



**86th Legislature Report - House District 1
Bowie, Franklin, Lamar & Red River counties
June 2019**

Around the District. Wadley receives stroke designation. Earlier this month, the Texas Department of State Health Services (DSHS) announced that Wadley Regional Medical Center in Texarkana earned a Level II Designation - Primary Stroke Facility in a formal recognition of the hospital's trauma care capabilities for stroke patients. This designation is valid for two years, and it shows the facility's commitment to excellence and dedication to caring for stroke patients in Northeast Texas. Thank you, Wadley, for your commitment in providing the best possible care for area stroke patients.



of and commitment to Texas education. As head of the GLO, Commissioner Bush oversees the School Land Board holdings of land and mineral rights that comprise the Permanent School Fund, which is a critical funding piece of our state's school finance system. While in Texarkana, Commissioner Bush attended events at Texas A&M - Texarkana and Texarkana College.

GLO Commissioner Bush visits area.



From l - r: TAMU-T President Cutrer, Commissioner Bush, & Rep. VanDeaver. Photo: John Bunch, TAMU-T photographer.

The Honorable George P. Bush, commissioner of the Texas General Land Office (GLO), visited Texarkana this week to further his office's understanding

Pat Mayse prescribed burn. The Texas Parks & Wildlife Department (TPWD) announced that it will conduct one or more prescribed burns in the Pat Mayse Wildlife Management Area between July 26 & October 24, 2019. The TPWD will publish a notice in *The Paris News* prior to this burn period, as well as notify key office holders and utility officials in the area. Additionally, local emergency services dispatch centers and fire departments will also be notified of the upcoming burn period. If you would like to receive a text message prior to the burn, please text number 81010 with the message: "@pmburn" to ensure you have the latest information to ensure that you, your family, and your property are safe.



Former New Boston students worked this session. It was great to see Mason Reid and

Trip Davis on the final day of the 86th session. Mason worked in the office of Representative James Talarico (Georgetown), and Trip worked for Representative John Turner (Dallas). Both



From l - r: Mason Reid, Rep. VanDeaver & Trip Davis

members are freshmen and had very successful sessions - due in large part to these two young men from New Boston.

Around the Capitol. Border surge announced.

On June 21, the state's legislative leaders (governor, lieutenant governor and Speaker of the Texas House) announced that Texas is sending 1000 additional state National Guard troops on a temporary basis to assist the US Border Patrol in handling the increased influx of migrants trying to get into the United States at the Texas border. Governor Abbott also announced that the federal government will pay 100 percent of the costs for the deployment of these guardsmen. These troops will provide supplemental staffing support at the temporary holding facilities as well as supplemental enforcement support at ports of entry. Texas has appropriated \$800 million in each of the last legislative sessions to confront the challenges that exist along the southern border because we have a U.S. Congress that

has repeatedly failed to do its job. With the deployment of these National Guard troops, Texans are working hard to manage and confront the humanitarian crisis at the border while keeping potentially dangerous criminals and illegal activity out of our communities.

Statistics on legislation. During the just-completed legislative session, 7324 House and Senate bills were filed and 1,429 bills were passed for a 19.5 percent pass rate; see bill filing and passage statistics at <https://capitol.texas.gov/Reports/Report.aspx?ID=legislativestatistics>. The governor vetoed 56 bills or almost four percent of the bills passed by both the House and Senate. Unfortunately, one of the bills I filed this session was vetoed by the governor; see item below about HB 3511.

State budget. The general appropriations act (state budget) is the only bill the legislature is constitutionally required to pass each legislative session, and it must balance. Earlier this month the governor signed House Bill 1, which is the \$250 billion state budget for the upcoming 2020-21 biennium, and he did not "line-item veto" any item in the budget, which is the first time in recent memory that has happened. Additionally, the governor signed Senate Bill 500 that is the "supplemental budget" to finance state programs and agencies in need of funding before the current biennium ends on August 31, 2019.

Legislation. The May 2019 enewsletter included information about this session's signature legislation that reformed our state's school finance system (HB 3) and capped the growth in local property taxes (SB 2). This month, I want to focus on other legislation and the bills that I filed this session now that the

governor's veto period has ended. Here are brief summaries about bills of interest that passed and were signed into law this session:

- **HB 37 - "porch piracy"** - this bill addresses a growing problem of people stealing packages off porches by amending the Penal Code to create the offense of mail theft with penalties ranging from a Class A misdemeanor to a third degree felony based on the number of addressees from whom the mail is stolen. The bill enhances the penalty for the offense if the victim is disabled or elderly or if the mail contains certain identifying information used to facilitate an offense of the fraudulent use or possession of identifying information.
- **HB 347 - "forced annexation"** - this bill finishes work started in the 2017 session to curtail the ability of home-rule cities to forcibly annex unincorporated areas against landowners' wishes. The legislation adopted in 2017 established a tier system based upon the population of the county that determined if the home-rule city could forcibly annex an area. HB 347, this session, eliminated the tier system so that all home-rule cities must receive authorization of the affected residents of an unincorporated area prior to it to being annexed within city limits.
- **HB 1545 - "beer to go"** - during the last interim, the Texas Alcohol Beverage Commission (TABC) was under review by the Texas Sunset Advisory Commission that can recommend dramatic restructuring or closing of

state agencies under review once every 12 years. The TABC was reauthorized for another 12 years, until 2031, with the passage of HB 1545; however, as the bill moved through the legislative process, it was amended to modernize the state's often criticized alcohol beverage three-tier system to allow "beer to go" sales by the state's growing manufacturing craft breweries. The bill, which takes effect on September 1, 2019, will allow customers to purchase up to 288 fluid



ounces per day from breweries' tasting rooms. The allotment is the equivalent of one 24-count case of 12-oz.

bottles or cans— or—nine 32-oz. "crawlers." This change will bring Texas in line with existing practices in the country's other 49 states.

- **HB 1755 - "dune buggies"** - this bill allows dune buggy hobbyists and owners of other assembled vehicles to register and receive a title for vehicles they had put significant amounts of time, money, and effort into building and that did not present a public danger.



Many other states currently allow for the titling and registration

of these types of assembled vehicles. The Texas Department of Motor Vehicles (TxDMV) issued titles and

permitted the registration of assembled vehicles until 2014 when, due to a rule change resulting from a lack of statutory clarity, the department stopped issuing and began to revoke assembled vehicle titles. HB 1755 creates the statutory clarity necessary to permit the thorough inspection and safe, legal operation of assembled vehicles in Texas, enabling the TxDMV to again permit these vehicles.

- **HB 2041 - "free standing ERs"** - requires freestanding emergency rooms to clearly disclose the in-network health plans they accept and the fees patients may be charged.



These changes were made in response to the growing number Texans who

are confused by the charges made by these facilities for emergency medical care and that these facilities are often not in insurance policies' in-network programs resulting in shockingly high and unexpected charges.

- **HB 2536 - "reporting drug costs"** - this bill requires pharmaceutical drug manufacturers, pharmacy benefit managers and health benefit plan



issuers to submit reports on pharmaceutical drug costs. The executive commissioner of the Health and Human

Services Commission (HHSC) is also

required to establish a website to provide drug price information to the general public. The bill also requires a pharmaceutical drug manufacturer to submit a report to the HHSC stating the current wholesale acquisition cost information for drugs approved by the U.S. Food and Drug Administration (FDA) and sold in or into Texas by a manufacturer. The pharmaceutical drug manufacturer will also have to submit a report to HHSC when there is an increase of 50 percent or more in the wholesale acquisition cost of a drug with a wholesale acquisition cost of at least \$100 for a 30-day supply.

- **SB 11 - student safety & mental health** - in response to last year's school shooting at Santa Fe High School, the legislature adopted SB 11 to strengthen mental health initiatives available to children and allocate money to school districts to "harden" their campuses to help further protect students from harm. The bill requires that school districts work with the Texas Student Safety Center, governor's office, and the commissioner of education to ensure adequate multi-hazard emergency plans are developed and implemented. Additionally, emergency training of staff and students are required to ensure that people know what to do in case of an emergency at their campus. The bill also requires that the emergency plans establish a chain of command to respond to dangerous situations so that law enforcement and first responders know what is happening as soon as possible and who

is in control of the situation at the site of an emergency. The bill also establishes threat assessment teams that can identify students who pose a threat to themselves or others so they can get help as soon as possible and that their families are quickly notified to prevent violence from occurring.

- **SB 12 - retired teachers-13th month check** - this bill passed and funds were appropriated in **SB 500** to stabilize the actuarial soundness of the Teacher Retirement System of Texas (TRS) by increasing state and local school district contributions by \$524 million in the 2020-21 biennium. All "regular service" retired school employees, who retired prior to December 31, 2018, will receive a 13th-month check equal to their current annuity payment not to exceed \$2000. The cost of the 13th-month check to the state is \$589 million. As of today, TRS has not determined when the 13th-month check will be sent to retirees, but TRS anticipates sending out these checks in early fall of 2019. Retired school employees have also been very concerned about increases in their health insurance premiums, which experienced a dramatic restructuring and major cost shifting after the 85th session in 2017. This session, the legislature also appropriated an additional \$231 million to TRS-Care that will prevent any increase in retiree health insurance premiums through December 31, 2021.
- **SB 1264 - "balanced billing - surprise medical bills"** - this bill stems the growth of "balance billing" by the

medical community when treatment is provided by doctors and at hospitals that are not in a consumer's insurance network. Often, the patients did not know that a particular physician or specialist who was treating them was not "in network" until receiving a bill for the difference in price between in-network and out-of-network charges often resulting in thousands of dollars of surprise medical bills. This bill creates new consumer protections against surprise medical bills when patients are treated by out-of-network providers in emergency situations out of the patients' control. Additionally, the bill addresses situations when patients are at in-network facilities but lab and imaging workups are done by out-of-network providers. When this occurs, the patients will only be billed at their in-network rates.

My bills. This session, I filed 29 House bills and sponsored four Senate bills, and I am pleased that 10 (30 percent) of these measures have passed and been signed into law by the governor. Here is a brief summary of these bills:

- **HB 330** - changes the law relating to which students are considered dropouts for school accountability purposes. Current law requires school districts to count students as dropouts who are critically injured or seriously ill and cannot return to school. This issue was brought to me by a HD 1 superintendent who had a student seriously injured during a football game in 2017 and has not been able to return to school.

- **HB 396** - modernizes the state's instructional materials and technology allotment to allow school districts to purchase inventory tracking software to better manage its ordering and supply of instructional materials.
- **HB 418*** - adds federal prosecutors and their families to the list of public officials whose personal information can be kept private to help ensure their safety. This bill's language was added to ***HB 2910** as it moved through the legislative process faster than HB 418. A local federal prosecutor brought this issue to my attention last fall, and I am glad that this protection has now been added to state law.
- **HB 644*** - "the pickle bill" broadened the definition of what fruits and vegetables can be pickled and sold by home canners under the state's Cottage Food Law. House Bill 644 passed the House of Representatives and the Senate Health & Human Services Committee, but the Senate version of the bill, ***SB 572**, passed both chambers sooner and was signed by the governor.
- **HB 1051** - this bill updated statutes governing the Goodwill Excel Center dropout recovery school in Austin for dropouts aged 18 - 50. The Goodwill Excel Center, which privately raises about 40 percent of its operating costs, is an excellent model of the type of services needed to help these former dropouts return to school to earn their diplomas and job skills so they are productive, taxpaying citizens. There are approximately 3 million Texans without a high school diploma, and many of them are older than age 26, where typical

dropout recovery schools stop enrolling students.

- **HB 2351** - renaming a portion of FM 196 in Lamar County as the Nick S. Lingo Memorial Highway. Once the funds are



privately raised to erect the highway road signs, the Texas Department of

Transportation will maintain the signs and roadway as a memorial highway.

- **SB 579/HB 2958** - the "TexAmericas Center" bill that puts this special purpose



district on par with other similar

districts across the state relating to tax exemptions for their lease holders.

- **SB 668/HB 3521** - this bill formalizes work of a legislative committee last interim concerning data collection, reporting and notice requirements for certain educational entities.
- **HB 4166** - this bill directs the Red River Authority to conduct a feasibility study relating to increasing the navigation capacity on the river from Texarkana to Denison.



- **SB 372** - this bill gives open-enrollment charter schools the same authority as public schools to employ security personnel, commission peace officers, and have school resource officers.

Vetoed bill - HB 3511 - I was disappointed that the governor vetoed HB 3511 that passed the House of Representatives on a 116 to 26 vote and passed the Senate on a 24 to 7 vote in the middle of May. House Bill 3511 created the *Texas Commission on the Workforce of the Future* to bring together various stakeholders to study projections of our state's future industries and where there are workforce and education gaps that need to be filled so that the Texas economy continues to produce the skilled workforce to match up with the jobs of the future. The governor's veto proclamation said HB 3511 would interfere with the work of the Tri-Agency Council he appointed in the spring of 2016 that directed the Texas Education Agency, the Texas Workforce Commission and the Texas Higher Education Coordinating Board to work together to on similar education and workforce initiatives. Unfortunately, my office did not hear from the governor's office about the existence of or the work of the Tri-Agency Council until the governor issued his veto of HB 3511 on June 15, 2019. Here is a link to the governor's veto proclamation for HB 3511: <https://lrl.texas.gov/scanned/vetoes/86/hb3511.pdf#navpanes=0>.

To review any of the legislation mentioned above or other bills that were filed this session, here is a link to the Texas Legislature On-line website: <https://capitol.texas.gov/>. Please feel free to reach out to my Capitol staff (at the phone number below) if you have any questions or need more information about legislation filed this session.

Happy 4th of July! You know the summer is moving fast when the 4th of July arrives.

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Please join with my family and me as we celebrate our nation's 243rd birthday! Let's remember the brave men and women who fought off the yoke of an oppressive government to establish the greatest country on earth. Let us continue to honor all of the brave men and women who work hard every day continuing to protect our hard-won freedoms. Thank you!



Happy
Birthday to
the USA!

Social Media. Please follow me on both my Facebook and Twitter accounts!

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.