



Bill Summary Report 12.03.10 to 12.10.10

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<a href="#">HB 380</a>	<a href="#">Callegari</a>	Relating to the constitutional limit on the rate of growth of appropriations and the use of surplus state revenues.
	<b>General Remarks:</b>	MJV- Limits growth in state revenue to the increase in population plus inflation. Requires the state to ratchet down appropriations in years of negative growth. If the revenue exceeds the new limit, franchise tax payers get a rebate.
	<b>Last Action:</b>	12- 6-10 H Filed
<a href="#">HB 382</a>	<a href="#">Menendez</a>	Relating to the authorization and regulation of poker gaming and the duties of the Texas Lottery Commission.
	<b>General Remarks:</b>	MJV-Creates the Poker Gaming Act of 2011. The Lottery Commission will regulate charitable and commercial poker tournaments and games; train and license the entities and dealers; and regulate the production of poker related equipment. Imposes a gross receipts tax on poker gaming (rate varies by type of entity). Allows the commission to order a sheriff or constable to seize poker assets and put them up for sale for failure to pay the gross receipts tax. Reasonable expenses may be deducted from the proceeds of the sale.  -Creates the Poker Gaming Revenue Fund. After reimbursing costs, the balance is sent each month to the Department of Housing and Community affairs: 50% of the funds are for grants to cities, counties, and nonprofits to support efforts to provide shelter and assistance to the homeless. The remainder goes to the Housing Trust Fund (provides home purchase assistance in local communities).  -Establishes a number of offenses related to gaming (fraud, counterfeiting, cheating, etc.) that are Class A misdemeanors or third degree felonies. Creates a class C felony for a person under 21 who participates in poker gaming.
	<b>Last Action:</b>	12- 6-10 H Filed
<a href="#">HB 383</a>	<a href="#">Menendez</a>	Relating to allowing a surrogate decision-maker to consent to certain medical treatments on behalf of an inmate of a correctional facility.
	<b>General Remarks:</b>	MJV-Requires a physician treating an incapacitated inmate of a jail or prison to make a reasonable effort to contact surrogate decision makers (spouse, parent, etc.) who can provide consent for treatment.

	<b>Last Action:</b>	12- 6-10 H Filed
<a href="#">HB 385</a>	<a href="#">Menendez</a>	Relating to the punishment for theft and certain fraud offenses committed against a disabled individual.
	<b>General Remarks:</b>	CEB-Increases punishment to the next higher category of offense for theft and certain fraud committed against a disabled person if the actor was a public servant, contracted by the government or a Medicare provider.
	<b>Last Action:</b>	12- 6-10 H Filed
<a href="#">HB 387</a>	<a href="#">Turner,</a> <a href="#">Sylvester</a>	Relating to the right of an employee who is a parent of a child enrolled in a special education program to time off from work to meet with certain persons affecting the education of the child.
	<b>General Remarks:</b>	KCT- Requires that any employer grant up to 10 hours of unpaid leave per year to employees who have been employed for at least 1 year for the purpose of meeting with an educator regarding a child that attends a special education program.
	<b>Last Action:</b>	12- 7-10 H Filed
<a href="#">HB 392</a>	<a href="#">Gonzales,</a> <a href="#">Veronica</a>	Relating to a county's eligibility to receive state assistance for health care expenditures that exceed eight percent of the county's general revenue levy for the year.
	<b>General Remarks:</b>	WLJ: Allows a county to include in its indigent health care expenditures direct reimbursements to health care providers and indirect reimbursement through transfers of funds to the state for health care services provided through Medicaid.
	<b>Last Action:</b>	12- 8-10 H Filed
<a href="#">HB 394</a>	<a href="#">Gonzales,</a> <a href="#">Veronica</a>	Relating to the authority of certain counties to provide health care services.
	<b>General Remarks:</b>	WLJ - Allows border counties provide health care services to a person regardless of their income as it determines necessary the public health, safety and welfare.
	<b>Last Action:</b>	12- 8-10 H Filed
<a href="#">HB 395</a>	<a href="#">Gonzales,</a> <a href="#">Veronica</a>	Relating to court costs imposed on conviction and deposited to the appropriate courthouse security fund or court building security fund.
	<b>General Remarks:</b>	MJV-Increases the courthouse security fee and the court building security fee (city created fee) by \$5 for misdemeanors and felonies.
	<b>Last Action:</b>	12- 8-10 H Filed
<a href="#">HB 397</a>	<a href="#">Gonzales,</a> <a href="#">Veronica</a>	Relating to the creation of the Bureau for Economic Development of the Border Region.
	<b>General Remarks:</b>	MJV – Creates the Bureau for Economic Development of the Border Region to conduct research, provide recommendations to the legislature, and evaluate proposals for economic development in the

border region. Members are public and private citizens in the border region who are appointed by the legislature.

**Last Action:** 12- 8-10 H Filed

[HB 401](#) [Smith, Todd](#) Relating to requiring a voter to present proof of identification.

**General Remarks:** MJV-Requires a county voter registrar to issue voter ID cards to person's eligible to vote that do not have a driver's license or state ID card. Prohibits the collection of a fee. Restricts the types of photo ID that may be used to vote. Eliminates the use of utility bills or government documents to establish a voter's identity. Prohibits DPS from charging a person for a state ID solely for voting purposes. Eliminates the ability to vote by showing a copy of your voter registration. Makes conforming repeals.

**Last Action:** 12- 9-10 H Filed

[HB 405](#) [Quintanilla](#) Relating to the storage, transportation, and disposal of tires; providing criminal penalties.

**General Remarks:** MJV-Requires the TCEQ to regulate the storage, transportation and disposal of used tires. Requires fleet operators and other "generators" of used tires to pay a fee of \$2.50 for each passenger car tire and a fee of \$7.50 for each commercial tire sent to a scrap tire storage or disposal facility. Creates a fee of \$4 on each passenger tire and \$10 on each commercial tire sold in the state. The money is used to supplement costs of the disposal or recycling of tires. Any leftover funds are used for cleanup of improperly disposed tires. Requires a political subdivision to notify TCEQ when improperly disposed tires are found. Creates a Class A misdemeanor violation for recklessly violating a TCEQ regulation and a state jail felony for violating a regulation.

**Last Action:** 12- 9-10 H Filed

[HB 406](#) [Quintanilla](#) Relating to local regulation of the possession and consumption of alcoholic beverages on certain formerly licensed or permitted premises.

**General Remarks:** CEB-Allows a commissioners court to prohibit the possession or consumption of alcohol at sites located in unincorporated areas that were previously licensed to sell alcohol for on-site consumption if the license was revoked because of criminal activity that threatened public safety.

**Last Action:** 12- 9-10 H Filed

[HB 407](#) [Quintanilla](#) Relating to the grounds for a hearing concerning action on certain alcoholic beverage permits and licenses.

**General Remarks:** CEB-Allows adjacent homeowners to petition the TABC to hold a hearing to determine if a bar is a nuisance and should have its license revoked.

**Last Action:** 12- 9-10 H Filed

[HB 408](#) [Walle](#) Relating to minimum standards for juvenile case managers.

	<b>Companions:</b>	<a href="#">SB 61</a> Zaffirini (Identical) 11- 8-10 S Filed
	<b>General Remarks:</b>	MJV-Requires the TJPC to adopt minimum standards (education, ethics, training, etc.) for juvenile case managers.
	<b>Last Action:</b>	12- 9-10 H Filed
<a href="#">HB 409</a>	<a href="#">Walle</a>	Relating to the supervision of certain juvenile case managers.
	<b>Companions:</b>	<a href="#">SB 209</a> Zaffirini (Identical) 11-17-10 S Filed
	<b>General Remarks:</b>	CEB-Requires the judge of a court with a juvenile case manager to provide for supervision of the manager.
	<b>Last Action:</b>	12- 9-10 H Filed
<a href="#">HJR 42</a>	<a href="#">Callegari</a>	Concerning limitation on rate of growth of state appropriations and use of unencumbered surplus state revenues to provide for a state franchise taxes rebate, to reduce public school property taxes and fund the state's rainy day fund.
	<b>General Remarks:</b>	CEB-A constitutional amendment to limit growth in state appropriations to the increase in population plus inflation. Requires the state to ratchet down appropriations in years of negative growth. Requires a 2/3 vote to exceed the cap in an emergency (currently a majority).  25% of any excess revenues are sent to the state's rainy day fund; 1/3 of the remainder goes to franchise tax rebates; 2/3 goes to school property tax reduction.
	<b>Last Action:</b>	12- 6-10 H Filed
<a href="#">HJR 43</a>	<a href="#">Quintanilla</a>	Proposing a constitutional amendment authorizing the legislature to legalize and regulate the conduct of gaming in this state in counties that by local option election approve the conduct of that gaming.
	<b>General Remarks:</b>	CEB-Allows the legislature to legalize and regulate gambling in counties that have had gaming approved by local election.
	<b>Last Action:</b>	12- 9-10 H Filed
<a href="#">SB 246</a>	<a href="#">Shapiro</a>	Relating to financial security required of regional tollway authorities in connection with the provision of toll collection services.
	<b>General Remarks:</b>	CEB-Prohibits a regional tollway authority from providing financial security for performing tolling services if it restricts or increases the cost of debt obligations or if the authority is not reimbursed its cost of providing the security.
	<b>Last Action:</b>	12- 6-10 S Filed
<a href="#">SB 249</a>	<a href="#">Estes</a>	Relating to the composition of the Finance Commission of

Texas.

**Companions:** [HB 237](#) Flynn (Identical)  
11-10-10 H Filed

**General Remarks:** KCT- Increases membership of the Finance Commission of Texas by 2 members adding an addition banking executive and a representative of the general public.

**Last Action:** 12- 7-10 S Filed

[SB 250](#)

[Zaffirini](#) Relating to protective orders for stalking victims.

**General Remarks:** MJV- Expands current law allowing a court to grant a protective order for a victim of sexual assault to include a victim of stalking.

**Last Action:** 12- 8-10 S Filed