 to address incidences of inappropriate teacher-student relationships that have grown more numerous over recent years. SB 7 expands penalties for teachers in districts other than the district where a student is enrolled. A recent court ruling overturned a conviction of a teacher who was in a relationship with a 17 year-old student because the student was enrolled in another school district from where the teacher was employed. SB 7 closes that loophole. Additionally, the bill heightens the responsibility and liability of school employees who fail to report teacher-student relationships to authorities. Teachers who are convicted of such inappropriate relationships will lose the right to their state pension. The bill also requires notification of parents if there are allegations of an inappropriate teacher-student relationship.

Statewide texting ban. A statewide texting while driving ban (House Bill 62) will become state law on September 1, this year. Texas was previously only one of four states nationwide that did not have statewide restrictions on texting while driving.

Texas Housing Authorities. HB 1238, that I filed, passed by both chambers and was sent to the governor on May 30th. If signed, the bill reduces investment training for housing authority officers and will have statewide implications starting September 1, 2017. Reducing the number of required training hours for smaller housing authorities will save federal funds by not requiring unnecessary training and travel expenses while ensuring necessary protections of resources.

County hospital authorities. House Bill 594 was filed at the request of one of my district's county

judges whose county no longer has a hospital, and the local hospital authority needed a mechanism to close if approved by the hospital authority board and county commissioners. As my office researched this issue, we found that there are only about 10 county hospital authorities still in operation in the state. These authorities were originally created in the 1960s but there was no mechanism in the original legislation that addressed what these authorities had to do if they need to close.

Local bills. One of the things that I take very seriously as your state representative is to work with representatives of local businesses, cities and counties on legislation to make it easier for them to do their jobs. This session, I filed several bills just for entities in House District 1. I appreciated working with my House colleagues and Senator Bryan Hughes (Senate District 1) to make sure these bills got across the finish line. Here is a summary of these local bills:

TexAmericas Center. Local entities near TexAmericas Center (Bowie County) have expressed an interest in creating a regional economic development entity to bring jobs to the area, and Bowie County residents believe that the TexAmericas Center should be very involved in these efforts. HB 967 would allow the TexAmericas Center to create a nonprofit corporation to undertake on behalf of the TexAmericas Center a project considered necessary or incidental to the industrial, commercial, or business development, redevelopment, maintenance, and expansion of new or existing businesses on and for the property on the TexAmericas Center.

Bailiffs for Bowie County. I filed HB 2916 to allow the Bowie County district court and the county courts at law to appoint bailiffs for their courts. The bill passed the House on May 4, but it was never referred to a Senate Committee. Fortunately, Senator Hughes had filed a companion to HB 2916

and SB 2174 passed both the House and Senate and was sent to the governor on May 27.

Paris Junior College. Another local bill that I filed and passed was HB 4276 so the Paris Junior College Board of Trustees can redistrict its nine-member board to have one at large trustee and two members per each county commission precincts.

Domtar. This session, I filed HB 3460 to help Domtar acquire overweight truck permits on a less-than five-mile stretch of road in Bowie County so it can ship its products via trucks to load onto rails and then transported to Atlantic ports for shipping overseas. This bill seemed doomed at several points in the session, but with hard work and cooperation from many of my House and Senate colleagues the language from HB 3460 was added to HB 2319 (Paddie, Marshall) and was sent to the governor on May 30. Domtar has been a very responsible employer in our area, and I was happy to work with their representatives to pass the language they needed so those jobs will stay local and not be shipped overseas.

Legislative overtime. The governor has issued a call for a 30-day special session beginning on July 18, for the legislature to pass legislation to keep five state agencies open after their "sunset" legislation failed to pass during the regular session. Additionally, the governor added 19 other items for legislators to consider later this summer. Here is a link to the governor's announcement: <https://gov.texas.gov/news/post/governor-abbott-announces-special-session>. Some of the items besides sunset legislation that legislators will be discussing include: school choice (vouchers) for special needs students; distracted driving preemption to prevent local entities from passing a stricter ban on use of electronic devices while driving now there is a statewide texting ban; property tax reform with automatic rollback elections if cities' and counties' property tax rates rise above a certain threshold; changing procedures

for hospitals in relation to patients' "do not resituate" (DNR) orders; \$1000 teacher pay raise; and several abortion-related issues.

Town Hall meetings. My office is currently scheduling four Town Hall meetings to be held prior to the start of the special session. I want to share more about the just-completed regular session, as well as hear from you about the numerous items to be discussed during the special session. To date the following Town Hall meetings have been scheduled from 4:30-6:30 p.m. at these locations:

- July 10 - Clarksville City Hall;
- July 11 - Paris Junior College: and,
- July 12 - Texarkana College

I will send out more information as soon as the final meeting is scheduled and other plans are finalized. I appreciate each of these locations working with my office to schedule these important events.

My office is here to help. I thank each of you for letting me serve you as your state representative. Please contact either the District office (903-628-0361) or Capitol office (512-463-0692) if there is anything you think we can do to help you.