

Texas House of Representatives



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State Representative - District 122

What's New in District 122

Howdy! With 18 days left in the 83rd Legislative Session, the pace has certainly picked up in the Capitol. The House met for the first time this Session on a Saturday and we continue to debate legislation late into the evening. Today is the last day that House bills may be heard on second reading and many members are coming to terms with the fact that some of their bills won't become law this session. By midnight, if a House bill hasn't been considered for a vote, it will be dead. The pace is frantic as members work to get their bills heard. The process is fun and frustrating all at the same time.

It's been an honor to work closely with one of the most innovative and well-recognized water utilities in the country throughout this session. Last week I adopted a resolution that recognized San Antonio Water System for their great work on behalf of our community and state. Many thanks to the SAWS team members who were recognized on the House floor: President & CEO Robert Puente, Chairman of the Board Heriberto Guerra, Vice Chairman Willie Mitchell, Trustee Roberto Anguiano, and Trustee Samuel Luna.

The Texas House hosted another special guest last week: Grady Payne, a Comal ISD student who served as an Honorary Page on the House Floor. Assisting the House Sergeants with their duties as well as running errands on the throughout the Capitol, pages learn about legislative procedures and experience firsthand the way the state legislature functions. Thanks for your service, Grady!

Additionally, I had the opportunity to meet with Kevin Moriarty, president and CEO of Methodist Healthcare Ministries, as well as several physicians from District 122 who were at the Capitol as part of Bexar County Medical Society's First Tuesdays at the Capitol.

83rd Legislative Session Update

Gun Day in the Texas House

Last Saturday, while many folks were enjoying their weekend and preparing to watch the Kentucky Derby, the House was hard at work considering a number of the gun-related bills that have been filed this session. Of the 13 bills on the calendar for discussion, only one did not pass: [HB 2665](#), which would allow a concealed handgun license to be used as proof of identification.

Other gun related legislation considered over the weekend seeks to better protect our Second Amendment right. After a heated debate, the House passed [HB 972](#), which will allow colleges and universities to adopt a campus carry policy to let students, staff, and faculty over the age of 21 who are concealed handgun license holders carry a gun on campus. It is a step forward for ensuring the rights of legal gun owners--including those who work or go to school on a university campus.

The House also passed [HB 1009](#), which allows school districts to create "school marshals." Any current faculty or staff member, such as the vice principal or a teacher, could be trained and certified as the school marshal through a two-week summer training program conducted by the state. Rep. Villalba, the author of the bill, proposed the measure as a cost-effective school security option and a robust defense against a school shooter situation.

Among the bills passed was [SB 864](#), which will reduce the amount of training required for a concealed handgun license to no more than six hours. [HB 485](#) decreases the fee for a CHL to \$25 for volunteer or reserve peace officers and honorably discharged members of the military, as well as correctional officers employed by the Texas Department of Criminal Justice. [HB 48](#) eliminates the requirement that an individual must complete a handgun proficiency course every five years before renewing a CHL. [HB 508](#) prohibits a state agency or municipality from incorrectly barring a CHL holder from entering a building with a concealed handgun. [HB 1076](#) bars state agencies from enforcing new federal gun laws prohibiting semi-automatic weapons, high-capacity magazines, or the like. [HB 1314](#) makes it a criminal offense for federal officials to seize weapons if the state determines that the seizure violates the Constitution.

Many of these bills will still have to pass the Senate in the coming weeks, but a number of the members in the House who supported these measures are enthusiastic about the chances of success. We'll keep you up to date as these bills progress.

Plan B - How to Solve Texas' Water Crisis After the Death of HB 11

Last week, the House considered [HB 11](#), a bill that would take \$2 billion from the rainy day fund to provide seed money for the State Water Infrastructure Fund for Texas (SWIFT). [HB 11](#) was introduced to fund [HB 4](#), which the House passed earlier in the Session. These bills were developed to work in tandem to create a water infrastructure bank - the SWIFT - that will lend money to local entities, at much lower rates than they could get on the open market, to build projects that will ensure every community in Texas has the water it needs for the future.

Unfortunately, politics stymied the efforts of the folks in the Legislature who want to provide a solution to our state's water crisis. Though the House has approved over \$5 billion in new funding for public education, several Democrats decided to hold water funding hostage in an effort to get additional money from the rainy day fund for education. HB 11 was finally killed by a point of order.

The Texas Legislature has a few key responsibilities: maintaining the state highway system, providing funding for public and higher education, providing law enforcement and ensuring we have an adequate water supply. These responsibilities shouldn't be at war with one another. It is the job of the Legislature to ensure that all of these obligations are fulfilled, not to prioritize one need over another. Please take a moment to read [our editorial](#) in the San Antonio Express-News about the failure of HB 11.

Fortunately, the state's leadership indicated that they are still committed to securing our state's water future. It appears that the Governor may call the Legislature back for a special session to address this, and possibly other issues, if it isn't handled in the next 18 days.

Reforming the Franchise Tax

In 2006, the Legislature created the franchise tax, which was intended to cover the balance left by a large property tax cut, which was enacted to reduce the tax burden on property owners. In addition to falling short of projections, many business owners have expressed their belief that the franchise tax is not equitable or reasonable. The franchise tax is the second largest revenue source for the state, behind the sales tax.

In an effort to address these issues, Ways and Means Chairman Harvey Hilderbran introduced [HB 500](#), which provides \$667 million in tax relief to Texas businesses. Several amendments were introduced and the House spent about 5 hours debating them. We passed the bill by a margin of 112-27.

The bill faces challenges in the Senate, but the House is committed to achieving meaningful reform that helps Texas businesses.

Equity in Tobacco Taxation

You may have heard about [HB 3536](#), a bill intended to achieve equity in taxation for tobacco products. Contrary to some misinformation being spread, this bill is NOT a tax bill--in fact, the Texas Conservative Coalition endorsed this legislation. It doesn't impose new taxes or treat companies differently. Rather, the bill treats all tobacco companies the same by equalizing tax laws and closing the loophole that has created factions in the tobacco market.

This bill is the result of a settlement between Big Tobacco and several states in 1998. Texas, along with a number of other states, brought a lawsuit against the tobacco industry to recover money spent treating tobacco-related illnesses. The \$17 billion settlement required the major tobacco companies who were involved in the lawsuit to pay an additional tax on the sales of their products, in order to cover state-funded health costs of treating lung cancer, emphysema, and other tobacco-related diseases. However, companies that were not involved in this 1998 settlement have been able to take advantage of a loophole, that Texas state law does not require these companies to pay identical taxes to sell an identical product.

This creates inequity in the market for tobacco products, as a tax is levied against certain products, but not others that are essentially alike. 48 other states have already closed this loophole and leveled the playing field, requiring all tobacco companies to pay the same taxes. When HB 3536 passes the Senate and is signed by the Governor, Texas will become the 49th.

Our office received a few phone calls from constituents of District 122 concerned that I voted to raise taxes by voting for this bill. We discovered that Michael Quinn Sullivan, an undeclared lobbyist in Austin, has been making robo calls in the districts of House members who voted for HB 3536 in order to push the interests of his clients. The information presented in these robo calls and emails is disingenuous and inaccurate. Please know that you can always contact our office to get accurate and up-to-date information on any issue before the Legislature.

Fighting Toll Roads in Bexar County

As you may know, the House passed a bill last week dealing with Comprehensive Development Agreements (CDAs). [SB 1730](#) includes a list of projects across the state that may be built using CDAs, which are similar to public private partnerships. Often, these projects are built as toll roads, with the revenue collected is intended to help pay for the construction and maintenance of the road.

Though the bill did not originally include any highways in Bexar County, an amendment was offered to include Loop 1604 in the bill. The amendment was acceptable to the author, so it was added to the bill without a record vote. While I voted against SB 1730, we were outvoted by a margin of 113-29.

Unfortunately, some misinformation was spread about my involvement in this legislation. The fact is that I did vote against the bill on final passage, and am working to strip the amendment that added Loop 1604 to the list of projects eligible to be built using a CDA.

Stripping amendments that have been approved by a record vote is much more difficult than removing those that are added without one. Our chances of getting Loop 1604 removed are much greater without forcing a record vote on the issue, just to make a political point.

To be clear, my position on tolls has been consistent for the last 11 years, and I urge everyone involved not to disparage folks who share our viewpoint on toll roads.

I am not giving up on getting Loop 1604 removed from the bill. Please take a moment to read [this letter](#), which was sent to Chairman Phillips, the House sponsor of the bill, urging him to remove Amendment Four from the bill when it is reconciled with the Senate version.

To stop the proliferation of toll roads in our state, it is imperative we end diversions from Fund 006, the state gas tax fund. Unfortunately, the bill we filed for that purpose died in committee. Today, the House will consider HB 3664, which would provide for a \$30 increase in motor vehicle registration fees to take a step toward providing the \$4 billion TxDOT indicates is needed annually to address our state's transportation needs. We want to know what you think about transportation funding in Texas. Please share your thoughts in

[this brief survey](#). If the option you would choose is not part of the survey, please email it to me at lyle.larson@house.state.tx.us.



With Community Bible Church Pastor Robert Emmitt
We need some Divine guidance at this point in the Session!

Larson Legislation

Of our 52 bills, 40 were granted hearings in various committees. At this point, Team Larson has passed 13 bills out of the House, 3 of which have also passed the Senate. This week, we have 5 bills on the agenda for a vote by the full House. These bills include:

HB 2133: Promoting Desalination as a Solution to our Water Crisis

This legislation would raise the profile of innovative and alternative water treatment technologies, particularly desalination and reuse, in the public policy statement of the state and thereby remove it from the smaller, limited view of agency focus and into larger statewide interests, especially given the water needs of the state.

HB 2578: Encouraging the Use of Brackish Groundwater

This legislation seeks to encourage and facilitate the development of brackish groundwater by changing the Water Code to eliminate regulatory impediments that currently limit the study, planning and management of brackish groundwater production.

HB 3013: Promoting Aquifer Storage and Recovery

This bill encourages the development of Aquifer Storage and Recovery (ASR) projects throughout the state. The principal challenges for ASR in the United States have been the legal and regulatory frameworks which, in many states, have not yet caught up with the technical application of this technology. This bill seeks expedite the permitting process for ASR projects and amend the Water Code to clarify jurisdiction and access to water stored in ASR projects.

HB 178: Texas Water Sense

In line with our mission to fix our state's water crisis, HB 178 helps consumers reduce their water consumption by adding qualified WaterSense® labeled devices (which use 20 percent less water than other products) to the ENERGY STAR® Sales Tax Holiday held every Memorial Day. Water conservation is the least expensive way to conserve water and every small effort we can make to save water is critical. In 2007, the Legislature passed HB 1000 creating a sales tax exemption holiday for energy efficient products encouraging consumers to replace inefficient appliances within their homes helping to reduce energy consumption. In order to encourage Texans to purchase water efficient products, we are amending current statute through HB 178 to include water efficient products as well. WaterSense® labeled products include: toilets, bathroom sink faucets, urinals, showerheads and weather-based irrigation controllers.

HB 149: The Texas Liberty Preservation Act

In late 2011, the United States Congress passed the National Defense Authorization Act (NDAA) for Fiscal Year 2012. It is widely held that Sections 1021 and 1022 of the NDAA are contrary to both the United States and the Texas Constitutions because they have the potential to allow for indefinite detention of American citizens deemed to be "associated forces" of enemies in the War on Terror. Such loose definitions set a dangerous precedent which may result in worse Constitutional breaches in the future.

HB 149 seeks to protect Texas citizens, who are also American citizens, from unconstitutional federal detention under the Sections 1021 and 1022 of the NDAA. This bill would nullify Sections 1021 and 1022 in Texas, making it illegal to materially aid in the enactment of Sections 1021 and 1022. This bill also provides misdemeanor penalties for federal and state employees who aid in the enforcement of Sections 1021 and 1022 in Texas.

Larson Bills on the Move

HB 2267: Protecting Forensic Scientists and Medical Examiners From Possible Retribution

HB 2267 seeks to add medical examiners and forensic scientists to the list of individuals whose home address information is kept private by appraisal districts in Texas, as they could become targets of individuals seeking revenge for a criminal conviction. HB 2267 passed the House by a 139-0 margin and is Senator Campbell is carrying the bill in the Senate.

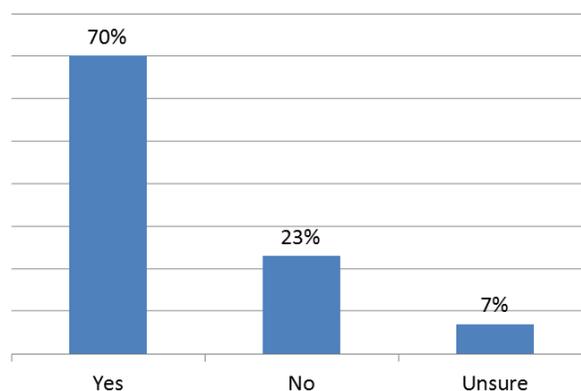
SB 166: Improving Efficiency and Accuracy at the Doctor's Office

SB 166 seeks to save time and ensure accuracy when patients check in at the doctor's office. The goal of SB 166 is to improve and streamline patient access to their healthcare provider by allowing patients to swipe their driver's license when checking in, rather than filling out paperwork. In addition to speeding up the process, this will also reduce the propensity for human error in data entry. This bill also maintains all state and federal privacy or data protections regulations currently governing healthcare providers. SB 166 passed in the House last week and is currently awaiting the Governor's signature.

Survey Says

Last week we asked you how you felt about [HB 2018](#), the HemisFair Park bill. Here's what you thought:

State Rep. Mike Villarreal filed HB 2018 with the intent to increase the usable park land in HemisFair Park. This legislation would allow the City of San Antonio to lease or sell land in HemisFair Park without an election. Do you support this legislation?





Today we recognized World War II veterans, including the Tuskegee Airmen who flew B-29's in the war. They are the Greatest Generation in our nation!

In the News

StateImpact Texas: [Water Bills Flood the House](#)

San Antonio Express-News: [Set politics aside when it comes to water](#)

Austin American-Statesman: [Larson: Don't put politics ahead of Texas water needs](#)

Texas Public Radio: [Gov. Perry Voices Disapproval Of Larson's "Pay-It-Back" Bill](#)

San Antonio Business Journal: [SAWS honored at Texas Capitol for innovative water policies](#)

KUT News: [Agenda Texas: Tanking the Water Bill](#)

Your News Now Austin: [Capital Tonight: Water legislation a priority in both chambers](#)

As always, please feel free to contact me if I may ever be of assistance to you by phone at (210) 402-5402 or by email at lyle.larson@house.state.tx.us.

Best,

Lyle Larson