



# State Representative Gary VanDeaver



HD 1

87th Legislature  
Bowie | Franklin | Lamar | Red River

## **87th Legislature Report - House District 1 Bowie, Franklin, Lamar & Red River counties**

**June 2021**

**Around the District. TWC awards Texarkana College \$475,000 in grants.** Earlier this month, the Texas Workforce Commission (TWC) presented \$475,000 in grant funding to Texarkana College for its nursing programs and



*Rep. VanDeaver along with Texarkana College representatives at award ceremony. Photo: Sharon Elkins.*

skills development fund. These funds will help the college train its students to meet the demands of Texas employers in a changing environment due to COVID-19 and other economic conditions. Congratulations to everyone at Texarkana College and a big "thank you" to the TWC!

**Town Hall meeting and survey.** Last week, a virtual town hall meeting was held for residents of House District (HD) 1 to review key issues and topics addressed in the regular session. The governor has a 21-day window after adjournment to act on legislation by either

signing the measure into law, vetoing the legislation or letting it become law without signing the bill. This so-called "veto period" concluded on Father's Day, so the town hall was scheduled after that period expired to ensure the most current information was presented. Before the town hall, a survey was sent to constituents in the office correspondence database, as well as posted to social media so people could voice their opinions. Thanks to everyone who took the time to complete the survey and to attend the town hall meeting. A complete summary of the survey is available on the FaceBook page.

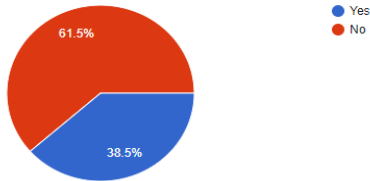
With the first special session fast approaching, HD 1 constituents responded in full force to the survey in a promising display of civic engagement. In reviewing the 148 responses, it was abundantly clear that HD 1 constituents understand the reach and impact of statewide and legislative issues. The issues most commonly cited as constituents' number one priority included: education/teachers (40); elections (26); firearms (17); healthcare/abortion/transgender issues (11); power grid (10); property taxes/budget/economy (9); eminent domain/Lake Marvin Nichols/water (4); elder

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issues (1); realtor issues (1); and the realignment of the Court of Appeals (1).

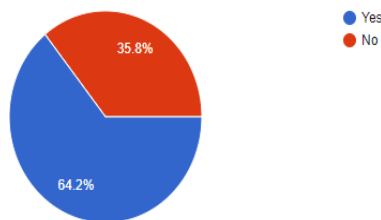
Following that question, the survey asked if the priority issue was addressed. 61.5% responded "No" and 38.5% responded "Yes."

Was it addressed?  
148 responses



**Election integrity and voting rights** are on the minds of many Texans; HD 1 constituents are no exception. When asked about this issue in the survey, 64.2% of constituents said "Yes," they trust the current election process in Texas, whereas 35.8% said "No." During the town hall, an important question was raised about "disenfranchising minority voters." Rep. VanDeaver assured constituents that he shares that concern by stating "anyone who is legally eligible to vote should have the ability to exercise that right," while also saying that "anyone not legally eligible to vote should not be allowed to cast an illegal vote."

Do you trust the current election process in Texas?  
148 responses

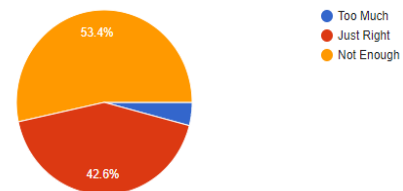


**Winter Storm Uri** was one of the worst and costliest weather disasters Texas has ever faced. The failures of the Texas power grid left

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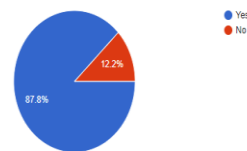
Texans without power and basic resources for days while also freezing the economy. Soon after the storm, the governor added fixing the power grid and analyzing Texas's response to the winter storm as legislative priorities. The survey asked constituents, "Is the Texas government doing too much, just right or not enough to respond to Winter Storm Uri?" to which 53.4% said "not enough," 42.6% said "just right" and 4% said "too much."

Is the Texas Government doing too much, just right, or not enough to respond to Winter Storm Uri?  
148 responses



Next, the survey addressed another HD 1 priority: **constitutional carry**. The permit-less "constitutional" carry bill becomes law September 1, 2021. In light of this, it is important to understand what the new law means and the responsibilities of gun owners.

Should new gun owners take a firearms safety course, even if it is not required by law?  
148 responses



When asked "Should new gun owners take a firearms safety

course, even if it is not required by law?," 87.8% of survey respondents answered "Yes" and 12.2% answered "No." Our gun-owning and non-gun owners still understand the importance of gun safety. In the town hall, Representative VanDeaver made the analogy of gun safety to driving a car, saying that "just

because you can drive does not mean you should not continue to practice and educate yourself to ensure everyone's safety."

**Summary.** In looking back on the virtual town-hall, the office would like to thank everyone for responding to the survey, participating in the town hall and engaging with the office so that Representative VanDeaver can better serve you and HD 1.

The results from the complete survey and the power point from the town hall meeting will be posted on social media. The intent was to post the entire virtual town hall on social media; however, due to an unexpected technical difficulty, the session did not record. Please feel free to reach out to the office with any questions or requests for more information on any of these or other issues.

**Milton appointed by governor.** Earlier this month, New Boston resident, Fred Milton, was appointed by Governor Abbott to the *Committee to Support the Military*. From the press release, it says that "the committee studies and makes recommendations on how best to maintain and enhance military value at existing military installations in Texas and how best to make Texas a more attractive destination for additional military missions." This committee also coordinates with the Texas Military Preparedness Commission (TMPC) that preserves, protects, expands and attracts new military missions, assets and installations to the state. It is vital to



have a "seat at the table" when discussions are held concerning military bases and services in this state. Fred Milton is the ideal person to represent Northeast Texas's views on how important military bases are to an area's economic future and wellbeing. Rep. VanDeaver looks forward to working with Fred and these committees to strengthen state services to assist the state's military installations and personnel.

***Around the Capitol. Regular session adjourns but work not finished.***

The usual excitement associated with the end of a regular session of the Texas Legislature was absent this year because the governor had already announced that he would call the legislature back into session to deal with certain issues not passed during its regular 140-day session. On the session's 139th day, which is the last day for official action on bills, enough House members left the Chamber to break a quorum to avoid a vote on Senate Bill 7 (election integrity). Article 3, Section 10 of the Texas Constitution requires that two-thirds of the 150 House members must be present for the body to establish a quorum in order to conduct business. With the quorum broken, the House could no longer take any official action on pending legislation causing several key pieces of legislation to be left pending since members were unable to vote on them. Rep. VanDeaver stated at the time that he was "very disappointed in this outcome and believes every legislator's sworn oath is to uphold the constitution to represent the people who elected them to serve in the legislature." He also stated that he



"understands people can disagree on issues; however, all legislators should work to the official end of the session to resolve disagreements and not walk away from their constitutional obligations."

**Governor sets July 8 for special session.** The governor has officially set July 8, as the beginning of the first special session of the 87th legislature. Though setting the date for lawmakers to return to Austin, the governor has not yet said what is on the "call" for this special session. See "*Legislature 101: Post Script*" for more information about special sessions.

This will probably be the first of at least two, if not more, special sessions. Prior to the



*Rep. VanDeaver along with Reps. Murr, Burns and Landgraf in the House Chamber.*

breaking of the quorum and failure of several priority issues to pass, the governor had already

said he would reconvene the legislature to redistrict or draw new electoral maps for members of the state legislature, U.S. Congressional delegation and members of the State Board of Education (SBOE) after receiving the census data from the federal government. The pandemic delayed the usual schedule for conducting the census and getting population counts to the states. Redistricting special sessions will probably be this fall so new maps can be finalized for the March 2022 primary

elections. Official counts from the U.S. Census Bureau are not expected to be received until late August to early September, which does not leave much time for redrawing new districts to meet the candidate filing deadline of December 13, 2021.

**Legislature 101: Post Script - Special Sessions.** Just as the office did during the regular session, this newsletter continues delving into more detail about the structure of the legislature and its duties. Rep. VanDeaver thought this was a good time to take a closer look at how "special sessions" are structured. Since it was called, there have been a lot of questions about the purpose, limits and functions of this type of session. Here is some valuable information and insider's insight into this process for constituents with a special edition of "*Legislature 101: Post Script.*"

**"Calling" a special session.** Only the governor can "call" or "convene" a special session of the legislature, through the powers given via the state constitution. Many Texans have wondered why the legislature did not convene during the pandemic, and the answer is that constitutionally the legislature does not have

the authority to convene itself. In Article 4, Section 8(a) of the constitution, it states that the governor convenes the



legislature on "extraordinary occasions." The governor is required to state the purpose in the proclamation that calls legislators to a special session.

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**The Timing.** The governor does not have to wait a certain time period after a regular session ends to call a special session, and there have been over a half dozen instances when special sessions began the day after sine die. The governor is also not required to provide advanced notice to legislators. A special session could end the same day as another special session begins. Special sessions are limited to a maximum of 30 days, but can end earlier. There is also no limit on how many special sessions can be called in between regular sessions, and no guidelines on how much time must pass between special sessions.

**Legislative Topics.** The legislature can **only** consider the topics that the governor has designated in the proclamation. This means that legislators cannot act on any bills that are not specifically part of the special session's call. More than one topic can be covered, and they do not all need to be listed in a single proclamation. The governor can issue several proclamations, or one proclamation with several topics. In the case of the upcoming session, the governor has yet to inform legislators which topics they can act on. The governor has, however, indicated publicly that the special session may include election integrity, critical race theory, bail reform and a supplementary budget for Article X, which was previously vetoed and discussed below.

**Insider.** Special sessions are full of uncertainty not only for the public, but for legislators and their staffs as well. Special committees may be convened with different mixtures of members, and legislation can either fly through the process because it was previously "finished" during a regular session, "agreed to" language worked out after the regular session adjourned

or it may go very slowly as it is hammered out between interested parties.

**Want to Learn More?** The Texas Legislative Reference Library (LRR) has all of this information and more, including information about all previous special sessions, frequently asked questions, links to all the statutory references in the constitution and annotated lists. Visit:

<https://lrl.texas.gov/sessions/specialSessions/index.cfm>.

**Critical action on state budget.** Texas is constitutionally required to enact a balanced state budget, and before it can take effect the comptroller of public accounts must certify that the biennial budget's expenditures and revenue



are balanced. On June 8, Texas Comptroller Glenn Hegar certified Senate Bill 1 (the general

appropriations act) as balanced. SB 1 appropriates \$248.6 billion in total spending for the state's budget during the 2022-23 biennium. It is certified based on the most recent total revenue projection released in May, which included an upward revision of \$3.1 billion in General Revenue-Related funds after a decline in COVID-19 cases contributed to a further opening of the Texas economy, and substantive federal action on relief funding. Hegar said "the legislature took key steps to address issues like power grid reliability and employee pension reform, but equally important is the fundamental work ensuring

our school districts, universities and myriad state programs can rely on a specific amount of state funding." Hegar went on to say that he was "proud to certify this budget and send it to Gov. Abbott for final approval." The almost thousand page SB 1 can be found at: <https://tlis/tlisdocs/87R/billtext/pdf/SB00001F.pdf?lastUpdate=20210531180447#navpanes=0>.

**Article X.** As retribution for breaking a quorum that delayed votes on priority issues, the governor choose to veto Article X of the state budget. This section of the budget includes these state offices and agencies: Senate, House of Representatives, Legislative Budget Board, Legislative Council,



Commission on Uniform State Laws, Sunset Advisory Commission, State Auditor's office, Legislative Reference Library, Retirement and Group Insurance, Social Security and Benefit Replacement Pay, Lease Payments and Special Provisions pertaining to the legislature. Unless reenacted during a special session, the biennial Article X budget of \$410 million will not flow to agencies, programs, services and state employees beginning September 1, 2021.

**Key issues passed this session.** A lot of discussion across the state has recently focused on what failed to pass the last day of the session; however, a lot was accomplished this year. Many of these topics, and more, were discussed during the virtual town hall meeting on June 24, and can be found in this newsletter and on FaceBook. Unless noted, these bills take effect September 1, 2021. Here

is a brief summary of some of the key issues debated and passed this session:

**Pro-life legislation: SB 8 - "Heartbeat Bill"** - the fetal heartbeat is a key medical predictor of



whether an unborn child will reach live birth. A fetal heartbeat can be detected as early as six weeks. This bill prevents abortions

from being performed or induced once a fetal heartbeat is detected unless there is a medical emergency.

**HB 1280 - "Trigger Bill" if *Roe v. Wade* overturned by US Supreme Court.** This bill ends the practice of abortion in Texas if the U.S. Supreme Court reverses its rulings under *Roe v. Wade* and *Planned Parenthood v. Casey*. If overturned, abortion law-making authority would return to the states. This bill ensures Texas will ban abortions as soon as possible if the US Supreme Court overturns these previous rulings.

**Second Amendment action:**



**HB 1927** - permit-less carry that allows Texans over the age of 21, who are

otherwise not ineligible to carry a weapon, to carry a gun without a state permit.

**HB 957** - the bill removes firearm suppressors from the list of prohibited weapons in the Texas Penal Code. The bill also makes a firearm suppressor that is manufactured and remains in Texas not subject to federal law or federal regulation.

**HB 1500** - amends the Government Code and the Local Government Code to ensure that neither the governor, nor local governments, have the authority to prohibit or restrict the business or operations of a firearms or ammunition manufacturer, distributor, wholesaler, supplier, retailer or a sport shooting range during a declared disaster.

**SB 20** - strengthens legal protections for lawful gun owners by prohibiting hotels from adopting certain restrictive handgun policies. The bill basically extends "Castle Doctrine" protections into a person's hotel room.

**Response to Winter Storm Uri.** **SB 2** gives the governor, lieutenant governor and speaker of the House the authority to appoint a legislative selection panel that then appoints eight of the nine voting members of the ERCOT board.



Requires natural gas facilities along the electricity supply chain to register as "critical infrastructure"

so their electricity is kept on during blackouts. Effective 06/08/2021.

**SB 3** - relating to preparing for, preventing and responding to weather emergencies and power outages; increasing the amount of administrative and civil penalties. SB 3 addresses these things:

- Power generation companies will be required to "weatherize" their facilities to withstand extreme weather - summer heat or winter cold;

- Natural gas fuel facilities will also be required to weatherize if they are deemed "critical" by regulators to withstand a weather emergency so their power wouldn't be unintentionally turned off during crises;
- Creates regional and statewide emergency alert systems that would be activated when the state's power supply is not sufficient to meet current and expected demands;
- Requires more communication among industry participants;
- Establishes the Texas Electricity Supply Chain Security and Mapping Committee to map the state "supply chain" and identify critical infrastructure resources; the map shall be updated at least once a year;
- Establishes best practice to prepare facilities to maintain service during critical weather events;
- Requires the delivery of the first mapping report no later than January 1, 2022; and,
- Requires the Railroad Commission to annually review emergency operations reports of natural gas operators that are included in the electricity supply chain map for their emergency weatherization preparedness reports of those facilities and make suggested improvements in operations.
- Effective 06/08/2021.

**HB 16** bans the sale of wholesale electric rate plans, such as sold by the now-bankrupt Griddy Electric and other companies that pass

wholesale electric prices to customers. Though such plans often provide cheaper electricity rates when power is plentiful, during such



storms as Winter Storm Uri, customers reported receiving bills in excess of \$10 - \$15,000.

### **HB 1520 & SB 1580**

- allow gas utility companies and electric coops to securitize their debt for the excess power prices and usage during the February winter storm. Securitization allows companies that took losses during the blackouts to cover those losses by incurring debt through state-backed bonds. The securitization will spread out these costs over several years and reduce projected costs being added to consumers' bills from \$40+ a month to \$2 - \$5 a month over 10 years. HB 1520 effective 06/16/2021; SB 1580 effective 06/18/2021.

### **"Back the Blue" - support law enforcement.**

**HB 1900** - this bill targets Texas municipalities that "defund the police" by reducing their law enforcement budgets year-over-year. Any such Texas city can have their powers relating to annexation and taxation limited until funding is restored.

**Education-related.** There were 397 House and Senate bills referred to the House Committee on Public Education, which Rep. VanDeaver served on this session. Of those bills, 76 passed and were sent to governor with the top 10 issues being:

1. Safety and mental health;
2. COVID-19 response;

3. TRS-related;
4. Governance;
5. Educator training & certification;
6. Instruction;
7. Finance;
8. University Interscholastic League;
9. Special education; and
10. Accountability.

Here is more information about two major education-related bills that passed this session:

**HB 1525 (Huberty)** - This bill is often called the



*Rep. VanDeaver along with House Public Ed colleagues laying out HB 1525. Photo: House Photoarchive.*

"clean-up bill for HB 3" referring to the school finance legislation passed in 2019; however,

HB 1525 become more than just a technical clean up for previously passed legislation. Here are the major components of HB 1525:

- Maintains the financial commitments made in HB 3 (from 86 R) and increased funding by \$475,196,008 through the biennium.
- "Fixes" the allotments:
  - o Fast growth school allotment;
  - o Small and mid-sized school allotment; and
  - o CTE funding allotment
- Includes a COVID-assistance package:
  - o PTECH grants

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- Broadband technical support
- Technology reimbursements
- Updates and revised Autism and Dyslexia grant programs.
- Protects student data that is sent to third-party vendors.
- Authorizes tutoring by retired teachers.
- Establishes a special education funding commission.
- Adds Winter Storm Uri reimbursements.
- Authorizes resource campuses.

**SB 1365 (Bettencourt)** - provides schools with an additional year of "pause" in accountability ratings in 21-22 as they address Covid-19 learning losses.

- Codifies and explains the meaning of the "D" and "F" ratings.
- Clarifies that a school cannot indefinitely fluctuate between a "D" and "F" rating (the "D wobble") without sanctions.
- Significantly enhances the due process available to schools affected by TEA investigations.
- Limits the commissioner to appropriate action under Chapter 39A of the Education Code.
- Ensures hearings resulting from investigations are held in the school district and before a State Office of Administrative Hearings (SOAH) examiner or a mutually agreed-upon third party.
- Provides for an appeal of a commissioner's decision to appoint a board of managers, etc.
- **Cost:** None to state/local gov't.

**Texas FFA Foundation visits the Capitol.** One of the things as a state representative that Rep. VanDeaver enjoys the most is having groups,



*Rep. VanDeaver with members of the Jarrell ISD Texas FFA Foundation at the Capitol.*

especially student groups, visit the Capitol. Earlier this month, members of the Texas FFA Foundation held their

annual gathering in Austin with some time spent at the Capitol learning more about the legislative process and touring the historic building.

**Need more information?** Please feel free to reach out to Rep. VanDeaver's offices if you



have any questions or need more information on any of these or other issues. Also, the Texas Legislature

Online at [www.capitol.texas.gov](http://www.capitol.texas.gov) is a user-friendly resource if you need more information about previous and current legislative sessions. You are able to track specific bills and the different versions of bills as they move through the legislative process, as well as view committee hearings and debate when the

Senate and House are in session in their respective chambers.

***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.