



# TONI ROSE

STATE REPRESENTATIVE ★ DISTRICT 110



## 87<sup>TH</sup> LEGISLATIVE UPDATE

TEXAS HOUSE OF REPRESENTATIVES



STATE REPRESENTATIVE  
DISTRICT 110

Dear Constituents of House District 110:

It continues to be an honor and privilege to serve as your State Representative and to work on behalf of your priorities. At the time of writing this letter, we are just days away from the beginning of the Third Special Session called by the Governor.

This year's state budget totaled \$116.4 billion in general revenue for 2022-23, with \$62.7 billion for education, \$34.3 billion for health and human services, and \$12 billion for public safety and criminal justice.

Changes to law impacting criminal justice and public safety were at the forefront of our collective legislative agenda this year. Starting September 1, 2021, Texas police officers are no longer able to use neck restraints during arrests, are required to report incidents of excessive force by other peace officers, and are required to keep their body cameras on. Police officers can also now impound cars used in street racing.

Texans 21 years and older are allowed to carry handguns without training or a license and a new Texas Active Shooter Alert System will notify your phone if a shooter is active in your immediate area. In response to the defund the police movement, cities of more than 250,000 are no longer able to increase property taxes if their police budget has been cut by municipalities.

Our very own Bonton Farms originated a new law that allows incarcerated individuals to use credit for time served toward the payment of court fines and fees for minor offenses received before incarceration, easing financial burdens commonly faced by individuals reentering society.

In education, teachers are prohibited from discussing current events or Critical Race Theory, including systemic racism or the New York Times essay series "The 1619 Project", which narrate the history and impact of the institution of slavery in America. At the same time, the legislature authorized "The 1836 Project" to promote patriotic education.

In healthcare, individuals with post-traumatic stress disorder or with any form of cancer are permitted to use low THC medical cannabis and medical abortions are banned once a fetal heartbeat can be detected, which can be as early as six weeks into a pregnancy.



Representative Toni Rose with Speaker of the House Dade Phelan holding the pen used in the official signing of HB 133, the Maternal Mortality Bill, into state law.

During the Second Called Special Session, a new state voting law was passed which will impact how you access the ballot box. Federal leaders are now working to address voting laws nationwide and I'm extremely proud of the fact that our work to protect voting rights has spurred much needed action in Washington D.C.

Of my legislative victories this session, I am most grateful for your continued support and involvement in the legislative process. From ensuring women on Medicaid receive six months of health coverage after the birth of a child to laying the foundation for a new mental health facility serving Dallas, I will continue to make your concerns my first priority.

Yours for a better Texas,

Toni Rose  
State Representative  
District 110

## REPRESENTATIVE ROSE'S AUTHORED BILLS

**HB 133** – Childbirth can lead to postpartum depression, medical crisis, and premature death, including suicide. While these risks can occur up to a year after childbirth, Medicaid only allows for two months of healthcare coverage after the birth of a child. HB 133, the Maternal Mortality Bill, extends healthcare coverage to new mothers on Medicaid from two months to six months.

**HB 3481** – On December 1, 1955, Mrs. Rosa Parks sat down on a public bus, sparking the Montgomery Bus Boycott to fight segregation. An American activist in the civil rights movement, Mrs. Parks was called “the first lady of civil rights” and “the mother of the freedom movement” by the

United States Congress. HB 3481 designates December 1st as Rosa Parks Day for the state of Texas to honor this incredible act of heroism.

**HB 4202** – Paul Quinn College is one of nine work colleges in the nation and the only work college in Texas. Work colleges require resident students to work and integrate that work into the college learning experience. Public and private colleges and universities in Texas have access to the TexShare library, allowing students to access textbooks and other resources at no cost. However, work colleges are excluded from this vital resource. HB 4202 adds work colleges to the list of approved institutions that can access the TexShare library.



Representative Toni Rose introduces new legislation before the Texas House of Representatives to secure TexShare Library access for Paul Quinn students.



Representative Toni Rose reviews proposed changes to the state budget during an Appropriations Committee hearing.

## REPRESENTATIVE ROSE'S HOUSE SPONSORED BILLS

**SB 452** – SB 452 revises the outcome requirements for evidence-based prevention and early intervention programs to increase school readiness for participation and performance, clarify outcomes related to parenting skills, and reduce youth involvement with the criminal justice system.

**SB 500** – Concerns have been raised about the operation of illegal, unpermitted boarding home facilities. Law enforcement has cited the difficulty to manage these boarding homes due to their Class C misdemeanor response status. SB 500 increases the charge

from a Class C to a Class B misdemeanor, which will encourage judges to issue warrants against the operation of unpermitted boarding home facilities.

**SB 1911** – SB 1911 allows the Managed Care Organizations (MCOs) that help deliver healthcare services across Texas to contact their recipients electronically by email or text, if authorized by the medical patient. This change will allow MCOs to deliver timely reminders for appointments, instructions to care for oneself after medical procedures, and other critical information.

## REPRESENTATIVE ROSE'S JOINT-AUTHORED BILLS

**HB 569** – HB 569, known as the Bonton Farms Bill, allows incarcerated individuals to use credit for time served toward the payment of court fines and fees for minor offenses they received before incarceration. This legislation will assist with eliminating financial burdens commonly faced by individuals reentering society.

**HB 1193** – HB 1193 allows juvenile courts to retain jurisdiction over certain individuals and improves the process for sealing certain criminal records for juveniles in Texas. HB 1193 prevents juvenile cases from being transferred to adult courts due to technical delays that are no part the fault of the juvenile.

**HB 2301** – Victims of family violence, sexual assault, abuse, human trafficking, or stalking are offered a confidentiality program service by the Office of the Attorney General; however, in some cases abusers can discover the location of the victim. HB 2301 changes the law to make it more difficult for abusers to locate their victims.

**HB 2315** – Street racing has been a major concern in many Texas communities. These races are deadly to race drivers, spectators, and the unsuspecting public. HB 2315 will further deter individuals from street racing by allowing police officers to impound cars used in this criminal act.

**HB 2595** – HB 2595 designates October as Mental Health Condition and Substance Use Disorder Parity Awareness Month. Parity is the condition of being equal, especially regarding status or pay. The bill also creates a portal for complaints regarding insurance coverage parity, provides for educational materials, and mental health trainings for enrollees.

**HCR 5** – Barbara Jordan blazed a remarkable trail on the national stage for women and people of color, serving as the first African American woman elected to the Texas Senate in 1966. HCR 5 designates a new state building, currently under construction in Austin, as the Barbara Jordan Building.

## REPRESENTATIVE ROSE'S BUDGET ACCOMPLISHMENTS

Without budgetary funding, changes to the law or actionable mandates by the state are unable to be implemented. Each legislative session, state agencies, advocacy organizations, and individuals bring critical state needs to the attention of lawmakers. Only a small number of these critical need projects are able to be funded. The following are a list of budget accomplishments for the 87th Legislative Session:

### ***Mental Illness Legal Defense***

Persons with mental illness are more likely to be wrongfully convicted of crimes. State funding has now been directed for the specialized representation of defendants with mental illness in Dallas County and across the state to ensure that the most vulnerable in the criminal legal system have access to legal services.

### ***Mental Health Telemedicine***

Telemedicine/Telehealth increases accessibility to health services for those unable to travel, but mental health services have been excluded. State funding has now been authorized for behavioral health providers to make claims for telemedicine to ensure mental health patients can gain telehealth access.

### ***Step Down Housing***

Usage of State Supported Living Centers (SSLCs), which provide comprehensive medical and behavioral healthcare services to the most vulnerable Texans, has decreased by 31% since 2010. The state of Texas has now been directed to fund a study on utilizing vacant space at SSLCs to provide transitional, step-down housing to long-term residents of the state hospital system with complex mental and behavioral health needs.

### ***Star Health Rate***

The STAR Health program provides healthcare to children and youth in the foster care system in Texas, which has a shortage of mental health professionals in psychiatry. The state of Texas has now been directed to evaluate psychiatric services provided to children and youth under the STAR Health program.

### ***Prescription Drug Codex***

The state has now been directed to include prescription drugs on the Texas Drug Code Index, allowing patients to have access to the latest FDA approved treatments within several weeks as opposed to several months or longer. For patients with potentially terminal illnesses, that time can be lifesaving.

### ***Alzheimer's Program***

The Texas Department of State Health Services estimates that approximately 400,000 Texans live with Alzheimer's. Representative Rose secured \$1 million for the Department of State Health Services Alzheimer's Program to prioritize quality care and equitable access to best practices when caring for Texans with Alzheimer's.

### ***HIV/AIDS Medication***

Representative Rose secured \$36.3 million to fully fund the Texas HIV/AIDS Medication Program (THMP). THMP provides medications for the treatment of HIV/AIDS and related complications, ensuring Texans have the healthcare access they need.

### ***Project HOPES***

Representative Rose secured \$2.8 million to support the Project HOPES prevention program. Project HOPES provides support to families with children 0-5 years old with parent education support groups, maternal depression screening, and early literacy promotion to reduce the risk of child abuse.

### ***Transportation Pilot Program***

Children in foster care are often placed with families outside their hometown, creating a barrier for parents without transportation to have

regular visitation. The state has now been directed to appropriate funding to create accessible transportation that allows regular parent and sibling visitations and assists parents with transportation to court-ordered services such as parenting classes and mental health treatments.

### ***988 Implementation Study***

In 2020, Congress designated the phone number "988" as the nationwide three-digit number for mental health crisis and suicide prevention. The state of Texas will now study the use of the 988 system and its potential to save lives and improve the quality of life for Texans affected by mental illness.

### ***Assisted Living Study***

Consumer demand is rapidly growing for assisted living facilities across the state. The state has now been directed to study emerging trends and issues related to assisted living facilities to ensure we are upholding an excellent standard of care for Texans now and in the future.

### ***Early Childhood Intervention***

Healthcare costs for families who are caring for children with developmental disabilities continue to increase significantly. Representative Rose secured \$95.4 million to fund the Early Childhood Intervention program, which provides support for families that have children with developmental disabilities manage rapidly increasing healthcare costs.

### ***Family First Transition Act (FFTA) Funds***

Representative Rose secured \$8.9 million for services that reduce the risk of children being removed from their homes and prioritizes their family first. This funding provides more capacity for the state to use community-based family preservation services to reduce the number of children entering the foster care system.

### ***State Mental Health Facility***

The Dallas/Fort Worth metropolitan area lacks a state hospital to serve the mental health needs of over one million people. Representative Rose secured \$44.75 million in state funding for the planning and land acquisition of a new psychiatric hospital to be built in the Dallas-Fort Worth Metroplex, which will be managed in partnership with the University of Texas Southwestern Medical Center.

### ***Kinship Care Access***

Extended families play significant roles in caring for children. The state of Texas will now provide funding to facilitate easier steps for uncles, aunts, grandparents, and other relatives to become verified foster families to help children remain connected to their birth families.

### ***Kinship Care Support***

The state of Texas has now designated funding for payments to kinship caregivers. Kinship caregivers are uncles, aunts, and grandparents who want to provide a permanent home to children in their family, who can't be reunited with their parents, as an alternative to being placed in the foster care system.

### ***Reentry Service Project***

Persons with a criminal history are often barred from employment, housing, and other opportunities. Representative Rose secured \$2 million for the Reentry Service Project that allows non-profit entities, faith-based organizations, community groups, and the private sector in the cities of Dallas and Houston to partner with the state for reentry support.



# ★ CONSTITUTIONAL AMENDMENTS ★

The following Constitutional Amendments will appear on your ballot during the November election. The following comments supporting or opposing the proposed amendments reflect positions that were presented in committee proceedings, during house or senate floor debate, or in the analysis of the resolution prepared by the House Research Organization (HRO) when the resolution was considered by the House of Representatives.

**Proposition 1 (H.J.R. 143):** The constitutional amendment authorizing the professional sports team charitable foundations of organizations sanctioned by the Professional Rodeo Cowboys Association or the Women's Professional Rodeo Association to conduct charitable raffles at rodeo venues.

**SUPPORTERS SAY:** State law already allows charitable raffles to be held at professional baseball, basketball, and football games. Charitable raffles should also be permitted at professional rodeo events.

**Proposition 2 (H.J.R. 99):** The constitutional amendment authorizing a county to finance the development or redevelopment of transportation or infrastructure in unproductive, underdeveloped, or blighted areas in the county.

**SUPPORTERS SAY:** The legislation that initially created transportation reinvestment zone (TRZ) financing was intended to apply to both counties and municipalities; however, several attorney general opinions have indicated that the use of county tax revenue to fund transportation projects using tax increment financing may exceed counties' constitutional powers unless they are provided with clearer authority. The amendment is necessary to validate the counties' use of this valuable development tool.

**OPPONENTS SAY:** Once a TRZ is established, financial decisions are made by an unelected board with no requirement to seek voter approval for particular projects, the potential range of projects would increase counties' power to condemn property for purposes of those projects, and there are insufficient controls to ensure that determinations of which areas are unproductive, underdeveloped, or blighted would be made consistently.

**Proposition 3 (S.J.R. 27):** The constitutional amendment to prohibit this state or a political subdivision of this state from prohibiting or limiting religious services of religious organizations.

**SUPPORTERS SAY:** While some houses of worship have the ability to transition to virtual meetings to reach their congregations, others do not. Without the ability to meet in person, many churches, mosques, and synagogues have no means by which to meet; furthermore, houses of worship are able to make their own decisions about how best to protect their members in the event of a disaster or public health emergency without government interference.

**OPPONENTS SAY:** Allowing places of worship to remain open during public health emergencies could place all Texans in danger and that the ability of state and local officials to balance public safety with religious freedom is recognized in other areas, such as fire and building safety codes that churches must follow, and that the language of the law could prohibit governmental entities from enacting any measure that could impact religious services even in the event of building safety concerns.

**Proposition 4 (S.J.R. 47):** The constitutional amendment changing the eligibility requirements for a justice of the supreme court, a judge of the court of criminal appeals, a justice of a court of appeals, and a district judge.

**SUPPORTERS SAY:** Requiring court justices and judges to have practiced law in Texas for longer periods of time would ensure these individuals have sufficient legal experience to preside over important trials and that those who have been subject to disciplinary action for violating ethical standards for practicing law are not eligible to serve as a judge.

**OPPONENTS SAY:** Current constitutional provisions are working to ensure voters have qualified judicial candidates. More years of practice does not necessarily lead to the person being a better judge and could reduce voter choice and exclude younger lawyers and lawyers with more diverse backgrounds from judicial appointments or races.

**Proposition 5 (H.J.R. 165):** The constitutional amendment providing additional powers to the State Commission on Judicial Conduct with respect to candidates for judicial office.

**SUPPORTERS SAY:** While all candidates for judicial office are subject to certain ethics restrictions, those who are already sitting judges are subject to standards by the State Commission on Judicial Conduct (SCJC), creating uneven standards among candidates, in effect permitting a judicial candidate to comment on a current case or legal issue that a sitting judge could not.

**OPPONENTS SAY:** H.J.R. 165 could significantly increase the responsibilities and workload of SCJC by expanding the list of individuals potentially subject to a complaint or investigation.

**Proposition 6 (S.J.R. 19):** The constitutional amendment establishing a right for residents of certain facilities to designate an essential caregiver for in-person visitation.

**SUPPORTERS SAY:** In person visitation by essential caregivers of the resident's choice should never be completely restricted as it was during the COVID-19 pandemic. Without outside visitation and stimulation, residents can become isolated and their overall mental and physical health can suffer. Access to in-person visitation can prevent these residents from having to die alone.

**OPPONENTS SAY:** Stripping a long-term care facility of its ability to temporarily halt or otherwise limit in person visitation could allow disease to spread, leading to more death, and could put the facility staff and their families at risk.

**Proposition 7 (H.J.R. 125):** The constitutional amendment to allow the surviving spouse of a person who is disabled to receive a limitation on the school district ad valorem taxes on the spouse's residence homestead if the spouse is 55 years of age or older at the time of the person's death.

**SUPPORTERS SAY:** The proposed property tax limitation, or "tax freeze," on school district taxes on the homesteads of eligible surviving spouses of disabled individuals protects these surviving spouses from a large increase in their school district tax liability soon after losing their loved one.

**Proposition 8 (S.J.R. 35):** The constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a member of the armed services of the United States who is killed or fatally injured in the line of duty.

**SUPPORTERS SAY:** Members of the U.S. armed forces who are killed in accidents in the line of duty or who die as a direct result of injuries they receive in the line of duty have given their lives in service to the country. That sacrifice is equally as deserving of a property tax exemption for the member's surviving spouse as a death that occurs during active combat.

**OPPONENTS SAY:** Authorizing an additional property tax exemption for one group of people will increase the tax burden on other property owners.

# ★ THE ELECTION INTEGRITY PROTECTION ACT OF 2021 ★

Senate Bill 1, the state's new voting law, was passed during the Second Special Session and goes into effect on December 2, 2021. While there's not enough space in the newsletter to cover every change in the law, the following are changes that most impact how elections are conducted and how voters access the ballot box:

## ***Voter Registration***

- Prohibits pre-filling out voter registration forms unless the voter themselves "supplied" the information. (Section 2.01)
- Increases the penalty from a Class B Misdemeanor to a Class A Misdemeanor for those who knowingly or intentionally place false information on a voter registration application. (Section 2.02)
- Requires the registrar to notify the attorney general, secretary of state, and the county or district attorney within 72 hours if they determine that someone who is not eligible voted in an election. (Section 2.04)

## ***Voting Locations***

- Prohibits voting inside a motor vehicle unless the voter is physically unable to enter the polling location without assistance or likelihood of injuring the voter's health. (Section 3.04)
- Prohibits voting locations from being placed inside movable structures. (Section 3.13)
- Prohibits all night voting locations, like those used in Houston, Texas during the last presidential election.

## ***Poll Watchers***

- Prohibits an election judge from removing a poll watcher even if they violate election laws unless the violation was observed by an election judge or clerk, except if the poll watcher violates the Penal Code. (Section 4.01)
- Allows partisan poll watchers to be close enough to "see and hear" the activity they are trying to observe, except when a voter is preparing their ballot or is being assisted in casting their ballot. (Section 4.07)
- Allows campaigns to seek injunctive relief, a writ of mandamus, or any remedy available under the law if their partisan poll watcher was obstructed from viewing an election activity. (Section 4.09)

## ***Mail-In Ballots***

- Bans drop boxes for mail ballots, requiring election officials to receive the hand delivered mail ballots in person and to record the voter's name, signature, and type of voter ID provided. (Section 4.09)
- Requires a voter's "wet" signature using ink and prohibits a photocopied signature on vote by mail applications. (Section 5.01)
- Requires a voter to supply either their driver's license, election identification certificate, or personal ID card number issued by the Dept. of Public Safety; or the last four digits of their social security number; or a statement from the voter that they have not been issued a number on their vote by mail applications. (Section 5.02)



Representative Toni Rose speaks alongside fellow legislators in support of protecting voting rights at a rally on the steps of the Texas Capitol.

- Allows signature verification committees and early voting ballot boards to compare the voter's signature on the vote by mail envelope to "any known signature" of the voter on file and removes the requirement that the comparison signature be no more than six years old. (Section 5.11)
- Creates a criminal offense for receiving compensation, or making an offer to compensate an individual, to assist with mail in ballots individually or to pick up or collect mail in ballots from voters "vote harvesting". Any assistant other than a family member or a "previously known attendant or caregiver" would be criminally liable if they fail to provide their "relationship" to the voter, name, signature, and address. Assistors must not share how the voter marked their ballot nor attempt to influence their vote. (Sections 6.03-06 and 7.03-04)
- Prohibits public officials who are acting in an official capacity from soliciting the submission of an application to vote by mail or distributing a vote by mail application to a person who has not requested an application to vote; or to authorize an expenditure of public funds to a third party to do so. (Section 7.04)

## ***Interference with Casting a Ballot***

- Creates a new criminal offense for persons who provide false information to a voter with the intent of preventing the voter from voting in an election in which the voter is eligible to vote, directly preventing a voter from casting their vote, or altering the ballot of another person so that it doesn't reflect their intent. (Section 7.03)

## ***Changes to Election Procedure***

- Prohibits any public official from creating, altering, waiving, or suspending any election procedure or election standard mandated by law or rule in a manner not expressly authorized by the Election Code. (Section 7.04)

★ ELECTION DAY – TUESDAY, NOVEMBER 2 ★

**POLLS OPEN 7 A.M. – 7 P.M. ON ELECTION DAY**

**LAST DAY TO REGISTER: MONDAY, OCTOBER 4**

**EARLY VOTING: MONDAY, OCTOBER 18 – FRIDAY, OCTOBER 29**

*For more information on voting and the proposed amendments, visit the Texas Secretary of State's website at [www.votetexas.gov](http://www.votetexas.gov)*

# TONI ROSE

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STATE REPRESENTATIVE  
**TONI ROSE**



Former Dallas Cowboy and football Hall of Fame Legend, Drew Pearson, partnered with Representative Rose during his Texas tour emphasizing the importance of COVID-19 vaccinations in minority communities.



Texas legislators moments before a press conference on criminal justice reform.