

# The Capitol Ledger



June 1, 2021

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### Want to schedule a meeting?

Send an email request to  
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## The "Team"

The 87th Legislative Session like previous sessions had successes and failures regarding public policy. Unless you have served in elected office, it is difficult to understand the challenges a public servant faces in executing their duties and responsibilities. There are 183 individuals involved in the process. My staff worked tirelessly and unselfishly pursuing our legislative agenda. Their efforts always kept me prepared, ready for action and energized. Charlotte Blakemore has served as my Chief of Staff for two sessions and this is her third session in my office. She networks with capitol staff effectively and provides the continuity our office needs to coordinate public policy initiatives in committee, with House Member's staff, the Senate and Governor's office. Dustin Tropp was assigned legislative duties that focused on education, coordinating efforts with Bell County school superintendents that facilitated policy initiatives impacting school administration, teachers, students and curriculum. This was his first session with our office and I anticipate his continued service. Last but not least, I want to commend our district staff that serves constituents in Bell County. Lamar Lewis (District Director), Karen Stagner (Scheduler), Judy Benson (District Liaison) and my wife, Debbie, who represents me in the district when I am in Austin. I commend you and want to thank you for your service to our community.



## Texas House Accomplishments Signed by Governor

Below is a list of major legislation signed into law by the Governor (at the time of this printing).

**Constitutional Carry & Lone Star Gun Protection Act** - The Texas Legislature passed House Bill 1927 and House Bill 2622. House Bill 1927 makes Texas a constitutional carry state and House Bill 2622 protects Texas from any new federal gun control regulations.

**The Heartbeat Bill & Human Life Protection Act** - This session had some of the strongest pro-life protections passed in Texas. The Heartbeat Bill, Senate Bill 8/House Bill 1515, bans abortion as soon as a heartbeat is detected, and the Human Life Protection Act, House Bill 1280, immediately bans ALL abortions in Texas when Roe V. Wade gets overturned. SB 8 goes into effect September 1, 2021.



**Property Tax Protections During a Crisis** - Some counties tried to get around previous property tax increase bans during the pandemic. Senate Bill 1438 creates future protections during the next crisis from property tax increases.

**Small Business Protection Post COVID-19** - On May 8, Governor Abbott signed House Bill 1195, which protects PPP loans from taxation so small businesses can continue to recover from COVID.

**Alcohol-To-Go** - Signed by the Governor on May 12, House Bill 1024 amends current laws to allow pickup and delivery of alcoholic beverages for off-premise consumption.

**Organ Transplant Discrimination Protection** - House Bill 119 prohibits organ transplant recipient discrimination on the basis of certain disabilities such as Down Syndrome. This is a lesser known, but important pro-life bill.

## Successful Policy Authored by Shine

**House Bill 533** - HB 533 will allow for all Texas Counties to conduct a tax sale of personal property through an online auction. Additionally, removing the bracket for online sales of personal property will promote consistency for all tax sale processes. Before House Bill 533 became law, only Harris County was authorized to perform a tax sale of personal property via an online auction. It will take effect on September 1, 2021.

**House Bill 624** - HB 624 increases the legal penalties for personally targeting a Police officer, and are extended to cover an Officer's family. The legal penalty will increase for those who harass, intimidate, threaten, stalk, damage property, or trespass on property belonging to a public servant or their family. Specifically, with intent to intimidate or harass a public servant or family of a public servant due to one's official position as a public servant.



**House Bill 692** - Retainage is the practice of withholding a portion of periodic payments to construction companies. Unfortunately, it is not uncommon to have situations where retainage is held in excessive amounts, or for an excessive period of time; resulting in situations where contractors must enter into prolonged negotiations to be paid for work that has been completed. HB 692 establishes fair standards for the practice of withholding and payment of retainage for public works construction contracts. House Bill 692 is sitting on the Governor's desk awaiting his signature.

**House Bill 988** - improved and enhanced the efficiency and accessibility of the property tax system. The property tax is a significant source of revenue for local governments and school districts, and as a result, it is crucial that taxpayers have a property tax process that is fair and accountable. HB 988 makes numerous taxpayer friendly procedural changes including: access to binding arbitration for tax authority procedural violations; guarantee of informal settlement discussions prior to protest hearings; requires notice and right of protest for changes in account numbers. It also allows a taxpayer to request a single member ARB hearing and creates a complaint process to appraisal district Board for ARB procedure violations and requires ARB to adopt Comptroller approved procedural rules. HB 988 is now headed to the Governor's desk for his signature.

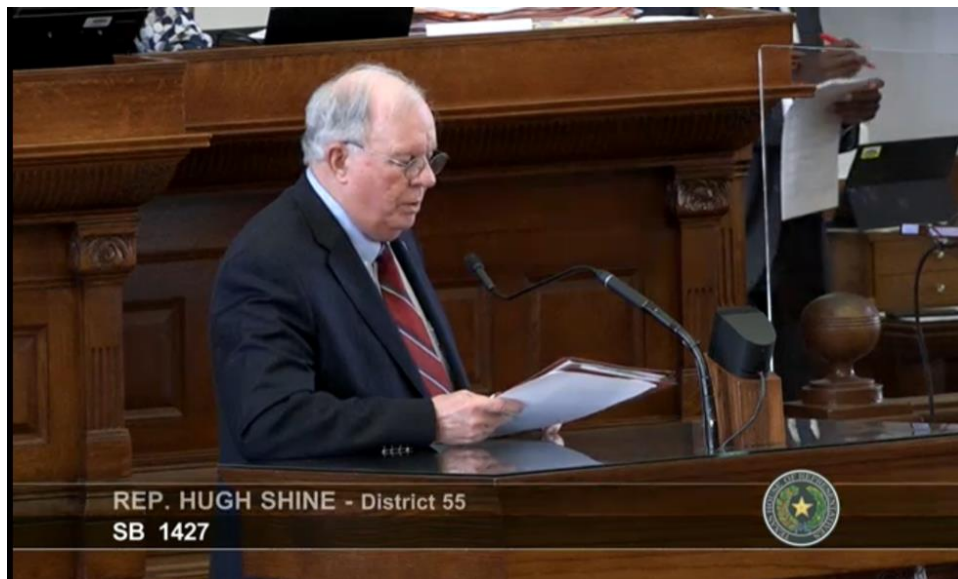
**House Bill 3115** - The Texas Constitution protects a person's homestead from being foreclosed on by a judgment lien. However, there can be difficulty in identifying what land is a person's household and whether a judgement lien attaches against said property. HB 3115 seeks to create a limited period of time in which parties with an interest in the transactions can rely on the affidavit with certainty, while protecting the interests of creditors.



## Joint Authored and Sponsored Legislation

**House Bill 2429** - Joint authored with Chairman Morgan Meyer, HB 2429 was signed by Governor Abbott on May 15, and is effective immediately. Concerns have been raised regarding the existing notices of public hearings on property tax rate increases. Reportedly, these notices do not adequately address a situation in which a taxing unit exceeds the voter-approval tax rate; but does not exceed either the de minimis rate, or the voter-approval tax rate calculated as if the taxing unit were a special taxing unit. HB 2429 amends current law relating to the alternate provisions for ad valorem tax rate notices when the de minimis rate of a taxing unit exceeds the voter-approval tax rate.

**House Bill 2723** - Also joint authored with Chairman Meyer, HB 2723 was sent to the Governor on May 20. There are concerns that the varying names for truth-in-taxation websites maintained by appraisal districts' make it difficult for property owners to locate property tax information. This situation is compounded by the fact that property owners receive only a single annual postcard informing them of the availability of such a website. HB 2723 seeks to improve the accessibility and awareness of these websites by creating a statewide website listing all truth-in-taxation websites.



**Senate Bill 1427** - State law provides for temporary exemption from property taxation of a portion of the appraised value of certain property damaged by a disaster. Of the four levels of damage, Level 1 is ambiguous and became an issue during COVID-19. SB 1427 removes the vagueness and clarifies that damage must be physical in nature to qualify a property for the temporary property tax exemption. SB 1427 was authored by Senator Bettencourt and myself.

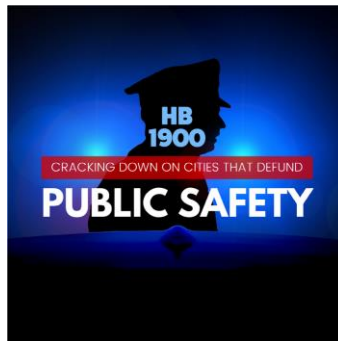
## Local Shine Bills

**House Bill 532** - Earlier this session, the Texas House designated a portion of State Highway Loop 121 in Bell County as the Deputy Sheriff John Rhoden Memorial Highway. It was sent to the Governor on May 25.

## Major House Legislation Pending

After the end of session, the Governor has 20 days to sign legislation passed by the House and Senate into law. I look forward to the Governor signing on the Texas House priorities.

**Defund Cities that Defund Police** - We are seeing around the country, including Austin, a movement to defund police. House Bill 1900 allows the Criminal Justice Division of the Governor's Office to place restrictions on municipalities powers until reversed.



**Energy Grid Reform & Protection** - Senate Bill 3, along with various House Bills were passed to winterize, and deal with Winter Storm Uri. We'll be giving a more detailed update on the final versions of this legislation package.

**Freedom To Worship Act** - House Bill 1239, known as the 'Freedom To Worship Act' will prohibit any laws that suspend closure of places to worship under any circumstance.

**Punishment for Protestors Blocking Emergency Vehicles** - House Bill 9 makes it a state jail felony to block an emergency vehicle while protesting.

**Critical Race Theory** - House Bill 3979, the 'Critical Race Theory' bill, bans teachers in a Public School district or open-enrollment charter school from engaging and teaching any form of race or sex stereotyping or blame on the basis of race or sex.

**STAAR Reform** - House Bill 764 eliminates all non-federally mandated STAAR tests and takes away the high stakes nature of the end of course exams in high school by replacing it with SAT, ACT, PSAT, etc. HB 764 addresses the need for flexibility on assessments should another disaster occur.

**Bail Reform** - The 'Damon Allen Act', House Bill 20, calls revisions to the bail system. It keeps violent criminals off the street, by providing judges necessary information they need to make better-informed bail decisions. It also uses mechanisms to identify low-risk defendants so they don't wait in county jails because they cannot pay their bond. Although, it did not get the chance to pass, I look forward to working on and passing this during special session.

**Election Integrity** - As mentioned in the previous newsletters in detail, Senate Bill 7/House 6 provides protections against voter fraud, and creates additional transparencies. I also look forward to passing this legislation in special session.