

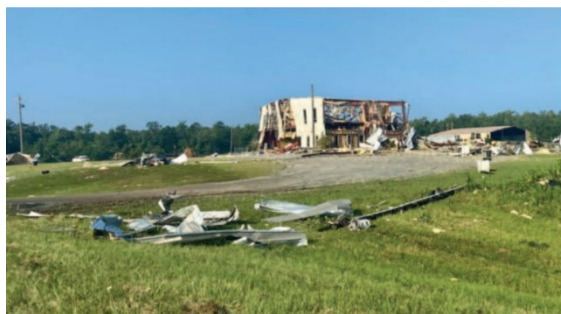


State Representative
Gary VanDeaver
June 2023 E-Newsletter



88th Legislature Report - House District 1
Bowie | Cass | Lamar | Morris | Red River

District Update



Tornado damage in Cass County. Photo from Cass-County Citizen's Journal-Sun.

Severe storms in Northeast Texas. Areas of Northeast Texas have recently been impacted by severe storms with tornadoes, heavy rain, hail, damaging winds and lengthy power outages. Over 200,000 electric customers were without power after the storm's initial assault on the area.

Electrical line workers from utility companies and electric co-ops have been joined by workers from other states sent to help restore power and replace destroyed and damaged poles, lines and equipment.

Losing power at any time is a major challenge but

having to endure lengthy restoration times when the temperature and humidity are soaring pose dangerous conditions for many people.

TDEM. The Texas Department of Emergency Management (TDEM) has partnered with many agencies, first responders and local resources to ensure the disruption is not as severe or dangerous as it could have been. They are combining efforts to provide cooling stations, generators, access to food, water and temporary shelters, as well as meeting the needs of people dependent on oxygen and kidney dialysis equipment to stay alive. Those working on the front lines have endured long hours, extreme conditions and other hardships to help people recover from the devastation of these storms. We owe all of these first responders and workers an immense debt of gratitude and appreciation!

Please report damages. The state will eventually submit a request for federal assistance from the Federal Emergency Management Agency (FEMA). To qualify for assistance from FEMA, the state must show close to \$52 million in uninsured losses. FEMA will not provide recovery assistance if the loss is covered by insurance or other sources to compensate individuals, businesses or local governments for the loss. Your help in gathering and submitting information about the financial damages is essential as described below.

Local citizens can help the state gather information about the extent of the storm damage by filing information via the TDEM website (<https://www.tdem.texas.gov/>). The TDEM website has a wealth of resources and information for assistance. TDEM advises homeowners, renters, and

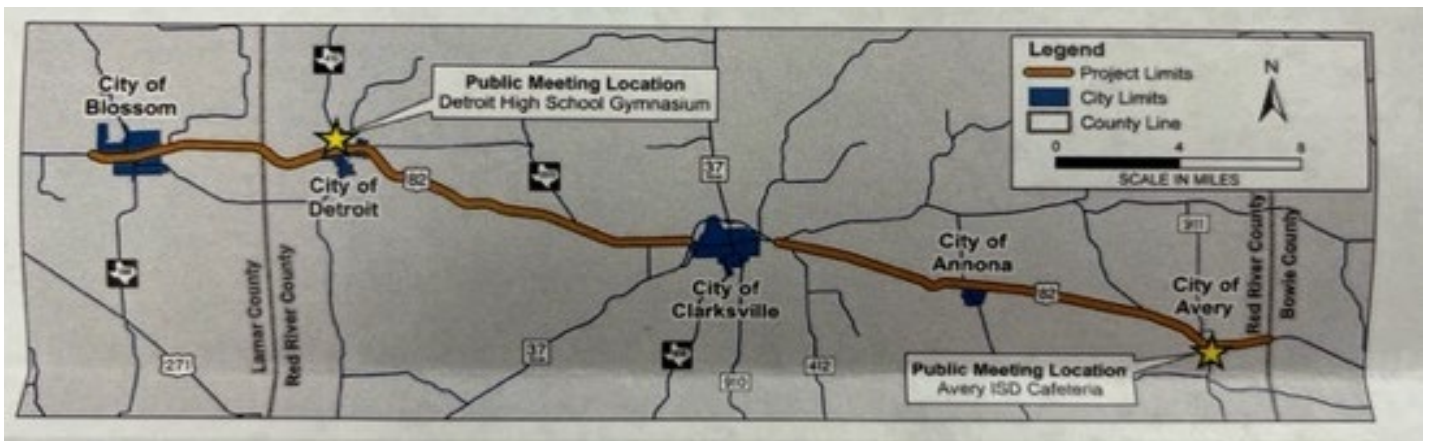
"The Texas House of Representatives is an Equal Opportunity Employer and does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services. This newsletter is available in alternate forms upon request. Please call 1-800-241-1163."

business owners to report disaster damages through the Individual Assistance – [State of Texas Assessment Tool \(iSTAT\)](#). Though reporting damage via iSTAT is voluntary and does not replace the need for individuals to file claims with their insurance companies, it helps the state gather more accurate information about the scope of the damage.

Disaster declarations. Over the last week, the governor has issued several disaster declarations and a number of Northeast Texas counties are included: Camp, Cass, Franklin, Gregg, Harrison, Hopkins, Marion, Morris, Panola, Shelby, Smith, Titus, Upshur and Wood counties. The declarations state that the governor "authorizes the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster."

TxDOT public hearings on US Highway 82 projects. The Texas Department of Transportation (TxDOT) recently informed my office about two upcoming public hearings on proposed improvement projects slated for US Highway 82 east and west of Clarksville. Proposed improvements to the road include widening Hwy. 82, east of Clarksville, to a four-lane divided highway in rural areas and five-lane, left-turn access in suburban areas in Lamar and Red River counties. The US 82 project west of Clarksville is approximately 20 miles and extends from West Division Street in Blossom to the intersection of Hwy 82/SH 37 in Clarksville to widen the road and include additional rights of ways that could affect displace one non-residential structure. The two in-person public meetings are scheduled:

- July 11, 5:30 - 7:30 p.m., at Detroit High School Gymnasium, located at 610 1st Street NW, Detroit.
- July 13, from 5:30 - 7:30 p.m., at Avery ISD Cafeteria, located at 150 San Antonio Drive, Avery.



The public can also view the virtual meeting (not a live event) beginning July 11, from 5:30 p.m., through Friday, July 28, at 11:59 p.m. The virtual meeting can be accessed via the TxDOT webpage at www.txdot.gov/projects/hearings-meetings.html. Project materials are also available online on the [project webpage](#). These materials will also be available in hard copy form for review at the in-person meetings.

"The Texas House of Representatives is an Equal Opportunity Employer and does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services. This newsletter is available in alternate forms upon request. Please call 1-800-241-1163."

My offices have received numerous comments and complaints about US Highway 82 and its need for improvements, expansions and upgrades. Please take advantage of these opportunities to learn more about this project and contribute suggestions to make this area roadway safer and more efficient. Comments can be submitted to TxDOT project manager, Daniel Taylor, P.E., at daniel.taylor@txdot.gov, or mailed to the Paris Area Engineer and Maintenance Facility, 3600 NW Loop 286, Paris 75460. Comments received or postmarked by July 28, 2023, will be included in the official record.

2023-2024 Texas Armed Services Scholarship Program (TASSP) Nomination Applications are due July 15! Our office is accepting applications through July 15th, 2023 for the TASSP that was created by the legislature in 2009 to encourage students to participate in Reserve Officers' Training Corps (ROTC), programs at Texas institutions of higher education. Please refer to the TASSP website for more information: [Texas Armed Services Scholarship Program](#).

In order to apply and be considered for a nomination, please send an email to district1.vandeaver@house.texas.gov with the following materials and information by July 15:

- Contact information, including full name, address, date of birth, email and phone number;
- Resume;
- Cover letter;
- High school and/or college transcript(s);
- Three references with contact information; and
- Letter of recommendation.

State Update

88th regular and special sessions updates. As reported in May, the regular session of the Texas Legislature adjourned on May 29, but the governor called an immediate special session beginning that day at 9 p.m. The governor put two issues on his "call" for this special session directing members to pass legislation on property tax relief and to further secure the Texas border as outlined below:

- *Legislation to cut property-tax rates solely by reducing the school district maximum compressed tax rate in order to provide lasting property-tax relief for Texas taxpayers.*
- *Legislation solely for the purpose of increasing or enhancing the penalties for certain criminal conduct involving the smuggling of persons or the operation of a stash house.*

The House and Senate have both passed legislation in response to the governor's call, but there is currently no agreement between the Chambers on which approach the property tax relief legislation should take. The governor's call directed the legislature to reduce property taxes using "compression," which lowers school districts' tax rates with additional state aid. In the regular session, the legislature set aside \$17.6 billion for property tax relief, but the challenge remains on how best to deliver that relief to the state's taxpayers.

House approach. The Texas House adopted House Bill 1 (88, 1st Called) and House Joint Resolution 1 (88th, 1st Called) on the first day of the special session and then adjourned. House Bill 1 (88th, 1st Called) amends the Tax and Education Codes to provide for a \$0.162 reduction in a district's maximum tax rate for the 2023-2024

school year. House Joint Resolution 1 (88th, 1st Called) is a technical resolution going before the voters on November 7, 2023, to allow the legislature to appropriate the \$17.6 billion for property tax relief irrespective of the state's constitutional spending limit. Without this authorization, the constitutional spending limit would interfere with the legislature's ability to dedicate billions of dollars to property tax relief.

Senate approach. The Texas Senate has passed Senate Bill 1, Senate Bill 26, Senate Joint Resolution 1 and Senate Joint Resolution 2 (88th, 1st Called) for their property tax relief plans not only using tax rate compression of school district tax rates but also increasing the homestead exemption from the current amount of \$40,000 to \$100,000. Senate Bill 26 also provides some changes to the state's business franchise tax by doubling the exemption for businesses to \$2.47 million, which will remove 67,000 small to medium-sized businesses from paying the tax. The bill also removes the requirement that businesses file a "no-tax due" franchise tax return, saving businesses both time and money. Also, SB 26 increases the amount of tax relief to \$18 billion.

1st Called Special Session ends. The 1st called Special Session of the 88th Legislature ended on June 27th, at the conclusion of its constitutionally limited 30-days. Only the governor can call the legislature into special sessions, and he has vowed to keep calling special sessions until there is an agreement on property tax relief and the other issues he felt were not adequately dealt with during this Spring's regular session. Neither Chamber passed the other's legislation on property tax relief or enhancing border security measures.

2nd Called Special Session begins. The governor issued a proclamation calling the 2nd Special Session of the legislature just a couple of hours after the 1st Special Session ended. Legislators are directed to enact legislation that:

- *Cuts property-tax rates solely by reducing the school district maximum compressed tax rate in order to provide lasting property-tax relief for Texas taxpayers.*
- *Puts Texas on a pathway to eliminating school district maintenance and operations property taxes.*

Both Chambers are scheduled to convene on Wednesday, June 28, at 11 a.m. to begin working on the governor's charges. Here is a link to Texas Legislature online to follow the action during this special session: <https://capitol.texas.gov/>.

Regular session results. I filed 25 bills this session and am happy to report that eight bills have been enacted into law. Besides working on HB 8, the community college finance bill, most of my time this session was spent working as the chair of the Article III subcommittee of the House Committee on Appropriations which oversees the largest portion of the state budget that is devoted to spending for educational entities, agencies and expenses that make up over 35 percent of the state budget. I also served on the HB 1 conference committee to resolve differences with the Senate over the final version of the General Appropriations Act (GAA) for 2024-25, that the state comptroller certified as balanced before it was signed by the governor on June 18. The new GAA becomes effective with the start of the new biennium on September 1, 2023, and ends on August 31, 2025. House Bill 1 appropriates \$321.3 billion.

The legislature also adopted Senate Bill 30, which is the supplemental budget for the remainder of the current biennium that appropriates just over \$15 billion for costs through the end of 2023. Though these two appropriations bills appropriate over \$335 billion through August 31, 2025, they comply with the state's constitutionally mandated pay-as-you go spending limit that does not allow deficit spending. Here are links if you want to see more information: [HB 1](#) and [SB 30](#).

Legislative successes. These are the eight bills I passed this session:



Governor Abbott signed HB 8 on June 9, 2023.

- **HB 8** - makes historic changes in the finance system for the state's 50 community colleges that will now be based on student outcomes. The bill implements many of the recommendations of the Texas Commission on Community College Finance that I served on in 2021-22. House Bill 8 also sets up a scholarship program for certain eligible students taking dual credit courses at the colleges.
- **HB 422** - allows juvenile detention hearings to be conducted as remote proceedings. A juvenile court judge must submit a plan to the state's Office of Court Administration on how to handle physical evidence and require an unobstructed view of any parties or witnesses who submit testimony from a remote location.
- **HB 430** - requires that the Texas Forest Service (TFS) consider the age of a rural volunteer department's equipment when reviewing applications submitted under the Rural Volunteer Fire Department Assistance Program.
- **HB 433** - reduces the required number of vehicles needed to be considered a "commercial fleet" from 25 to 12 to ease the burden of the required registration process and allows the issuance of a commercial fleet license. Designation as a "commercial fleet" allows the owner to register the vehicles in the commercial fleet for up to eight years rather than having to renew the registration every year.
- **HB 3009** - allows an advanced practice registered nurse (APRN) to examine a potential ward to gather information to be submitted to a judge to determine the person's competency in certain guardianship proceedings. This bill does not change current law governing an APRN's scope of practice requirements.
- **HB 4375** - requires that students in grades 7 - 12 receive instruction at least once before graduation on how to use an automated external defibrillator (AED).
- **SB 1187** (Hughes/VanDeaver) - expands the ability of TexAmericas Center to provide services to and make investments in certain business enterprises.
- **SB 2314** (Hughes/VanDeaver) - limited liability companies (LLCs) are designed to protect an individual's business assets if one is created. There are two types of LLCs—single-member LLCs (where one person owns the business) and multi-member LLCs (where more than one individual owns the company). In Texas, a charging order is the only legal remedy a personal creditor of a Texas LLC member can use to access a member/debtor's LLC ownership interest. Recent Texas court cases have arguably eroded this protection for single-member LLCs. SB 2314 amends the Business Organizations Code to ensure that a charging order remains the sole and exclusive remedy against a person who is the sole member of a single-member LLC, just like it protects a member of a multimember LLC.

I want to thank my legislative colleagues, agency officials, stakeholders and staff who worked on these issues before and during the legislative session getting these bills drafted, filed, heard and passed. It takes lots of hours along with some blood, sweat and tears to get a piece of legislation across the finish line. I especially want to thank people from House District 1 who brought several of these issues to my attention about things that needed to be addressed to make state government more efficient or at least don't make Texans' lives harder. This local input eventually turned into **HB 422, HB 430, HB 433, HB 3009 and SB 1187.**

Funding for HD 1. The appropriations bill (HB 1) includes several items specifically to address concerns and projects in House District 1 that include the following:

"The Texas House of Representatives is an Equal Opportunity Employer and does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services. This newsletter is available in alternate forms upon request. Please call 1-800-241-1163."

- *Better East Texas - Texas A&M - Texarkana* - on page III-125, in funding for A&M - Texarkana in Goal C.2.1 is a total of \$13,220,000 for 2024-25, for the university's ongoing project to provide resources and programs to help improve lives in East Texas.
- *Marvin Nichols Reservoir* - there is a provision in HB 1 for the Texas Water Development Board (TWDB) directing its executive administrator to conduct a feasibility study of the proposed reservoir and report findings to the TWDB and legislature no later than January 5, 2025. The review shall analyze the implementation timeline, associated costs, land acquisition considerations and the economic impact of the proposed project. This is included in HB 1 on page VI-69 in Rider #28.
- *Red River County historical sites* - Article IX in HB 1 is known as the "Legislative Intent" section of the budget. On page IX-112 in Section 17.21 (c) and (d), there is funding for the Texas Historical Commission to use for the preservation of two historic sites in Clarksville. The budget has \$1 million each for the Lennox Home and the DeMorse Home.
- *Bowie County Broadband* - also, on page IX-112 in Section 17.22, is \$4.5 million for constructing and installing fiber optic internet infrastructure in Bowie County in cooperation with the Bowie County Broadband Partnership.



Rep. VanDeaver providing a legislative update to Region 8 superintendents on June 21st.

Legislative update with ESC Region 8 superintendents. Earlier this month, I provided a legislative update for superintendents at Region 8 in Pittsburg and virtually. During this meeting, we reviewed education-related legislation that both passed and that did not pass this session.

School district officials are waiting to see what approach the legislature adopts relating to property tax relief legislation to see what changes are made to their budgets and the methods of finance. Ideally, final decisions and funding plans would be adopted prior to school districts finalizing their budgets and setting tax rates.



Happy 4th of July! As we gather with our families, friends and communities to light fireworks and watch parades commemorating our country's 247th birthday this 4th of July, let us pause for a moment to reflect on just what a special thing happened that day in 1776. Nothing like that had ever happened before nor since when our Founding Fathers signed the Declaration of Independence giving birth to the greatest country on earth. Who knows what would have happened to the colonies if these selfless, dedicated and brave men had not worked together for the greater good of what became the United States of America? Not only do we owe immense gratitude to our forefathers, but we also owe our special appreciation to all of the men and women who

have sacrificed for the greater good and dedicated themselves to keeping the dream of this country alive for future generations of Americans. **Happy Birthday, America!**

Contact Information

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 or the Capitol office if there is anything we can do to help you. Follow me on Facebook, Twitter, and Instagram for more updates!

District Office
Bowie County Courthouse
710 James Bowie Drive
New Boston, Texas 75570
(903) 628 - 0361

Capitol Office
Room E1.304
P.O. Box 2910
Austin, Texas 78768-2910
(512) 463 - 0692

**State Representative Gary
VanDeaver**
[Email Gary](mailto:gary@texas.gov)

Useful State Government Websites

Governor of Texas www.gov.texas.gov
Texas Senate www.senate.texas.gov
Texas House of Representatives www.house.texas.gov
State of Texas www.texas.gov
Texas Legislature Online www.capitol.texas.gov
Office of the Attorney General . . . www.texasattorneygeneral.gov
Health & Human Services Commission . . www.hhs.texas.gov
Medicaid, Food Stamps, & TANF . . www.yourtexasbenefits.com
Child/Elder Abuse Reporting www.txabusehotline.org

Texas 2-1-1 (United Way) www.211.org
Texas Education Agency www.tea.texas.gov
Texas Department of Motor Vehicles www.txdmv.gov
Texas Department of Transportation www.txdot.gov
Texas Department of Public Safety www.dps.texas.gov
Texas Department of Insurance www.tdi.texas.gov
Texas Parks & Wildlife Department www.tpwd.texas.gov
Texas Workforce Commission www.twc.texas.gov
Texas Veterans Commission www.tvc.texas.gov
