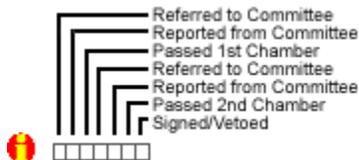




## BILL SUMMARIES 82R AS OF 2.11.11

02-14-2011 - 17:12:09



[HB 16](#)

[Riddle](#)

*Relating to requiring a voter to present proof of identification.*

**Remarks:** *MJV-Requires the county voter registrar to include a notice of ID requirements on each voter registratin certificate issued and on the registrar's website if there is one. Requires a posting outside each polling location a list of acceptable ID.*

*-Allows commissioners court to authorize the issuance of Voter ID cards.*

*-Allows a provisional ballot to be cast and counted if the person brings acceptable ID to the early voting ballot board within 5 days. Prohibits DPS from charging a fee for an ID card obtained solely for voting purposes.*

**Last Action:** *2- 9-11 H Introduced and referred to committee on House Select Committee on Voter ID and Fraud*

[HB 17](#)

[Riddle](#)

*Relating to the creation of the offense of criminal trespass by an illegal alien and to certain procedures for arresting illegal aliens for committing that criminal offense.*

**Remarks:** *MJV-Creates a Class B misdemeanor for a noncitizen to be anywhere in Texas. Allows a peace officer to arrest a person if the officer has a reasonable suspicion that the person is not here legally and verifies that fact through ICE.*

**Last Action:** *2- 9-11 H Introduced and referred to committee on House Criminal Jurisprudence*

[HB 18](#)

[Riddle](#)

*Relating to the enforcement by certain governmental entities of laws governing immigration.*

**Remarks:** *MJV-Prohibits a local government from adopting a policy under which it will not enforce immigration law. A local government that does adopt such a policy (or a policy refusing to enforce drug laws) must immediately forfeit all state funding.*

**Last Action:** 2- 9-11 H Introduced and referred to committee on House State Affairs

[HB 19](#)

[Riddle](#) Relating to the penalty for operation of a motor vehicle without a license.

**Remarks:** MJV- Creates a misdemeanor offense for driving without a license that is punishable by a fine of up to \$200. Increases the penalty to a Class B misdemeanor if the person committed another offense that resulted in property damage, injury or death and requires the vehicle to be impounded. The owner must provide a license and proof of insurance to reclaim the vehicle.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Homeland Security and Public Safety

[HB 20](#)

[Riddle](#) Relating to the punishment prescribed for burglary of a vehicle and to grants of community supervision to persons who commit that offense.

**Companions:** [SB 305](#) Huffman (Identical)  
2- 2-11 S Introduced and referred to committee on Senate Criminal Justice

**Remarks:** MJV - Increases the penalty for burglary of a vehicle from a Class A misdemeanor to a state jail felony. Makes conforming repeals.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Criminal Jurisprudence

[HB 23](#)

[Riddle](#) Relating to a local option election in a county to set a limit on the maximum appraised value of a residence homestead for ad valorem tax purposes of less than 110 percent but not less than 103 percent of appraised value.

**Remarks:** MJV-Permits commissioners court to call an election to adjust the appraisal cap below the current 10% to a minimum of 3%.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Ways and Means

[HB 26](#)

[Guillen](#) Relating to a freeze on the total amount of ad valorem taxes that may be imposed by a taxing unit on the residence homestead of an eligible person who is a member of a reserve component of the United States armed forces.

**Remarks:** MJV-Entitles a reservists to a freeze on their homestead taxes (if the county has adopted the freeze provision) if they are called to active duty at least 150 miles from home for at least 6 months. If the owner subsequently qualifies a new home as a homestead the proportionate freeze level transfers to the new home.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Ways and Means

[HB 27](#)

[Guillen](#) Relating to the payment of fines and costs by indigent defendants in misdemeanor cases.

**Remarks:** MJV-Requires a judge in setting fines and costs in a misdemeanor case to allow an indigent defendant to pay in installments.

		<b>Last Action:</b> 2- 9-11 H Introduced and referred to committee on House Criminal Jurisprudence
<a href="#">HB 28</a> ■	<a href="#">Guillen</a>	Relating to reimbursement for health care services provided at certain times to persons enrolled in the Medicaid managed care program.  <b>Remarks:</b> HB28- KCT- Adds physician's office to a list of entities which are guaranteed reimbursement for providing health care services outside of regular business hours providing care to persons enrolled in the Medicaid managed care program.
		<b>Last Action:</b> 2- 9-11 H Introduced and referred to committee on House Public Health
<a href="#">HB 30</a> ■	<a href="#">Guillen</a>	Relating to the disconnection of retail electric service on certain days of the week.  <b>Remarks:</b> As introduced, applies only to residential customers; would not affect P3 members.
		<b>Last Action:</b> 2- 9-11 H Introduced and referred to committee on House State Affairs
<a href="#">HB 32</a> ■	<a href="#">Creighton</a>	Relating to the prohibition of required health insurance coverage.  <b>Remarks:</b> HB32 - KCT - Establishing that the state or federal government may not require a individual to have health care coverage.
		<b>Last Action:</b> 2- 9-11 H Introduced and referred to committee on House Select Committee on State Sovereignty
<a href="#">HB 35</a> ■	<a href="#">Menendez</a>	Relating to extending a local behavioral health intervention pilot project.  <b>Companions:</b> <a href="#">SB 206</a> Van de Putte (Identical) 1-31-11 S Introduced and referred to committee on Senate Health and Human Services
		<b>Remarks:</b> MJV-Extends a local behavioral health intervention pilot project for children in Bexar County until 2012.
		<b>Last Action:</b> 2- 9-11 H Introduced and referred to committee on House Public Health
<a href="#">HB 36</a> ■	<a href="#">Menendez</a>	Relating to the punishment for and certain civil consequences of committing the offense of prostitution.  <b>Remarks:</b> MJV-Increases the penalty for prostitution from a Class A misdemeanor to a State Jail felony if the actor has been convicted three or more times and to a third degree felony if the prostitute was younger than 17 at the time of the offense.
		<b>Last Action:</b> 2- 9-11 H Introduced and referred to committee on House Criminal Jurisprudence
<a href="#">HB 37</a> ■	<a href="#">Menendez</a>	Relating to the use of a wireless communication device while operating a motor vehicle; providing for penalties.  <b>Remarks:</b> MJV-Prohibits communicating on a mobile device while in a vehicle

unless it is in park or the person uses a hands-free device. Imposes a fine of \$25 - \$100, or \$125 - \$200 if it occurs in a school zone. Repeals the requirement to post mobile device warnings at school zones.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Transportation

[HB 38](#)

[Menendez](#)

Relating to the punishment for the offense of graffiti.

**Remarks:** MJV-Makes graffiti a Class A misdemeanor (currently Class B). Makes graffiti a state jail felony if it occurs on school property, place of worship, cemetery, public monument, governmental building or community center. Sets a minimum term of confinement of 72 hours. Shifts an offense to the next higher category for repeat offenders.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Criminal Jurisprudence

[HB 40](#)

[Menendez](#)

Relating to collective bargaining by law enforcement officers and firefighters.

**Remarks:** MJV-Permits police officers and fire fighters statewide to collectively bargain. Adds county jailer, peace officers and detention officers to the definition of police officers. Repeals or strikes opt-in authority and petition authority for collective bargaining. Dependent on the passage of federal legislation.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Urban Affairs

[HB 41](#)

[Menendez](#)

Relating to the penalty for certain conduct constituting an offense for false report to peace officer or law enforcement employee.

**Remarks:** MJV-Increases the penalty for making a false report to the police to a state jail felony (currently Class B misdemeanor) if it includes allegations that an officer committed a felony offense.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Criminal Jurisprudence

[HB 51](#)

[Lucio III](#)

Relating to energy efficiency standards for certain buildings and to high-performance design, construction, and renovation standards for certain government buildings and facilities.

**Remarks:** MJV-Requires new state agency buildings and major renovations to be built to high-performance design and construction standards developed by an advisory committee. Does the same for higher education buildings. Repeals a duplicate provision regarding a required cost/benefit analysis of combined heating and power for critical government facilities that are newly constructed or extensively renovated.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House State Affairs

[HB 54](#)

[Martinez](#)

Relating to the transportation of certain mental health patients.

**Remarks:** MJV-Allows a judge in Hidalgo County to authorize transportation to a mental health facility of an arrested person (in order of priority) by a relative or other responsible person; the administrator of the mental health facility; a representative of the local mental health authority (reimbursed by county); a special officer for mental health assignment; the sheriff, constable or other on-duty peace officer. Requires Hidalgo County Commissioners court to establish a list of qualified transportation service providers for the persons allowed to transport the person to use.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Public Health

[HB 56](#)

[Martinez](#)

Relating to increasing the amount of the residence homestead exemption from ad valorem taxation by a school district from \$15,000 to \$45,000.

**Remarks:** MJV-Increases the school district property tax exemption on residence homesteads from \$15,000 to \$45,000.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Ways and Means

[HB 57](#)

[Martinez](#)

Relating to the restoration of the medically needy program under the state Medicaid program.

**Remarks:** WLJ- Provides that the medically needy program must serve recipients, including adult recipients, at the same level of services in 2003.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Appropriations

[HB 58](#)

[Martinez](#)

Relating to the period of continuous eligibility for the medical assistance program.

**Companions:** [SB 33](#) Zaffirini (Identical)  
1-31-11 S Introduced and referred to committee on Senate Health and Human Services  
[SB 610](#) Rodriguez (Identical)  
2-11-11 S Filed

**Remarks:** KCT- Provides continuous eligibility for a child under the medical assistance program until the child ages out at 19 or upon the first anniversary of the child's enrollment.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Public Health

[HB 63](#)

[Martinez](#)

Relating to the authority of certain school districts to lay in county rights-of-way fiber optic cable or other means of transmitting information.

**Remarks:** KCT- Allows school districts 60miles from the border to use county right of way, in coordination and corporation with the county and any utilities, to lay fiber optic cable or other means of transmitting information.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Transportation

[HB 65](#)



[Martinez](#)

Relating to the inclusion of the total cost of residential retail electricity in advertisements and contracts.

**Remarks:** KCT- Requiring retail electric providers to provide the total cost of residential retail service in advertisements and contracts.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House State Affairs

[HB 66](#)



[Martinez](#)

Relating to the disclosure by a member of the legislature or the lieutenant governor of certain information concerning a resident of this state to a governmental body.

**Remarks:** MJV – Establishes that the confidentiality of a private communication between a citizen and a legislator remains intact if the legislator shares the information with another governmental entity.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House State Affairs

[HB 69](#)



[Martinez](#)

Relating to the application of a vital statistics record fee to general records management.

**Remarks:** KCT- Allows the County Clerk or Registrar to use the vital statistics record preservation fee for general records management.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Public Health

[HB 72](#)



[Martinez](#)

Relating to exempting certain military personnel from motor vehicle registration fees.

**Remarks:** KCT- Exempting active duty military personnel who are preparing to be deployed in a hostile fire zone from fees for vehicle registration or renewal of vehicle registration, including the renewal fee for a vehicle issued specialty or personalized license plates.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Defense and Veteran's Affairs

[HB 81](#)



[Flynn](#)

Relating to the use of public funds to print certain public documents in a language other than English and other bilingual requirements.

**Remarks:** KCT- Repeals existing bilingual ballot requirement from the election code and prohibits any state agency from using public money to print a public document in any language other than English unless required by federal law.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House State Affairs

[HB 82](#)



[Flynn](#)

Relating to the criminal offenses applicable to gambling and gambling devices.

**Remarks:** MJV-Rewrites gambling device law and states that the value of merchandise that can be redeemed for coupons won on an amusement device may not exceed \$50. Replaces the current exclusion for bona fide amusement games with an affirmative defense to prosecution.

**Last Action:** 2- 9-11 H Introduced and referred to committee on Licensing and Administrative Procedures

[HB 84](#)

[Flynn](#)

Relating to the creation of the Hunt County Municipal Utility District No. 1; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

**Companions:** [HB 315](#) Flynn (Identical)  
11-18-10 H Filed  
[SB 236](#) Deuell (Identical)  
1-31-11 S Introduced and referred to committee on Senate Intergovernmental Relations

**Remarks:** MJV-Creates the Hunt County MUD. Requires a confirmation election which may only be held with the support of each city located in the MUD area.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Natural Resources

[HB 91](#)

[Cook](#)

Relating to the extent of extraterritorial jurisdiction for certain municipalities.

**Remarks:** KCT- Increases the size of the ETJ of a city with a population of 25,000 to 49,999 from 2 to 3 miles and makes an amendment to resolve ETJ boundary disputes created by the increase.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Land and Resource Management

[HB 92](#)

[Cook](#)

Relating to the regulation of slaughterers by certain counties.

**Remarks:** KCT - Expands the brackets for counties that can regulate slaughter houses to counties that are adjacent to counties that are adjacent to counties with a population of a million or more.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Agriculture and Livestock

[HB 93](#)

[Cook](#)

Relating to the creation of an offense for certain uses of a wireless communication device while operating a motor vehicle; providing penalties.

**Remarks:** MJV - Prohibits the use of a wireless communication device for texting while operating a vehicle. Creates a misdemeanor offense with a fine of up to \$200 for repeat offenders and increases the penalty to a felony if it is the cause of serious bodily injury.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Transportation

[HB 95](#)

[Fletcher](#)

Relating to an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran.

**Companions:** [HB 313](#) Pickett (Identical)  
11-17-10 H Filed  
[HB 781](#) King, Phil (Identical)  
1-20-11 H Filed  
[SB 516](#) Patrick, Dan (Identical)

2- 3-11 S Filed

**Remarks:** KCT- Allows existing homestead exemption to pass from a deceased disabled veteran to the spouse so long as the spouse has not remarried.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Ways and Means

[HB 96](#)

[Fletcher](#) Relating to the exclusion of certain witnesses during a criminal proceeding.

**Remarks:** MJV-Allows a prosecutor to appoint a lead investigator as a courtroom representative who cannot be excluded if the defense raises an objection to witnesses being present during discussion of certain evidence.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Criminal Jurisprudence

[HB 97](#)

[Paxton](#) Relating to creation of the Health Freedom Act.

**Remarks:** KCT- Creates the Health Freedom Act which ensures each individual in this state has the right to choose or decline to choose health insurance coverage without threat of penalty or penalty or sanction from any government. The attorney general shall take all necessary action to preserve the rights granted by this act.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Select Committee on State Sovereignty

[HB 99](#)

[Martinez Fischer](#) Relating to the punishment for certain intoxication related offenses; creating the offense of aggravated driving while intoxicated.

**Remarks:** KCT- Creating the offense of aggravated driving while intoxicated - operating a motor vehicle with a BAC of 0.16, or operating a commercial motor vehicle with a BAC of 0.02. Punishable by a class A misdemeanor with a minimum term of confinement of 30 days, or a felony dependent on a previous conviction of an alcohol related offense.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Criminal Jurisprudence

[HB 100](#)

[Martinez Fischer](#) Relating to a central database containing information about certain offenders who have committed offenses involving family or dating violence.

**Remarks:** MJV-Requires DPS to maintain a computerized database on people who have been convicted three or more times for a family violence offense. Makes the information publicly available and requires DPS to protect social security numbers and victim identities.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Homeland Security and Public Safety

[HB 103](#)

[Martinez Fischer](#) Relating to the creation of an offense for certain prohibited uses of a wireless communication device while operating a motor vehicle.

**Remarks:** KCT- Prohibits the use of a text messaging while operating a

passenger bus with a minor passenger unless the bus is stopped or the operator is a peace officer or an emergency responder and the device is used in connection with official duties. Creates an offense punishable by a fine of not less than \$2 or more than \$400 if offense takes place in school crossing zone.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Transportation

[HB 105](#)

[Brown, Fred](#)

Relating to the creation of an offense for certain uses of a wireless communication device while operating a motor vehicle; providing a penalty.

**Remarks:** MJV-Creates a misdemeanor (punishable by a fine of \$200) for reading, writing or sending a text message while operating a moving vehicle.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Transportation

[HB 109](#)

[Brown, Fred](#)

Relating to the temporary lowering of prima facie speed limits at a vehicular accident reconstruction site.

**Remarks:** MJV-Allows commissioners court to give a designated official the discretion to temporarily lower speed limits for a county road or highway outside of a city for an investigation that involves vehicular accident reconstruction without approval from TxDOT. This does not apply to a road or highway in the state highway system.

**Last Action:** 2-11-11 H Introduced and referred to committee on House Transportation

[HB 111](#)

[Taylor, Van](#)

Relating to the adoption of voting procedures necessary to implement the federal Military and Overseas Voter Empowerment Act.

**Companions:** [SB 100](#) Van de Putte (Identical)  
1-31-11 S Introduced and referred to committee on Senate State Affairs

**Remarks:** MJV-Allows ballot materials to be sent to a voter who is out of the country or outside their former county of residence by email. Requires the Secretary of State to develop a tracking system so a voter who received their materials electronically may determine if they have been received by the early voting clerk.

**Last Action:** 11- 8-10 H Filed

[HB 113](#)

[Harless](#)

Relating to the enforcement of state and federal laws governing immigration by certain governmental entities; providing a civil penalty.

**Companions:** [SB 124](#) Patrick, Dan (Identical)  
1-31-11 S Introduced and referred to committee on Senate Transportation and Homeland Security

**Remarks:** MJV-Prohibits local governments from enacting any policy that would not fully enforce state or federal law, including laws on drugs and immigration. Cuts off any state grant funds to a local government that adopts such a policy and imposes a fine of

\$10,000 for each day of violation. Permits the AG to sue to recover the penalty with the prevailing party's costs and attorneys' fees. Allows any citizen to file suit over failure to meet the standard.

**Last Action:** 2-11-11 H Introduced and referred to committee on House State Affairs

[HB 116](#)

[McClendon](#)

Relating to the abolition of the Texas Transportation Commission and the creation of the commissioner of transportation as an elected statutory state officer.

**Remarks:** MJV - Abolishes the Texas Transportation Commission and creates the an elected commissioner of transportation (four-year term).

Makes a conforming repeal.

**Last Action:** 11- 8-10 H Filed

[HB 117](#)

[McClendon](#)

Relating to disease control outreach programs to reduce the risk of certain communicable diseases.

**Remarks:** MJV-Allows a local health authority in a county with a population of 300,000 or more to establish a disease control program than includes hypodermic needle exchange. Creates an exception to the offense of possession of drug paraphernalia for a person working for such a program.

**Last Action:** 2-11-11 H Introduced and referred to committee on House Public Health

[HB 123](#)

[Veasey](#)

Relating to an adult diabetes education program in certain county hospital systems and hospital districts.

**Remarks:** MJV- Allows the Department of State Health Services to assist hospital districts and county hospital systems in counties with populations of more than 100,000 that choose to create an adult diabetes education program.

**Last Action:** 2-11-11 H Introduced and referred to committee on House Public Health

[HB 124](#)

[Legler](#)

Relating to payment for health care services and participation in a health care system.

**Companions:** [HB 203](#) Hughes (Identical)  
11- 8-10 H Filed

**Remarks:** MJV- Prohibits the state, an agency of the state, or health care system from requiring an individual, employer, or health care provider to participate in a health care system, including imposing a fine or penalty for failure to participate. Declares any conflicting law void.

**Last Action:** 11- 8-10 H Filed

[HB 125](#)

[Legler](#)

Relating to the inclusion of a draft impact analysis in the notice of rules proposed by the Texas Commission on Environmental Quality.

**Remarks:** KCT- Requiring the TCEQ to include a draft impact analysis in the

*fiscal note for each proposed rule.*

**Last Action:** 2-11-11 H Introduced and referred to committee on House Environmental Regulation

[HB 131](#)

[Alvarado](#)

*Relating to requiring contractors in certain state construction contracts to provide health benefits to employees.*

**Remarks:** *MJV-Requires a contractor who enters into a contract with the state facilities commission worth more than \$1 million to provide health benefits coverage to its employees. The same applies to subcontractors.*

**Last Action:** 2-11-11 H Introduced and referred to committee on House State Affairs

[HB 138](#)

[Callegari](#)

*Relating to the acquisition of and compensation for real property, including blighted property, for public purposes through condemnation or certain other means.*

**Remarks:** *MJV- Requires the state or a political subdivision to pay moving expenses and rental supplements, make relocation payments, provide financial assistance to acquire replacement housing and compensate for expenses an individual or business that is displaced due to taking property by eminent domain (currently optional).*

*- Repeals a provision making TIF condemnation authority prevail over other law.*

*- Adds additional steps in the procedures for cities to follow in using eminent domain to clear up slums and blighted areas. Makes conforming repeals.*

**Last Action:** 2-11-11 H Introduced and referred to committee on House Land and Resource Management

[HB 140](#)

[Laubenberg](#)

*Relating to requiring state contractors and grant recipients to participate in the federal electronic verification of work authorization program, or E-verify; adding a civil penalty.*

**Remarks:** *MJV-Requires state agencies to include in thier contracts and grants a requirement that the contractor or recipient use the E-verify program to ensure all workers are legal citizens.*

**Last Action:** 2-11-11 H Introduced and referred to committee on House State Affairs

[HB 141](#)

[Laubenberg](#)

*Relating to the regulation of slaughterers by certain counties.*

**Remarks:** *MJV-Expands a population bracket to allow Collin County to regulate slaughter houses.*

**Last Action:** 2-11-11 H Introduced and referred to committee on House Agriculture and Livestock

[HB 144](#)

[Laubenberg](#)

*Relating to payment for health care services and participation in a health care system.*

**Companions:** [HB 203](#) Hughes (Identical)

11- 8-10 H Filed

**Remarks:** MJV- Prohibits the state, an agency of the state, or health care system from requiring an individual, employer, or health care provider to participate in a health care system, including imposing a fine or penalty for failure to participate. Declares any conflicting law void.

**Last Action:** 11- 8-10 H Filed

[HB 147](#)

[Raymond](#)

Relating to certain personal information contained in a decree of dissolution of a marriage or an order in a suit affecting the parent-child relationship.

**Companions:** [HB 541](#) Dutton (Identical)  
1- 7-11 H Filed

**Remarks:** CEB-Removes personal information about any party in the final decree for divorce, modification or a suit affecting the parent-child relationship and makes that information confidential. Requires any personal information be listed in a separate document that can only be shared with a party to the suit or their attorney, law enforcement, courts or others approved by a court.

**Last Action:** 2-11-11 H Introduced and referred to committee on House Judiciary and Civil Jurisprudence

[HB 149](#)

[Raymond](#)

Relating to the appointment of a parenting coordinator or parenting facilitator in a suit affecting the parent-child relationship.

**Remarks:** MJV-Adds minimum qualifications (advanced degree, training, etc.) for a person appointed as a volunteer parenting coordinator.

**Last Action:** 2-11-11 H Introduced and referred to committee on House Judiciary and Civil Jurisprudence

[HB 152](#)

[Raymond](#)

Relating to the fees collected by prosecutors for collection and processing of certain checks or similar sight orders.

**Remarks:** MJV-Approximately doubles the allowable hot check fee amounts and increases the highest allowable fee of \$75 to up to \$1000 depending on the value of the check.

**Last Action:** 2-11-11 H Introduced and referred to committee on House Criminal Jurisprudence

[HB 153](#)

[Raymond](#)

Relating to electioneering near certain privately owned polling places.

**Remarks:** MJV - Creates an exception to the prohibition against electioneering within 100 feet of the outside door of a polling place if a private business is used as a pollig place, and the owner of the business notifies the authority holding the election that electioneering will be allowed.

**Last Action:** 2-11-11 H Introduced and referred to committee on House Elections

[HB 157](#)

[Raymond](#)

Relating to the filing of an application for a place on the general primary election ballot.

**Remarks:** MJV-Requires an application for a place on the primary ballot for state senator or representative to be filed with the state chair, county chair or the secretary of the county executive committee for an election to be filled by the voters of a single county.

**Last Action:** 2-11-11 H Introduced and referred to committee on House Elections

[HB 160](#)

[Raymond](#)

Relating to civil actions against persons who file complaints with governmental agencies or quasi-governmental entities.

**Remarks:** MJV-Allows an affected governmental entity to file for an expedited hearing to determine a bad faith lawsuit. If the court determines that the lawsuit was filed to harrass or slander the governmental entity it can award damages and fees and costs.

**Last Action:** 2-11-11 H Introduced and referred to committee on House Judiciary and Civil Jurisprudence

[HB 164](#)

[Raymond](#)

Relating to a physical and mental examination of a child subject to the juvenile justice system.

**Remarks:** MJV-Authorizes a juvenile court to require a child referred to the court or who is found to have engaged in delinquent conduct to be examined for mental illness or chemical dependency at any stage of proceedings, including when the child is initially detained in a facility operated by the TYC, a pre-adjudication secure detention facility, or a post-adjudication secure correctional facility.

**Last Action:** 2-11-11 H Introduced and referred to committee on House Corrections

[HB 165](#)

[Raymond](#)

Relating to a cost-of-living increase in compensation for district court judges.

**Remarks:** MJV-Allows commissioners court to pay each district judge an annual cost-of-living increase of up to 10% of their salary.

**Last Action:** 2-11-11 H Introduced and referred to committee on House Judiciary and Civil Jurisprudence

[HB 167](#)

[Raymond](#)

Relating to the transportation of certain mental health patients.

**Remarks:** MJV-Prioritizes who may transport a mental health patient admitted for emergency detention to a mental health facility. Makes a special officer for mental health assignment the first priority and moves a relative or other responsible person to nearly the end of the list. Removes a restriction that says the sheriff or constable may be used only if no person is available in the prior categories.

**Last Action:** 2-11-11 H Introduced and referred to committee on House Public Health

[HB 168](#)

[Raymond](#)

Relating to the requirements of a bail bond.

**Remarks:** MJV-Requires a bail bond to have an expiration date. Stipulates that a bond expires on the earlier of the end of judicial proceedings or the expiration date.

	<b>Last Action:</b>	2-11-11 H Introduced and referred to committee on House Criminal Jurisprudence
<a href="#">HB 169</a> ■	<a href="#">Raymond</a>	Relating to placement of public school students in Junior Reserve Officers' Training Corps programs as an alternative in certain circumstances to placement in disciplinary or juvenile justice alternative education programs.
	<b>Remarks:</b>	MJV-Requires a student who would otherwise go to a DAEP or JJAEP to instead go to JROTC if their school offers it and the student meets the eligibility requirements.
	<b>Last Action:</b>	2-11-11 H Introduced and referred to committee on House Public Education
<a href="#">HB 170</a> ■	<a href="#">Raymond</a>	Relating to bullying as a ground for removing a public school student from class and placing the student in a disciplinary alternative education program.
	<b>Remarks:</b>	MJV-Requires a student to be placed in DAEP for engaging in bullying on school property or at a school-related event.
	<b>Last Action:</b>	2-11-11 H Introduced and referred to committee on House Public Education
<a href="#">HB 171</a> ■	<a href="#">Raymond</a>	Relating to the exercise of urban renewal powers by certain counties.
	<b>Remarks:</b>	MJV-Expands a bracket to allow Webb County to exercise urban renewal powers in the unincorporated areas. Expands the underlying statute to allow all counties in the bracket to do so inside a city if approved by the city.
	<b>Last Action:</b>	2-11-11 H Introduced and referred to committee on House Border and Intergovernmental Affairs
<a href="#">HB 174</a> ■	<a href="#">Jackson, Jim</a>	Relating to the cancellation of the voter registration and to the eligibility to vote of persons who are deceased or not citizens of the United States.
	<b>Remarks:</b>	MJV-Requires the local registrar of deaths and probate court clerk to file a monthly report to the secretary of state. Requires court clerks to provide notice of people who are excused from jury service for non-citizenship to the Secretary of State. Requires the SoS to provide notice to county voting registrars of deaths and disqualifications from jury duty for non-citizenship in the county.
	<b>Last Action:</b>	2-11-11 H Introduced and referred to committee on House Select Committee on Voter ID and Fraud
<a href="#">HB 175</a> ■	<a href="#">Jackson, Jim</a>	Relating to the on-premises consumption of certain alcoholic beverages; providing a penalty.
	<b>Remarks:</b>	HB175 - Creates and on-premises consumption only permit. An application for the permits is \$1000 and must be filed with the county judge and is subject to a hearing.
	<b>Last Action:</b>	2-11-11 H Introduced and referred to committee on Licensing and Administrative Procedures
<a href="#">HB 178</a> ■	<a href="#">Jackson, Jim</a>	Relating to requiring governmental entities to participate in the federal electronic verification of work authorization program or E-

verify.

**Remarks:** MJV-Requires all levels of government to register and participate in the E-verify program to verify immigration information on all new employees. Makes an employee who is responsible for verifying the information subject to immediate termination for failure to comply.

**Last Action:** 2-11-11 H Introduced and referred to committee on House State Affairs

[HB 179](#)

[Alonzo](#)

Relating to the registration of voters at a polling place and related procedures.

**Remarks:** MJV-Allows a person who is eligible to vote to register on election day and vote in their precinct.

**Last Action:** 2-11-11 H Introduced and referred to committee on House Elections

[HB 183](#)

[Solomons](#)

Relating to the duty of a law enforcement agency to verify the immigration status of an arrested person.

**Remarks:** MJV-Requires law enforcement agencies to check an arrested person's immigration status within 48 hours of arrest and provide notice to ICE of any persons who are not legal citizens.

**Last Action:** 2-11-11 H Introduced and referred to committee on House State Affairs

[HB 185](#)

[Smith, Todd](#)

Relating to the notice provided of early voting polling places.

**Remarks:** MJV-Requires the notice of a general or special election to state the location of the main early voting place (currently each early voting place).

**Last Action:** 2-11-11 H Introduced and referred to committee on House Elections

[HB 186](#)

[Perry](#)

Relating to requiring a voter to present proof of identification; creating a penalty.

**Remarks:** MJV-Voter ID bill. Requires Election judges to post signs at each polling place detailing the allowable forms of ID. Allows a voter without sufficient ID to cast a provisional ballot if they show proper ID within 6 days after the election. Prohibits DPS from charging a fee for an ID used strictly for voting. Adds using a fake ID for election purposes to the statute providing penalties for using a fake ID to obtain alcohol. Makes conforming repeals.

**Last Action:** 2-11-11 H Introduced and referred to committee on House Select Committee on Voter ID and Fraud

[HB 188](#)

[Sheffield](#)

Relating to limitations on the use of eminent domain authority.

**Remarks:** MJV-Adds to the list of prohibited taking of private property a property that is not needed for public use.

**Last Action:** 2-11-11 H Introduced and referred to committee on House Land and Resource Management

[HB 189](#)

[Smith, Todd](#)

Relating to the punishment for certain intoxication offenses.

**Companions:** [SB 395](#) Patrick, Dan (Identical)  
2- 2-11 S Introduced and referred to committee on Senate Criminal Justice  
[SB 634](#) Hinojosa (Identical)  
2-14-11 S Filed

**Remarks:** MJV-Prohibits a judge from granting deferred adjudication for specific DWI type offenses if the defendant held a commercial driver's license at the time. Requires DWI (including flying, boating and operating amusement rides while intoxicated) defendants who are granted deferred adjudication to install and ignition interlock device in their vehicle.

**Last Action:** 2-11-11 H Introduced and referred to committee on House Criminal Jurisprudence

[HB 190](#)

[Walle](#)

Relating to the adoption of noise regulations by certain counties; providing a criminal penalty.

**Remarks:** MJV-Allows Harris County to regulate noise and sound levels in the unincorporated areas.

**Last Action:** 2-11-11 H Introduced and referred to committee on House County Affairs

[HB 191](#)

[Walle](#)

Relating to the regulation of automobile wrecking and salvage yards in certain counties.

**Remarks:** MV-Increases the distance required between an auto wrecking and salvage yard and a school, church, or residence from 300-600 feet (bracketed to Harris County).

**Last Action:** 2-11-11 H Introduced and referred to committee on House Transportation

[HB 192](#)

[Walle](#)

Relating to the rates charged by water and sewer utilities.

**Remarks:** MJV-Allows a water and sewer utility to file an application with TCEQ to increase its rates only one time in a 36-month period. The increase may not exceed 20% over the original rate.

**Last Action:** 2-11-11 H Introduced and referred to committee on House Natural Resources

[HB 195](#)

[Walle](#)

Relating to disciplinary action taken against public school students on the basis of serious and persistent misbehavior.

**Remarks:** MJV-Changes an "or" to an "and", allowing a student to be expelled from a DAEP for engaging in "serious and persistent misbehavior".

**Last Action:** 2-11-11 H Introduced and referred to committee on House Public Education

[HB 200](#)

[Parker](#)

Relating to the notification of the release of certain inmates given to certain courts and law enforcement agencies.

**Remarks:** MJV-Allows prisoner release notices (parole or supervision) from

the state to local law enforcement to be sent by email or other electronic means.

**Last Action:** 2-11-11 H Introduced and referred to committee on House Corrections

[HB 203](#)

[Hughes](#)

Relating to payment for health care services and participation in a health care system.

**Companions:** [HB 124](#) Legler (Identical)  
11- 8-10 H Filed  
[HB 144](#) Laubenberg (Identical)  
11- 8-10 H Filed

**Remarks:** MJV- Prohibits the state, an agency of the state, or health care system from requiring an individual, employer, or health care provider to participate in a health care system, including imposing a fine or penalty for failure to participate. Declares any conflicting law void.

**Last Action:** 11- 8-10 H Filed

[HB 204](#)

[Pickett](#)

Relating to the purposes and designation of a transportation reinvestment zone.

**Remarks:** MV-Allows cities and counties to create a TRZ for any transportation project without a pass through agreement with TxDOT. Prohibits TxDOT from reducing funding to an area because of the existence of a TRZ.

**Last Action:** 2-14-11 H Introduced and referred to committee on House Transportation

[HB 206](#)

[Walle](#)

Relating to notice to ratepayers regarding a water rate increase.

**Remarks:** MJV-Requires a retail public utility (water) that intends to increase its rates to provide written notice to each ratepayer with their next billing statement.

**Last Action:** 2-14-11 H Introduced and referred to committee on House Natural Resources

[HB 209](#)

[Alonzo](#)

Relating to providing Internet access in certain local public libraries.

**Remarks:** MJV-Requires public libraries that have a service area of over 50,000 to provide high-speed internet access if they receive state or federal funds for that purpose.

**Last Action:** 2-14-11 H Introduced and referred to committee on House Technology

[HB 211](#)

[Rodriguez](#)

Relating to this state's goal for renewable energy.

**Remarks:** MJV-Changes the states goal for renewable energy to aim for 35% of generating capacity coming from renewable energy with at least 2% coming form solar energy.

	<p><b>Last Action:</b> 2-14-11 H Introduced and referred to committee on House State Affairs</p>
<p><a href="#">HB 214</a> ■</p>	<p><a href="#">Gallego</a> Relating to a fee for an application filed with a county commissioners court to revise a subdivision plat.</p>
	<p><b>Remarks:</b> KCT – Allows commissioner’s court to impose a fee for filing an application to revise a subdivision plat. The fee must be based on the cost of processing the application.</p>
	<p><b>Last Action:</b> 2-14-11 H Introduced and referred to committee on House Land and Resource Management</p>
<p><a href="#">HB 215</a> ■</p>	<p><a href="#">Gallego</a> Relating to photograph and live lineup identification procedures in criminal cases.</p>
	<p><b>Companions:</b> <a href="#">SB 121</a> Ellis (Identical) 1-31-11 S Introduced and referred to committee on Senate Criminal Justice</p>
	<p><b>Remarks:</b> MJV-Requires all law enforcement agencies that conduct photograph or live lineup identifications to adopt a detailed written policy on its administration. Requires the Bill Blackwood Law Enforcement Management Institute of Texas at Sam Houston State University to work with law enforcement and relevant experts to develop a model policy and training materials on the administration of lineups. Law enforcement agencies must either adopt the model or formulate a policy that conforms to the requirements of the model.</p>
	<p><b>Last Action:</b> 2-14-11 H Introduced and referred to committee on House Criminal Jurisprudence</p>
<p><a href="#">HB 217</a> ■</p>	<p><a href="#">Gallego</a> Relating to an optional county fee on registration of a vehicle in certain counties.</p>
	<p><b>Remarks:</b> MV-Expands a Hidalgo County population Bracket to allow another Border county to impose an optional vehicle registration fee.</p>
	<p><b>Last Action:</b> 2-14-11 H Introduced and referred to committee on House Transportation</p>
<p><a href="#">HB 218</a> ■</p>	<p><a href="#">Gallego</a> Relating to possessing a glass container within the boundaries of certain riverbeds; providing for criminal penalties.</p>
	<p><b>Remarks:</b> MJV-Creates a Class C misdemeanor for possessing a glass container within the boundaries of a state-owned riverbed. A subsequent offense is a Class B misdemeanor.</p>
	<p><b>Last Action:</b> 2-14-11 H Introduced and referred to committee on House Natural Resources</p>
<p><a href="#">HB 219</a> ■</p>	<p><a href="#">Gallego</a> Relating to the electronic recording and admissibility of certain custodial interrogations.</p>
	<p><b>Companions:</b> <a href="#">SB 123</a> Ellis (Identical) 1-31-11 S Introduced and referred to committee on Senate Criminal Justice</p>
	<p><b>Remarks:</b> MJV-Requires all law enforcement agencies to electronically record custodial interrogations regarding serious violent criminal charges.</p>

*The recordings must be maintained until all appeals are exhausted or the statute of limitations runs out. Provides exceptions for good faith efforts when a recording fails to be made.*

**Last Action:** 2-14-11 H Introduced and referred to committee on House Criminal Jurisprudence

[HB 221](#)

[Fletcher](#)

*Relating to the punishment prescribed for burglary of a vehicle and to grants of community supervision to persons who commit that offense.*

**Remarks:** *KCT – Increases the punishment for burglary of a vehicle from a class A misdemeanor to a state jail felony. Requires that a judge assign community supervision in lieu of a sentence if the defendant is younger than 21, not previously convicted of a class B misdemeanor or higher and submits a request for community supervision.*

**Last Action:** 2-14-11 H Introduced and referred to committee on House Criminal Jurisprudence

[HB 224](#)

[Strama](#)

*Relating to bullying, including cyberbullying, in public schools.*

**Companions:** [SB 242](#) Davis, Wendy (Identical)  
1-31-11 S Introduced and referred to committee on Senate Education

**Remarks:** *MJV-Expands the definition of "bullying" to include "cyberbullying". Allows a board of trustees, at the request of a parent, to reassign a student who engaged in bullying to another classroom or to another campus.*

**Last Action:** 2-14-11 H Introduced and referred to committee on House Public Education

[HB 225](#)

[Strama](#)

*Relating to distributed generation of electric power.*

**Companions:** [SB 365](#) Ogden (Identical)  
2- 2-11 S Introduced and referred to committee on Senate Business and Commerce

**Remarks:** *MJV-Requires electricity providers to purchase electricity generated by natural gas powered generation facilities using recaptured gas.*

*Currently, significant amounts of natural gas are wasted, stranded, or underutilized for a number of reasons. Essentially, small amounts of natural gas have often been treated as an unnecessary byproduct of mineral and oil production and wasted because it isn't harnessed. (An example: off-shore oil rigs used to burn gas flares instead of using the gas... now they harness it.)*

*This bill amends current law relating to distributed generation of electric power by natural gas powered generation facilities.*

*The bill amends Section 31.002, Utilities Code, by adding*

*Subdivision (4-a) and amending Subdivision (10), to define "distributed natural gas generation facility" and redefine "power generation company."*

*It amends Subchapter B, Chapter 35, Utilities Code, by adding Section 35.036, to authorize a person who owns or operates a distributed natural gas generation facility to sell electric power generated by the facility.*

*It requires the electric utility, electric cooperative, or retail electric provider that provides retail electricity service to the facility to purchase this kind of electric power that is produced locally at "fair market value" or allow the owner or operator of the facility to use the transmission and distribution facilities to transmit the power to another market.*

*It requires a distributed natural gas generation facility to comply with TCEQ emission limitations.*

*It also authorizes the PUC to establish simplified filing requirements for distributed natural gas generation facilities.*

*P3 would have no problem with this bill; I doubt the Counties would either unless there is a specific concern from about one location.*

**Last Action:** 2-14-11 H Introduced and referred to committee on House State Affairs

[HB 227](#)

[Smith, Todd](#)

*Relating to exempting persons who are convicted of certain sexual offenses from registering as a sex offender in this state.*

**Companions:**

[SB 198](#) West (Identical)

*1-31-11 S Introduced and referred to committee on Senate Criminal Justice*

**Remarks:**

*KCT - Exempts convicted persons from registering as a sex offender if they are not more than four years older than the victim and the victim is at least 14 years of age.*

**Last Action:** 11- 9-10 H Filed

[HB 228](#)

[Fletcher](#)

*Relating to the prosecution of the offense of criminal nonsupport.*

		<b>Remarks:</b> KCT - Clarifies that a person fails to provide court ordered child support if they do not make regular payments on time to the entity or individual designated by the court to initially receive the child support payment.
	<b>Last Action:</b>	11- 9-10 H Filed
<a href="#">HB 229</a>	<a href="#">Solomons</a>	Relating to the duties of the county tax assessor-collector and voter registrar regarding exemptions from jury service.
	<b>Companions:</b>	<a href="#">SB 85</a> Nelson (Identical) 1-31-11 S Introduced and referred to committee on Senate State Affairs
	<b>Remarks:</b>	MJV-Requires a prospective juror to file their request for permanent exemption for jury service with the voter registrar (currently tax assessor-collector).
	<b>Last Action:</b>	11- 9-10 H Filed
<a href="#">HB 230</a>	<a href="#">Phillips</a>	Relating to the authority of a county to regulate the location of halfway houses in the unincorporated areas of the county; providing a penalty.
	<b>Remarks:</b>	KCT - Allows Commissioners Court regulate the placement of halfway houses in the unincorporated areas and to license, inspect, and impose a license fee on them.
	<b>Last Action:</b>	11- 9-10 H Filed
<a href="#">HB 231</a>	<a href="#">Phillips</a>	Relating to the eligibility of property used in connection with certain computer centers for economic benefits authorized by the Texas Economic Development Act.
	<b>Remarks:</b>	KCT - Adds a computer center used for financial transactions to the items eligible for an appraised value limitation (school districts only) under the Texas Economic Development Act.
	<b>Last Action:</b>	11- 9-10 H Filed
<a href="#">HB 232</a>	<a href="#">White</a>	Relating to the amendment of restrictions affecting real property in certain subdivisions.
	<b>Remarks:</b>	MJV-Provides a method by which HOA rules may be changed by a supermajority of homeowners even if the HOA rules require unanimous consent or require a specified time frame before a change may take effect.
	<b>Last Action:</b>	11- 9-10 H Filed
<a href="#">HB 234</a>	<a href="#">Otto</a>	Relating to liability for interest on ad valorem taxes on improvements that escaped taxation in a previous year.
	<b>Companions:</b>	<a href="#">SB 551</a> Williams (Identical) 2- 8-11 S Filed
	<b>Remarks:</b>	MJV-Stipulates that back taxes on an improvement to real property does not incur interest if the property itself did not escape taxation; the appraisal district had actual or constructive notice of the improvement; and the owner pays the back taxes within 120 days. An appraisal district has constructive notice of an

improvement if a building permit for the improvement has been issued by a governmental entity.

**Last Action:** 11- 9-10 H Filed

[HB 237](#)

[Flynn](#)

Relating to the composition of the Finance Commission of Texas.

**Companions:** [SB 249](#) Estes (Identical)  
1-31-11 S Introduced and referred to committee on Senate Business and Commerce

**Last Action:** 11-10-10 H Filed

[HB 239](#)

[Parker](#)

Relating to the offense of paying or receiving certain forms of compensation for facilitating the registration of voters; providing criminal penalties.

**Remarks:** KCT - Prohibits performance-based compensation for registering voters. An offense is a Class A misdemeanor.

**Last Action:** 11-10-10 H Filed

[HB 240](#)

[Parker](#)

Relating to requiring the Texas Commission on Environmental Quality to adopt rules preventing accidental or unintentional access to on-site sewage disposal systems.

**Remarks:** KCT - Requiring the TCEQ to prevent accidental or unintentional access to on-site sewage disposal systems.

**Last Action:** 11-10-10 H Filed

[HB 241](#)

[Parker](#)

Relating to liability for interest if land appraised for ad valorem tax purposes as agricultural or open-space land is sold or diverted to a different use.

**Remarks:** MJV-Creates an exception to the interest required on taxes due when designated agricultural land is diverted to another purpose if the diversion happens prior to 2022.

**Last Action:** 11-10-10 H Filed

[HB 242](#)

[Craddick](#)

Relating to the authority of certain retired peace officers to carry certain firearms.

**Remarks:** MJV-Requires a law enforcement agency to issue an identification card to an honorably retired peace officer (currently permissive) and exempts such officers from statutes prohibiting concealed hand guns in certain areas. Makes a conforming repeal.

**Last Action:** 11-10-10 H Filed

[HB 243](#)

[Craddick](#)

Relating to the creation of an offense for certain uses of a wireless communication device while operating a motor vehicle.

**Companions:** [SB 46](#) Zaffirini (Identical)  
1-31-11 S Introduced and referred to committee on Senate Transportation and Homeland Security

**Remarks:** MJV-Prohibits the operator of a motor vehicle from using a wireless communication device to read, write, or send a text-based communication unless the vehicle is stopped.

	<p><b>Last Action:</b> 11-10-10 H Filed</p>
<p><a href="#">HB 246</a></p>	<p><a href="#">Johnson</a> Relating to the eligibility for service retirement annuities of certain elected officials convicted of certain crimes.</p>
	<p><b>Companions:</b> <a href="#">SB 371</a> Seliger (Identical) 2- 2-11 S Introduced and referred to committee on Senate State Affairs</p>
	<p><b>Remarks:</b> MJV- Makes statewide elected officials and legislators ineligible for retirement benefits if they commit or attempt to commit felony bribery, embezzlement, extortion, theft of public money, . Perjury, or conspiracy while in office. Repeals a provision prohibiting a civil war pensioner from receiving benefits while in the care or custody of the state.</p>
	<p><b>Last Action:</b> 11-12-10 H Filed</p>
<p><a href="#">HB 247</a></p>	<p><a href="#">Solomons</a> Relating to the enforcement of state and federal laws governing immigration by certain governmental entities.</p>
	<p><b>Remarks:</b> MJV-Prohibits a governmental entity, official, or employee from adopting or enforcing a policy to not follow federal law regarding immigration. Allows the AG to file suit against an entity for failure to do so and recover costs.</p>
	<p><b>Last Action:</b> 11-12-10 H Filed</p>
<p><a href="#">HB 248</a></p>	<p><a href="#">Chisum</a> Relating to requirements to vote, including presenting proof of identification; providing penalties.</p>
	<p><b>Companions:</b> <a href="#">SB 178</a> Fraser (Identical) 11- 8-10 S Filed</p>
	<p><b>Remarks:</b> MJV-Requires the county voter registrar to include a notice of ID requirements on each voter registration certificate issued or renewed and to post the requirements on the county's website. Requires a list of acceptable IDs to be posted outside each polling location. Requires election officials to provide written notice of acceptable IDs to anyone showing up to vote without proper ID. Allowable forms of ID are: a current driver's license; military ID, US citizenship certificate; or a US passport.</p> <p>-Increases the penalty for illegal voting to a second degree felony. Increases the penalty for attempting to illegally vote to a state jail felony.</p> <p>-Allows a provisional ballot to be cast and counted if the person brings acceptable ID to the early voting ballot board within 6 days. Prohibits DPS from charging a fee for an ID card obtained solely for voting purposes.</p> <p>-Makes conforming repeals.</p>
	<p><b>Last Action:</b> 11-12-10 H Filed</p>
<p><a href="#">HB 249</a></p>	<p><a href="#">Fletcher</a> Relating to the regulation of metal recycling entities; providing penalties.</p>

**Remarks:** MJV-Requires a person attempting to recycle metal wiring that has had the insulation burned off to obtain a document from a county or city fire department indicating it was salvaged from a fire. Adds additional requirements involving record keeping and identification in the recycling of metals. Adds Class A and Class B penalties for violations of the requirements.

**Last Action:** 11-12-10 H Filed

[HB 250](#)

[Hilderbran](#) Relating to requiring a voter to present proof of identification.

**Remarks:** MJV-Voter ID bill. Makes a voter registrar post notices of acceptable ID, limits the types of acceptable identifying documents. Requires voting ID notices to be displayed at all polling locations. Requires an elections officer to provide written materials about the ID requirement to any person voting by provisional ballot during the next election.

Prohibits DPS from charging a fee for ID cards used for voting. Makes conforming repeals.

**Last Action:** 2-11-11 H Introduced and referred to committee on House Select Committee on Voter ID and Fraud

[HB 278](#)

[Alonzo](#) Relating to pretrial hearings in criminal cases.

**Remarks:** KCT- Requires that a court set a pre-trial hearing in any criminal case if it is requested by the state or defendant and that the court must hold the hearing no later than the 30th day before the start date of the trial.

**Last Action:** 11-12-10 H Filed

[HB 279](#)

[Geren](#) Relating to the use of eminent domain authority.

**Companions:** [SB 18](#) Estes (Identical)  
2-14-11 H Received in the House - Not referred  
[SB 180](#) Estes (Identical)  
1-31-11 S Introduced and referred to committee on Senate State Affairs

**Remarks:** MJV- Prohibits using eminent domain to acquire property if it is not for public use. Requires a record vote in a public meeting to initiate a condemnation. Each unit of property not owned by the same person requires a separate vote unless there is unanimous consent.

-Requires entities authorized to use eminent domain to provide a letter to the comptroller by December 31, 2012 identifying the statute that permits it to use eminent domain. Eminent domain authority expires September 1, 2013 for any entities that fail to submit a letter.

-Requires an entity seeking to use eminent domain to acquire or lease a property to disclose all appraisal reports prepared within the last 10 years on the property to the property owner via

certified mail. Prohibits including a confidentiality provision.

-Requires a bona fide offer to be made in writing prior to use of eminent domain. An owner may be awarded court costs and attorney fees if no bona fide offer was made.

-Requires a judge in a condemnation case to allow each party to strike one of the three commissioners appointed to hear the case.

-Allows a former owner or owner's heirs, successors or assigns to request information on progress toward using land for a public use after 10 years. Allows a person or their heirs, successor, or assigns to repurchase the property if the public use for which the property was acquired is cancelled; no progress is made toward the public use within 10 years; or the property becomes unnecessary for use.

-Requires payment of relocation assistance, moving expenses, relocation and financial assistance.

-Repeals a public information act provision requiring entities with eminent domain authority to disclose information in the same manner as a governmental entity. Repeals a provision requiring the production of certain information (regarding a use of eminent domain) for entities that are considered critical infrastructure.

**Last Action:** 11-15-10 H Filed

[HB 283](#)

[Lucio III](#)

Relating to the wheelchair accessibility of new or renovated park playgrounds to children with disabilities.

**Remarks:** MJV-Requires a publicly owned or maintained park playground that is created or significantly renovated after 2011 to be wheelchair accessible and include at least one element in the playground that is wheelchair accessible.

**Last Action:** 11-15-10 H Filed

[HB 287](#)

[Lucio III](#)

Relating to the creation of an offense for certain uses of a wireless communication device while operating a motor vehicle.

**Remarks:** MJV-Prohibits a driver from reading, writing or sending text messages in a motor vehicle unless it is stopped.

**Last Action:** 11-15-10 H Filed

[HB 288](#)

[Lucio III](#)

Relating to prohibitions on the use of a wireless communication device while using certain motor vehicles.

**Remarks:** MJV- Expands the existing prohibition on using a wireless communication device for bus drivers to include other multi-passenger vehicles that provide special transportation services to elderly or disabled persons.

**Last Action:** 11-15-10 H Filed

[HB 289](#)

[Jackson, Jim](#)

Relating to activity that constitutes maintaining a common nuisance.

**Companions:** [SB 195](#) Nelson (Identical)

		<i>1-31-11 S Introduced and referred to committee on Senate Criminal Justice</i>
	<b>Remarks:</b>	<i>MJV-Adds crimes involving sexual exploitation of minors to the common nuisance statute.</i>
	<b>Last Action:</b>	<i>11-15-10 H Filed</i>
<a href="#">HB 290</a>	<a href="#">Jackson, Jim</a>	<i>Relating to the punishment for the offense of employment harmful to children.</i>
	<b>Companions:</b>	<a href="#">SB 194</a> Nelson (Identical) <i>1-31-11 S Introduced and referred to committee on Senate Criminal Justice</i>
	<b>Remarks:</b>	<i>MJV- Increases the penalty for the crime of employment harmful to a child from a class A misdemeanor to a third degree felony if there is there is a previous conviction.</i>
	<b>Last Action:</b>	<i>11-15-10 H Filed</i>
<a href="#">HB 292</a>	<a href="#">Berman</a>	<i>Relating to birth records of children born in this state; creating an offense.</i>
	<b>Remarks:</b>	<i>KCT- Requires that the citizenship status of a mother and father be included on a birth certificated form. Provides that a birth certificate may only be issued in this state if the child is a citizen of the US. A child is only a citizen of the US if at least one of the parents is a United States citizen, a national of the United States or an alien who is lawfully admitted for permanent residence. A Temporary report of alien birth must be issued by the local registrar for a fee if the parent is not by definition a US Citizen and must contain a biometric identifier of mother and child. Misuse of a report of alien birth to support a claim of US citizenship or legal residence for a child or parent is a 3rd degree felony.</i>
	<b>Last Action:</b>	<i>11-16-10 H Filed</i>
<a href="#">HB 293</a>	<a href="#">Berman</a>	<i>Relating to the eligibility of an individual born in this state whose parents are illegal aliens to receive state benefits.</i>
	<b>Remarks:</b>	<i>KCT- Children born after 9.1.11 whose parents are illegal aliens at the time of the birth aren't entitled to and may not receive any benefits provided by the state or a political subdivision of the state. Including; a grant, contract, loan, professional or commercial license, governmental employment, a retirement payment or other benefit, public assistance benefits.</i>
	<b>Last Action:</b>	<i>11-16-10 H Filed</i>
<a href="#">HB 294</a>	<a href="#">Berman</a>	<i>Relating to prohibiting a person who is in the United States illegally from bringing a claim in a state court.</i>
	<b>Remarks:</b>	<i>KCT- Prohibiting an illegal alien from bringing claim or otherwise seek legal or equitable relief, including as a counter-claimant or cross-claimant, in a court of this state.</i>
	<b>Last Action:</b>	<i>11-16-10 H Filed</i>
<a href="#">HB 296</a>	<a href="#">Berman</a>	<i>Relating to the enforcement of immigration laws, to the investigation, prosecution, and punishment of certain criminal</i>

offenses concerning illegal immigration, and to certain employment and labor practices.

**Remarks:** MJV-Requires a law enforcement agency to attempt to determine immigration status of any person detained or arrested. Prohibits a governmental entity from restricting or limiting the enforcement of federal immigration law. Allows a peace officer to arrest, without warrant, a person they have reasonable belief has violated a state or federal law that makes them removable from the United States.

-Creates a Class B misdemeanor for hiring a laborer from a motor vehicle that is stopped on a street, roadway or highway and is impeding the normal movement of traffic. Creates a Class B misdemeanor for an illegal alien to apply, solicit, or perform work in this state. Creates a Class B misdemeanor with a maximum fine of \$1,000 for transporting or concealing an illegal alien. The penalty is increased to a state jail felony with a fine of \$10,000 if more than 10 illegal aliens are involved. Creates a Class B misdemeanor with a maximum fine of \$100 and 20 days in jail (30 days for repeat offense) for a resident alien who fails to carry documentation. Allows a court to require reimbursement for county jail costs.

-Prohibits employment of illegal aliens and requires employers to verify work authorization and maintain a record of verification for the duration of employment or three years (whichever is longer). Prohibits a governmental entity from awarding an economic development incentive to an employer that does not use the e-verify system.

-Requires the AG to create a complaint procedure to report alleged employment violations. Establishes a class C misdemeanor for a false report. Requires the AG to notify the county attorney if the person is not in the country legally. Requires the court to take action on the case within 30 days after the county attorney requests an expedited hearing. Requires an employer to file quarterly reports on hiring activity with the county attorney for the next three years (five years for an intentional violation). Allows a court to order state agencies to suspend occupational licenses for an employer who violates the law. Allows a sheriff or local law enforcement agency to assist the AG or the county attorney in their investigation. Prohibits an official or a political subdivision from independently determining whether an individual is authorized to work in this country.

-Requires a peace officer to impound a car used in human trafficking for 30 days.

**Last Action:** 11-16-10 H Filed

[HB 297](#)

[Berman](#)

Relating to certain federal health care legislation; imposing penalties.

**Remarks:** KCT- Establishes that federal health care legislation is invalid in Texas and that it is the duty of the legislature to act as necessary to prevent the enforcement of the federal Act. If an official, agent, or employee of the United States or an employee of a corporation providing services to the United States attempts to enforce federal

health care legislation it is a state jail felony punishable by confinement up to 5 year and or a fine of not more than \$5000. If a public officer or employee of the state attempts to enforce the federal health care law it is a class A misdemeanor punishable by confinement for a term of not more than two years and or a fine of not more than \$1,000.

**Last Action:** 11-16-10 H Filed

[HB 298](#)

[Berman](#)

Relating to exempting the intrastate manufacture of a firearm, a firearm accessory, or ammunition from federal regulation.

**Companions:** [HB 145](#) Laubenberg (Identical)  
2-11-11 H Introduced and referred to committee on House Select Committee on State Sovereignty

**Remarks:** KCT- Exempts firearms, firearm accessory and ammunition made and remaining in Texas from federal law and regulation.

**Last Action:** 11-16-10 H Filed

[HB 299](#)

[Berman](#)

Relating to the repeal of the driver responsibility program.

**Companions:** [SB 624](#) Whitmire (Identical)  
2-11-11 S Filed

**Remarks:** MJV-Repeals the Driver Responsibility Program. Requires the comptroller to deposit any remaining funds from the program to the designated trauma facility and emergency medical services account.

**Last Action:** 11-16-10 H Filed

[HB 301](#)

[Berman](#)

Relating to the establishment of English as the official language of Texas and the requirement that official acts of government be performed in English.

**Remarks:** KCT- Establishes English as the official language of this state and all political subdivisions thereof.

**Last Action:** 11-16-10 H Filed

[HB 302](#)

[Berman](#)

Relating to the enforcement of state and federal laws governing immigration by certain governmental entities; providing a civil penalty.

**Remarks:** KCT- prohibits the adoption of policies which contradict the enforcement of immigration law by local governments or entities thereof and establishes civil penalties not to from \$1000 not to exceed \$5000 for elected officials who fail to fully enforce the law. Governmental entities which adopt contradicting policies loose state grant funding.

**Last Action:** 11-16-10 H Filed

[HB 303](#)

[Berman](#)

Relating to the imposition of a fee for money transmissions sent to certain destinations outside the United States.

**Remarks:** MJV-Imposes an 8% fee on any money transmission from Texas to a destination in Mexico or in central or south america for personal,

family, or household purposes. The funds will be credited to the indigent health care support account. Provides for US citizens to apply for a refund of the fee.

**Last Action:** 11-16-10 H Filed

[HB 304](#)

[Pena](#)

Relating to limiting the amount of assistance a person may provide a voter; providing a civil penalty.

**Remarks:** MJV-Requires a person providing a voter assistance to present a picture ID to the election officer. Prohibits a person from assisting more than two voters in one day. Imposes a civil penalty of up to \$10,000.

**Last Action:** 11-16-10 H Filed

[HB 305](#)

[Harless](#)

Relating to the punishment prescribed for burglary of a vehicle.

**Remarks:** MJV-Increases the penalty for all repeat convictions for vehicle burglary to a state jail felony (currently 6 months in jail for second offense). Makes conforming repeals.

**Last Action:** 11-16-10 H Filed

[HB 306](#)

[Jackson, Jim](#)

Relating to a disclosure on advertisements made by a general-purpose committee of certain political contributions made to the committee.

**Remarks:** MJV-Prohibits a general-purpose committee from publishing or broadcasting a political ad that contains express advocacy that does not identify its large donors (more than \$10,000)

**Last Action:** 11-16-10 H Filed

[HB 311](#)

[Geren](#)

Relating to the duty of a peace officer to inquire into the immigration status of persons arrested on other grounds.

**Companions:** [SB 259](#) Harris (Identical)  
1-31-11 S Introduced and referred to committee on Senate Transportation and Homeland Security

**Last Action:** 11-17-10 H Filed

[HB 312](#)

[Callegari](#)

Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem taxation.

**Companions:** [SB 129](#) Patrick, Dan (Identical)  
1-31-11 S Introduced and referred to committee on Senate Finance

**Remarks:** MJV-Lowers the appraisal cap to 5%.

**Last Action:** 11-17-10 H Filed

[HB 313](#)

[Pickett](#)

Relating to an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran.

**Companions:** [HB 95](#) Fletcher (Identical)  
2- 9-11 H Introduced and referred to committee on House Ways and Means

[HB 781](#) King, Phil (Identical)  
1-20-11 H Filed

[SB 516](#) Patrick, Dan (Identical)  
2- 3-11 S Filed

**Remarks:** KCT- Allows existing homestead exemption to pass from a deceased disabled veteran to the spouse so long as the spouse has not remarried.

**Last Action:** 11-17-10 H Filed

[HB 315](#)

[Flynn](#)

Relating to the creation of the Hunt County Municipal Utility District No. 1; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

**Companions:** [HB 84](#) Flynn (Identical)  
2- 9-11 H Introduced and referred to committee on House Natural Resources  
[SB 236](#) Deuell (Identical)  
1-31-11 S Introduced and referred to committee on Senate Intergovernmental Relations

**Remarks:** MJV-Creates the Hunt County MUD. Requires a confirmation election which may only be held with the support of each city located in the MUD area.

**Last Action:** 11-18-10 H Filed

[HB 316](#)

[Fletcher](#)

Relating to a requirement that certain appraisal districts provide for electronic signing and filing of a form for the designation of an agent.

**Remarks:** KCT- Requires each appraisal district established for a county with a population over 500,000 to provide electronic signing and filing for the designation of an agent to represent a property owner.

**Last Action:** 11-18-10 H Filed

[HB 317](#)

[Cook](#)

Relating to the authority of a county to regulate land use after a local option election.

**Remarks:** HB- 317- KCT- The commissioners court may, if granted by local option election, regulate land use in the unincorporated areas of a county by requiring a buffer zone between residential areas and land used for heavy industry or quarry, light industry and commercial business.

**Last Action:** 11-18-10 H Filed

[HB 318](#)

[Alonzo](#)

Relating to the date of the primary election and related procedures.

**Remarks:** ~~HB- 318- KCT- Changes the date of the primary election from March to February and the runoff from April to March. Changes the precinct convention to the day of general primary election. Changes the county convention to the first Saturday after the general primary. Requires ballot application to include the resign to run provision.

**Last Action:** 11-18-10 H Filed

<a href="#">HB 320</a>	<a href="#">Alonzo</a>	Relating to equipping certain K-9 law enforcement vehicles with heat alarm systems.
	<b>Remarks:</b>	KCT- Allows DPS, Sheriffs and Police Departments to equip and K9 law enforcement vehicle with a heat alarm system. The alarm must be audible, automatically lower the vehicles rear windows and page the officer.
	<b>Last Action:</b>	11-18-10 H Filed
<a href="#">HB 322</a>	<a href="#">Hartnett</a>	Relating to the eligibility of a former or retired statutory probate court judge for assignment as a visiting judge.
	<b>Remarks:</b>	KCT- Changes the number of months a former probate court judge must have served to be eligible to serve as a visiting judge from 96 months to 72 months.
	<b>Last Action:</b>	11-19-10 H Filed
<a href="#">HB 327</a>	<a href="#">Guillen</a>	Relating to the issuance of specialty license plates for justices of the peace and municipal judges.
	<b>Remarks:</b>	KCT- Requires the Texas Department of Motor Vehicles to issue specialty license plates for JP's and municipal judges for a cost of \$10 for the first set and \$15 for each additional set.
	<b>Last Action:</b>	11-19-10 H Filed
<a href="#">HB 330</a>	<a href="#">Guillen</a>	Relating to the dissolution of a bail bond board by the commissioners court of certain counties.
	<b>Remarks:</b>	KCT- Allows a commissioners court in a county with a population less than 110,000 to dissolve a bail bond board by majority vote.
	<b>Last Action:</b>	11-19-10 H Filed
<a href="#">HB 333</a>	<a href="#">Guillen</a>	Relating to the authority of certain counties to adopt and enforce a fire code.
	<b>Remarks:</b>	KCT- Lowers the existing population bracket from 250,000 to 200,000 for a counties or counties adjacent that may adopt a fire code and rules necessary to administer and enforce the fire code.
	<b>Last Action:</b>	11-19-10 H Filed
<a href="#">HB 335</a>	<a href="#">Shelton</a>	Relating to implementation and requirements of certain health care reform laws.
	<b>Remarks:</b>	MJV-Requires state agencies to submit a report to the LBB on estimated expenditures or consequences of refusing to implement provisions of the federal health care reform law. Prohibits a state agency from implementing a provision before the report is submitted.
	<b>Last Action:</b>	11-22-10 H Filed
<a href="#">HB 336</a>	<a href="#">Marquez</a>	Relating to the filing and posting on the Internet of reports of political contributions and expenditures required in connection with the office of member of the board of trustees of certain school districts.
	<b>Companions:</b>	<a href="#">SB 603</a> Rodriguez (Identical)

2-11-11 S Filed

<a href="#">HB 339</a>	<a href="#">Aycock</a>	<p><b>Last Action:</b> 11-22-10 H Filed</p> <p>Relating to the use of certain voting equipment in an election that does not involve a federal office.</p> <p><b>Remarks:</b> MJV-Exempts a political subdivision (other than a county) with a population of less than 1,500 that is not participating in a joint election in which a federal office appears on the ballot from the requirement to have accessible voting machines for the disabled.</p>
<a href="#">HB 340</a>	<a href="#">Gallego</a>	<p><b>Last Action:</b> 11-22-10 H Filed</p> <p>Relating to net metering for retail electric service customers and compensation for excess electricity generated by a retail electric customer's on-site generator.</p> <p><b>Remarks:</b> MJV-Requires the PUC to require all electric utilities to offer net metering service to all retail customers. Requires the utility to pay fair market value for a customer's small scale on-site generation delivered to the electric transmission grid.</p>
<a href="#">HB 341</a>	<a href="#">Fletcher</a>	<p><b>Last Action:</b> 11-22-10 H Filed</p> <p>Relating to the prosecution of and the punishment for the offense of burglary committed while evading arrest or detention.</p> <p><b>Remarks:</b> MJV-Expands the offense of burglary (1st degree felony) to include entering a building or home in order to evade arrest.</p>
<a href="#">HB 343</a>	<a href="#">Fletcher</a>	<p><b>Last Action:</b> 11-22-10 H Filed</p> <p>Relating to the reporting and recording of a motor vehicle accident involving an official vehicle driven by a peace officer, firefighter, or an emergency medical services employee in the course of official duties.</p> <p><b>Remarks:</b> MJV-Expands the requirement that a motor vehicle accident in an official vehicle (police, fire, and EMS employees) does not go on the driver's record if it occurred during an emergency. Replaces the requirement that it happen during an emergency to make it apply to any accident where the damages are less than \$1,000 or an independent investigation finds the employee was not at fault.</p>
<a href="#">HB 344</a>	<a href="#">Quintanilla</a>	<p><b>Last Action:</b> 11-23-10 H Filed</p> <p>Relating to the use of customs brokers to obtain a refund of sales and use taxes.</p> <p><b>Remarks:</b> MJV-Removes the requirement that an exporter obtain a document from a customs broker to claim an exemption from sales tax.</p>
<a href="#">HB 345</a>	<a href="#">Kleinschmidt</a>	<p><b>Last Action:</b> 11-23-10 H Filed</p> <p>Relating to limitations on awards in an adjudication brought against a local governmental entity for breach of contract.</p> <p><b>Remarks:</b> KCT- Allows for interest for a disputed payment to be included in money awarded in a suit against a local governmental for breach of a contract.</p>

<a href="#">HB 346</a>	<a href="#">Kleinschmidt</a>	<p><b>Last Action:</b> 11-23-10 H Filed</p> <p>Relating to the award of costs and attorney's fees in certain proceedings concerning mechanic's, contractor's, or materialman's liens.</p>
<p><b>Companions:</b> <a href="#">SB 539</a> Carona (Identical) 2- 7-11 S Filed</p>		
<p><b>Remarks:</b> KCT- requires that a court award cost and attorney's fees in any proceeding to foreclose a mechanic's, contactors or materialman's lien or enforce a claim against a bond.</p>		
<a href="#">HB 350</a>	<a href="#">Walle</a>	<p><b>Last Action:</b> 11-23-10 H Filed</p> <p>Relating to discharging fines and costs assessed against certain juvenile defendants through community service or tutoring.</p>
<p><b>Remarks:</b> MJV-Allows a juvenile who is assessed a fine or costs for a Class C misdemeanor that ocured at school to perform community service or attend tutoring sessions. The juvenile earns \$50 off the fine or costs for each 8 hours worked.</p>		
<a href="#">HB 351</a>	<a href="#">Veasey</a>	<p><b>Last Action:</b> 11-29-10 H Filed</p> <p>Relating to the expunction of records and files relating to a person's arrest.</p>
<p><b>Remarks:</b> MJV- Entitles a person to have all records and files relating to an arrest expunged if the charges are not pursued, the statute of limitations has expired, is pardoned or released upon determination of actual innocence.</p> <p>-Makes a conforming repeal.</p>		
<a href="#">HB 352</a>	<a href="#">Rodriguez</a>	<p><b>Last Action:</b> 11-29-10 H Filed</p> <p>Relating to a cost-benefit analysis of rules adopted or amended by the supreme court.</p>
<p><b>Remarks:</b> MJV-Requires the Supreme Court to prepare and publish a cost-benefit analysis before adopting rules that will impact the court system, clients of attorneys and the public.</p>		
<a href="#">HB 353</a>	<a href="#">Burnam</a>	<p><b>Last Action:</b> 11-29-10 H Filed</p> <p>Relating to certain reimbursements and discounts provided for collection and payment of sales and use taxes.</p>
<p><b>Remarks:</b> MJV-Sets a limit on the amount of sales taxes that may be deducted and withheld by a taxpayer (for collecting the sales tax or for making prepayments to the comptroller) in a state fiscal year.</p>		
<a href="#">HB 354</a>	<a href="#">Burnam</a>	<p><b>Last Action:</b> 11-29-10 H Filed</p> <p>Relating to the imposition of an income tax on income that exceeds \$150,000 to provide property tax relief and fund public education.</p> <p><b>Remarks:</b> MJV-Imposes a variable income tax on incomes over \$150,000. Creates a third degree felony for knowingly evading or failing to pay the tax. Creates a Class A misdemeanor for failure to file a</p>

return, supply information, or pay the tax. Two-thirds of the revenue is dedicated to reducing school property taxes and the other third to the foundation school fund.

**Last Action:** 11-29-10 H Filed

[HB 360](#)

[Jackson, Jim](#)

Relating to ballot language for a proposition to approve the imposition or increase of a tax or the issuance of bonds.

**Remarks:** MJV-Requires ballot language for a tax increase or issuance of bonds to specify the total amount that will be issued, the amount of the tax or increase, and any projects to be supported by the bond.

**Last Action:** 12- 1-10 H Filed

[HB 361](#)

[Otto](#)

Relating to the composition of the agricultural advisory board of an appraisal district.

**Remarks:** KCT- Removes the requirement that one member of an appraisal district's agricultural advisory board be a representative of the county agricultural stabilization and conservation service.

**Last Action:** 12- 1-10 H Filed

[HB 362](#)

[Solomons](#)

Relating to the regulation by a property owners' association of the installation of solar energy devices and certain roofing materials on property.

**Last Action:** 12- 1-10 H Filed

[HB 368](#)

[Hochberg](#)

Relating to ballot instructions.

**Remarks:** MJV-Requires ballot instructions to warn straight party voters that "emphasis voting" could change their straight party vote. Requires electronic voting machines to provide such a warning if a straight party voter attempts an "emphasis vote" or otherwise takes an action that would change their vote.

**Last Action:** 12- 2-10 H Filed

[HB 369](#)

[Hochberg](#)

Relating to procedures concerning verification of certain information submitted in a voter registration application.

**Remarks:** MJV-Requires the Secretary of State to adopt standards for verifying information on a voter registration card that contains a minor error in the applicant's name or birth date. If a voter registration application cannot be verified and is rejected, the local registrar must inform the prospective voter of the reason it was rejected.

**Last Action:** 12- 2-10 H Filed

[HB 371](#)

[Hochberg](#)

Relating to prohibiting deferred adjudication community supervision for certain defendants convicted of murder.

**Remarks:** MJV-Allows a judge to grant deferred adjudication community supervision in cases of murder if the defendant did not cause the death, did not intend the death and did not anticipate the death.

<a href="#">HB 375</a>	<a href="#">Alonzo</a>	<p><b>Last Action:</b> 12- 2-10 H Filed</p>
		<p>Relating to establishing veterans resource centers at certain institutions of higher education.</p>
		<p><b>Remarks:</b> MJV-Requires the Veteran's Commission to establish one higher education based veterans resource center in 15 locations throughout the state to provide assistance and counseling to veterans while enrolled in higher education.</p>
<a href="#">HB 377</a>	<a href="#">McClendon</a>	<p><b>Last Action:</b> 12- 2-10 H Filed</p>
		<p>Relating to the expenditure of money from the general revenue fund for rail projects.</p>
		<p><b>Remarks:</b> MJV-Allows TxDOT to spend money appropriated to the Texas rail relocation and improvement fund without the need for a line-item appropriation.</p>
<a href="#">HB 380</a>	<a href="#">Callegari</a>	<p><b>Last Action:</b> 12- 2-10 H Filed</p>
		<p>Relating to the constitutional limit on the rate of growth of appropriations and the use of surplus state revenues.</p>
		<p><b>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.</p>
<a href="#">HB 382</a>	<a href="#">Menendez</a>	<p><b>Last Action:</b> 12- 6-10 H Filed</p>
		<p>Relating to the authorization and regulation of poker gaming and the duties of the Texas Lottery Commission.</p>
		<p><b>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.</p> <p>-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).</p> <p>-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.</p>
<a href="#">HB 383</a>	<a href="#">Menendez</a>	<p><b>Last Action:</b> 12- 6-10 H Filed</p>
		<p>Relating to allowing a surrogate decision-maker to consent to</p>

certain medical treatments on behalf of an inmate of a correctional facility.

**Remarks:** 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.

**Last Action:** 12- 6-10 H Filed

[HB 385](#)

[Menendez](#)

Relating to the punishment for theft and certain fraud offenses committed against a disabled individual.

**Remarks:** 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.

**Last Action:** 12- 6-10 H Filed

[HB 387](#)

[Turner,](#)  
[Sylvester](#)

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.

**Remarks:** 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.

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

[HB 392](#)

[Gonzales,](#)  
[Veronica](#)

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.

**Remarks:** 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 (UPL).

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

[HB 394](#)

[Gonzales,](#)  
[Veronica](#)

Relating to the authority of certain counties to provide health care services.

**Remarks:** 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.

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

[HB 395](#)

[Gonzales,](#)  
[Veronica](#)

Relating to court costs imposed on conviction and deposited to the appropriate courthouse security fund or court building security fund.

**Remarks:** MJV-Increases the courthouse security fee and the court building security fee (city created fee) by \$5 for misdemeanors and felonies.

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

[HB 397](#)

[Gonzales,](#)  
[Veronica](#)

Relating to the creation of the Bureau for Economic Development of the Border Region.

	<b>Remarks:</b>	<i>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.</i>
<a href="#">HB 401</a>	<b>Last Action:</b> <a href="#">Smith, Todd</a>	12- 8-10 H Filed Relating to requiring a voter to present proof of identification.
	<b>Remarks:</b>	<i>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 fo voting purposes. Eliminates the ability to vote by showing a copy of your voter registration. Makes conforming repeals.</i>
<a href="#">HB 405</a>	<b>Last Action:</b> <a href="#">Quintanilla</a>	12- 9-10 H Filed Relating to the storage, transportation, and disposal of tires; providing criminal penalties.
	<b>Remarks:</b>	<i>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 clean up of improperly disposed tires. Requires a political subdivision to notify TCEQ when improperly disposed tires are found. Creates a Class A misdemeanor violation for wrecklessly violating a TCEQ regulation and a state jail felony for violating a regulation.</i>
<a href="#">HB 406</a>	<b>Last Action:</b> <a href="#">Quintanilla</a>	12- 9-10 H Filed Relating to local regulation of the possession and consumption of alcoholic beverages on certain formerly licensed or permitted premises.
	<b>Remarks:</b>	<i>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.</i>
<a href="#">HB 407</a>	<b>Last Action:</b> <a href="#">Quintanilla</a>	12- 9-10 H Filed Relating to the grounds for a hearing concerning action on certain alcoholic beverage permits and licenses.
	<b>Remarks:</b>	<i>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.</i>
	<b>Last Action:</b>	12- 9-10 H Filed

<a href="#">HB 408</a>	<a href="#">Walle</a>	Relating to minimum standards for juvenile case managers.
	<b>Companions:</b>	<a href="#">SB 61</a> Zaffirini (Identical) 1-31-11 S Introduced and referred to committee on Senate Jurisprudence
	<b>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) 1-31-11 S Introduced and referred to committee on Senate Jurisprudence
	<b>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="#">HB 416</a>	<a href="#">Anchia</a>	Relating to providing for voter registration at a polling place during early voting by personal appearance and related procedures.
	<b>Remarks:</b>	HB- 416-KCT- Establishes that election officers serving at early voting locations are deputy registrars and must provide voter registration at the polling place. A person may register and vote a provisional ballot by showing a photo ID with a current address. Extends the time limit for counting early voting ballots and conducting the local canvas by three days. Allows the secretary of state to designate additional documents to prove residence.
	<b>Last Action:</b>	12-10-10 H Filed
<a href="#">HB 417</a>	<a href="#">Anchia</a>	Relating to provision of notice regarding and limitation of attorney's fees for services provided in connection with the making of a wrongful imprisonment claim.
	<b>Remarks:</b>	CEB-Requires TDCJ to provide information about compensation to people wrongfully imprisoned. Sets fee limits and reporting requirements for attorneys representing claimants. Makes it a violation for attorneys to collect more than the approved rate.
	<b>Last Action:</b>	12-10-10 H Filed
<a href="#">HB 418</a>	<a href="#">Berman</a>	Relating to requiring certain candidates to pay a filing fee or file a petition as a qualification to appear on the ballot for the general election for state and county officers.
	<b>Remarks:</b>	KCT- Imposes a filing fee for a place on the general election ballot in the same amount as required for a primary election. Local or state revenue from the fee may only be used for ballot security.
	<b>Last Action:</b>	12-10-10 H Filed
<a href="#">HB 421</a>	<a href="#">Alonzo</a>	Relating to the offer of certain unusable remainder real property acquired by the Texas Department of Transportation to nonprofit corporations.

**Remarks:** CEB-Allows TxDOT in taking land for right of way to also take an unusable remainder connected to the land and donate the unused land to a nonprofit that is designated by the city or county in which the land is located. The land must be used to develop and diversify the state economy.

**Last Action:** 12-13-10 H Filed

[HB 422](#)

[Guillen](#)

Relating to certain oversize and overweight permits issued by the Texas Department of Transportation.

**Remarks:** CEB-Creates an exception to the existing statute allowing the transport of super heavy or oversize equipment on state highways. Allows the transportation commission to permit TxDOT to issue one permit for transporting multiple loads of the same commodity on a state highway if the loads are all traveling between the same general locations. Requires TxDOT to determine if the permit would be of benefit to the state and consider any roadway wear or damage or disruption of traffic in deciding whether to issue a permit. The motor carrier must execute a bond to cover any damage and TxDOT may impose a fee of up to \$7,000 for the permit (revenue goes to the state highway fund).

**Last Action:** 12-13-10 H Filed

[HB 424](#)

[Darby](#)

Relating to the offices of county treasurer and county auditor.

**Companions:** [SB 373](#) Duncan (Identical)  
2- 2-11 S Introduced and referred to committee on Senate Intergovernmental Relations

**Remarks:** CEB-Changes the deadline for a county officer to deposit money into the county treasury after collecting it from 3 days to 5 days. Repeals a provision allowing commissioners court to extend that deadline to up to 7 days. Requires officials to provide monthly reconciliations for money sent to special accounts. If they fail to do so, the duty transfers to the treasurer.

Allows a county treasurer to appoint and provide a bond for an assistant or deputy. Allows the county to self-insure against losses instead of requiring a blanket bond for assistants and deputies.

Allows a county treasurer to collect CSCD fees (with approval of the court clerk or fee officer) and to perform the duties of the county clerk relating to managing accounts for officers, with approval from the clerk and commissioners court.

Exempts a county auditor who provides monthly financial reports (required in a county of more than 225,000) that are published on the county's website from a requirement that they publish an annual financial exhibit.

Makes changes to allow for the use of and auditing of electronic transfers. Makes conforming appeals.

**Last Action:** 12-13-10 H Filed

[HB 431](#)

[Larson](#)

Relating to the adoption of a county charter by Bexar County.

**Remarks:** *MJV-Allows the consolidation of Bexar County and city governments by order of Commissioners Court or San Antonio City Council. Requires consolidation if a valid petition by the voters (10% of voters in the last gubernatorial election) calls for it. The City of San Antonio or Bexar County (whichever initiates the action) makes appointments to a charter commission and invites the other entity to appoint members.*

*-The Charter Commission develops a plan for consolidation which is voted on in the next general election. If adopted, a second round of elections is held to approve the integration of cities other than San Antonio into the county charter.*

*-Requires an employee whose position is eliminated during the integration to be offered alternative employment at equal salary and with equal benefits.*

*-Creates different service level districts to resolve taxation, revenue, and service level differences between the different integrated areas.*

**Last Action:** 12-14-10 H Filed

[HB 433](#)

[Parker](#)

*Relating to qualified manufacturing project zones.*

**Remarks:** *CEB- Entitles a qualified manufacturing facility project in a qualified manufacturing project zone up to a 50% rebate on some state sales and use taxes. Qualification requires that the project be a new manufacturing or expansion project with an investment of at least \$100 million, that it creates 200 full-time jobs and that the owner is considering an out of state location for the job.*

**Last Action:** 12-15-10 H Filed

[HB 435](#)

[Parker](#)

*Relating to suits affecting the parent-child relationship that involve an alleged father who has not registered with the paternity registry.*

**Remarks:** *Removes a requirement that a family court judge appoint an attorney to represent the interests of an alleged father whose identity or location is unknown in suits filed to terminate parental rights.*

**Last Action:** 12-15-10 H Filed

[HB 439](#)

[Smith, Todd](#)

*Relating to the authority of the Department of Public Safety of Texas and certain local law enforcement agencies to establish a checkpoint on a highway or street to determine whether persons are driving while intoxicated.*

**Companions:** [SB 531](#) Davis, Wendy (Identical)  
2- 7-11 S Filed

**Remarks:** *CEB - Allows the sheriff in a county of 250,000 or more to operate sobriety checkpoints. Video and audio records must be kept for two years and the sheriff must file an annual report with TxDOT.*

<p><a href="#">HB 440</a></p>	<p><b>Last Action:</b> 12-16-10 H Filed</p> <p><a href="#">Turner, Sylvester</a></p>	<p>Relating to the authority of peace officers to take a blood specimen from a vehicle operator to test for alcohol concentration or other intoxicating substances.</p>
<p><b>Remarks:</b> MJV-Prohibits a law enforcement officer from taking blood specimens from drivers suspected of DWI.</p>		
<p><a href="#">HB 441</a></p>	<p><b>Last Action:</b> 12-16-10 H Filed</p> <p><a href="#">Guillen</a></p>	<p>Relating to the fees for certain commercial vehicles.</p>
<p><b>Remarks:</b> CEB - Lowers the vehicle registration fee on overweight vehicles that have an overweight permit from \$30 to \$15 per year. Increases the base permit fee for overweight vehicles from \$75 to \$90 with the \$15 increase dedicated to administration of the overweight vehicle program.</p>		
<p><a href="#">HB 442</a></p>	<p><b>Last Action:</b> 12-17-10 H Filed</p> <p><a href="#">Guillen</a></p>	<p>Relating to the establishment of an emergency radio infrastructure account.</p>
<p><b>Remarks:</b> CEB - Changes the allocation of court costs that currently fund the fugitive apprehension account to instead fund an emergency radio infrastructure account to support planning and development of interoperable statewide emergency radio communication plans.</p>		
<p><a href="#">HB 443</a></p>	<p><b>Last Action:</b> 12-17-10 H Filed</p> <p><a href="#">Fletcher</a></p>	<p>Relating to the amount of the fee paid by a defendant for a peace officer's services in executing or processing an arrest warrant, <i>capias</i>, or <i>capias pro fine</i>.</p>
<p><b>Companions:</b> <a href="#">SB 374</a> Wentworth (Identical) 2- 2-11 S Introduced and referred to committee on Senate Criminal Justice</p>		
<p><b>Remarks:</b> CEB - Increases fee paid by defendants for a peace officer's services in processing an arrest warrant, <i>capias</i> or <i>capias pro fine</i> from \$50 to \$75.</p>		
<p><a href="#">HB 445</a></p>	<p><b>Last Action:</b> 12-17-10 H Filed</p> <p><a href="#">Guillen</a></p>	<p>Relating to the eligibility of a disabled veteran or surviving spouse to pay <i>ad valorem</i> taxes imposed on a residence homestead in installments.</p>
<p><b>Remarks:</b> Allows disabled veterans or surviving spouses to make quarterly payments on the property taxes on their residence homestead.</p>		
<p><a href="#">HB 450</a></p>	<p><b>Last Action:</b> 12-17-10 H Filed</p> <p><a href="#">Lucio III</a></p>	<p>Relating to the regulation of solar energy devices by a property owners' association.</p>
<p><b>Companions:</b> <a href="#">SB 238</a> West (Identical) 1-31-11 S Introduced and referred to committee on Senate Intergovernmental Relations</p>		

	<b>Last Action:</b> 12-20-10 H Filed
<a href="#">HB 451</a>	<a href="#">Lucio III</a> <i>Relating to the creation of a Don't Mess with Texas Water program to prevent illegal dumping that affects the surface waters of this state.</i>
	<b>Remarks:</b> <i>CEB - Creates the Don't Mess with Texas Waters program that includes a toll free hotline to report illegal dumping. Allows a local government to participate and contribute to the cost of the program.</i>
	<b>Last Action:</b> 12-20-10 H Filed
<a href="#">HB 453</a>	<a href="#">Lucio III</a> <i>Relating to an exemption from the sales tax for certain renewable energy devices.</i>
	<b>Last Action:</b> 12-20-10 H Filed
<a href="#">HB 458</a>	<a href="#">White</a> <i>Relating to exempting a school district from the obligation to comply with certain unfunded state educational mandates.</i>
	<b>Remarks:</b> <i>Exempts school districts from complying with unfunded state educational mandates unless the mandate fulfills an important state interest and is required by federal law or is necessary to comply with a law that applies to other entities.</i>
	<b>Last Action:</b> 12-21-10 H Filed
<a href="#">HB 461</a>	<a href="#">Kleinschmidt</a> <i>Relating to the exemption from ad valorem taxation of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran.</i>
	<b>Remarks:</b> <i>Extends the homestead property tax exemption for a totally disabled veteran to include their surviving spouse.</i>
	<b>Last Action:</b> 12-21-10 H Filed
<a href="#">HB 462</a>	<a href="#">Kleinschmidt</a> <i>Relating to the assignment of special judges in county courts in certain counties.</i>
	<b>Remarks:</b> <i>MJV - Allows a county judge of a county without a statutory county or probate court to appoint a special judge (an attorney approved by commissioners court) to hear cases if the county judge is unavailable. The salary of the judge is set by commissioners court.</i>
	<b>Last Action:</b> 12-21-10 H Filed
<a href="#">HB 465</a>	<a href="#">Burnam</a> <i>Relating to abolishing the Texas Enterprise Fund, the Texas emerging technology fund, the Pan American Games trust fund, the Olympic Games trust fund, and a major events trust fund, a motor sports racing trust fund.</i>
	<b>Remarks:</b> <i>MJV-Abolishes the Texas Enterprise Fund, Texas Emerging Technology Fund, the Pan American Games trust fund, and other major events trust funds. Any remaining funds are swept into state GR.</i>
	<b>Last Action:</b> 12-21-10 H Filed
<a href="#">HB 466</a>	<a href="#">Burnam</a> <i>Relating to the authority to enter into certain agreements relating to the Texas Enterprise Fund, the Texas emerging technology fund, or certain trust funds for sporting and non-sporting events and the money in those funds.</i>

		<p><b>Remarks:</b> MJV-Prohibits the governor from providing new grants from the Enterprise Fund or the emerging technology fund for four years. Diverts any fund revenue or balances to state GR. Does the same for games support contracts or event sports contracts. Makes a conforming change to require surplus Workforce Commission funds to go to the job skills development program during the four years.</p>
		<p><b>Last Action:</b> 12-21-10 H Filed</p>
<a href="#">HB 469</a>	<a href="#">Callegari</a>	<p>Relating to the calculation of ad valorem taxes on the residence homestead of a 100 percent or totally disabled veteran for the tax year in which the veteran qualifies or ceases to qualify for an exemption from taxation of the homestead.</p>
		<p><b>Companions:</b> <a href="#">SB 201</a> Uresti (Identical) 1-31-11 S Introduced and referred to committee on Senate Finance</p>
		<p><b>Remarks:</b> MJV-Makes the homestead exemption for 100% disabled veterans effective on January 1 of the tax year in which the person qualifies.</p>
		<p><b>Last Action:</b> 12-22-10 H Filed</p>
<a href="#">HB 470</a>	<a href="#">Anderson, Charles</a>	<p>Relating to the addition of Salvia divinorum and its derivatives and extracts to Penalty Group 3 of the Texas Controlled Substances Act.</p>
		<p><b>Remarks:</b> KCT- Adds Salvia divinorum, its derivatives and extracts to Penalty Group 3 of the Texas Controlled Substances Act, unless it is un-harvested and growing in its natural state.</p>
		<p><b>Last Action:</b> 12-22-10 H Filed</p>
<a href="#">HB 471</a>	<a href="#">Anderson, Charles</a>	<p>Relating to election through secret ballot of a labor union as the exclusive bargaining representative.</p>
		<p><b>Remarks:</b> KCT- Requires that an exclusive bargaining representative must be elected by secret ballot.</p>
		<p><b>Last Action:</b> 12-22-10 H Filed</p>
<a href="#">HB 472</a>	<a href="#">Anderson, Charles</a>	<p>Relating to the exemption from ad valorem taxation of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran.</p>
		<p><b>Remarks:</b> MJV - Extends the homestead property tax exemption for a totally disabled veteran to include their surviving spouse.</p>
		<p><b>Last Action:</b> 12-22-10 H Filed</p>
<a href="#">HB 473</a>	<a href="#">Smith, Todd</a>	<p>Relating to the consequences of an arrest for or conviction of certain intoxication offenses.</p>
		<p><b>Companions:</b> <a href="#">SB 537</a> Davis, Wendy (Identical) 2- 7-11 S Filed</p>
		<p><b>Remarks:</b> MJV-Requires a court, if it places a person convicted of first time DWI on community supervision, to require the person to install an ignition interlock device in their car (currently only required for heavy blood alcohol levels or for certain types of DWI or subsequent offenses). Stipulates that someone whose drivers license is suspended for DWI may not get an occupational license</p>

		for 45 days after the suspension if they are a repeat offender.
	<b>Last Action:</b>	12-28-10 H Filed
<a href="#">HB 474</a>	<a href="#">Lewis</a>	Relating to eligibility requirements for certain public benefit programs.
	<b>Remarks:</b>	CEB - Requires a person applying for CHIP, AFDC, SSI or food stamps to complete an I-9 form as well as proof of identity and eligibility to work in the U.S.
	<b>Last Action:</b>	12-28-10 H Filed
<a href="#">HB 478</a>	<a href="#">Orr</a>	Relating to certain court costs associated with the offense of failing to secure a child passenger in a motor vehicle.
	<b>Remarks:</b>	CEB - Repeals a provision in the transportation code that assesses fifteen cents in court costs on convictions in municipal and justice courts for violations of the seat belt law. These funds are dedicated to a TxDOT low-income family child safety seat program.
	<b>Last Action:</b>	1- 3-11 H Filed
<a href="#">HB 480</a>	<a href="#">Fletcher</a>	Relating to the continuing education requirements for certain peace officers.
	<b>Companions:</b>	<a href="#">SB 244</a> Patrick, Dan (Identical) 1-31-11 S Introduced and referred to committee on Senate Criminal Justice
	<b>Remarks:</b>	MJV-Allows the Bill Blackwood Law Enforcement Management Institute to provide continuing education specific to command staff who are second in command to police chiefs.
	<b>Last Action:</b>	1- 3-11 H Filed
<a href="#">HB 490</a>	<a href="#">Dutton</a>	Relating to single certification in incorporated or annexed areas served by investor-owned water or sewer utilities.
	<b>Remarks:</b>	MJV-Allows an investor-owned utility to agree to provide service or agreed to partial service in a municipality or in an area that is annexed. The agreement may provide for single or dual certification of convenience and necessity. Strikes language allowing a retail public utility (that is not a nonprofit water supply or sewer service corporation) to do the same but only if its service area is within a city of 1.7 million or more.
	<b>Last Action:</b>	1- 3-11 H Filed
<a href="#">HB 499</a>	<a href="#">Rodriguez</a>	Relating to the additional penalty for collection costs for certain delinquent ad valorem taxes.
	<b>Remarks:</b>	CEB-Allows a tax appraisal district to assess fines to defray costs to collect delinquent property taxes appealed to the appraisal district.
	<b>Last Action:</b>	1- 3-11 H Filed
<a href="#">HB 506</a>	<a href="#">Callegari</a>	Relating to requiring the use of an ignition interlock device on conviction of certain intoxication offenses.
	<b>Remarks:</b>	CEB-Requires courts to restrict a person who is placed probation or

who has had a license suspended for DWI from driving any vehicle that is not equipped with a breath analysis ignition interlock device.

**Last Action:** 1- 4-11 H Filed

[HB 507](#)

[Button](#)

Relating to notice for certain transactions involving local government entities.

**Remarks:** CEB-Allows a county to announce a bid by publishing one time in a newspaper if the county also posts notice on its county website.

**Last Action:** 1- 4-11 H Filed

[HB 508](#)

[Button](#)

Relating to lobbying by former members of the legislature; creating an offense.

**Companions:** [SB 128](#) Patrick, Dan (Identical)  
1-31-11 S Introduced and referred to committee on Senate State Affairs

**Remarks:** MJV-Requires a two year waiting period for a former legislator to become a lobbyist. Creates a Class A misdemeanor for an offense. Creates an exception if the former legislator lobbies on behalf of: a nonprofit; individual; a group of low-income individuals; or a group of individuals with disabilities; and the former legislator does not receive compensation above reimbursement of actual expenses.

**Last Action:** 1- 4-11 H Filed

[HB 509](#)

[Guillen](#)

Relating to the penalty for the offense of reckless driving.

**Remarks:** CEB-Raises the ceiling of fines for reckless driving from \$200 to \$500.

**Last Action:** 1- 4-11 H Filed

[HB 519](#)

[Turner,](#)  
[Sylvester](#)

Relating to financing programs for low-income electric customers and certain other electric customers.

**Remarks:** MJV-Reworks the system benefit fund (provides assistance with electric utility bills for low income Texans) by reducing the statutory fee and allowing the PUC to adjust the nonbypassable fee used to fund the program.

Stipulates that a municipally owned utility or electric cooperative may not reduce existing programs until it implements customer choice and that retail providers may not reduce programs after September 11, 2013.

Makes a customer who is eligible for reduced rates for telecommunications services also qualify for reduced electric rates.

**Last Action:** 1- 4-11 H Filed

[HB 520](#)

[Driver](#)

Relating to employment records for law enforcement officers, including procedures to correct employment termination reports.

**Companions:** [SB 545](#) Seliger (Identical)  
2- 7-11 S Filed

		<p><b>Remarks:</b> MJV-Makes changes to the procedures for a law enforcement agency to report on terminations of officers. Allows the Commission on law enforcement officer standards and education to penalize an agency head who does not correct a termination report following an administrative hearing. Repeals a requirement that a termination report designate an officer as honorably or dishonorably discharged.</p>
		<p><b>Last Action:</b> 1- 5-11 H Filed</p>
<a href="#">HB 522</a>	<a href="#">Sheffield</a>	<p>Relating to an exemption from the motor vehicle use tax for motor vehicles brought into this state by military service members serving on active duty.</p>
		<p><b>Remarks:</b> CEB-Creates an exemption from the motor vehicle use tax charged on vehicles brought into Texas by new residents of the state if the person is on active military duty and is residing in this state on military orders.</p>
		<p><b>Last Action:</b> 1- 5-11 H Filed</p>
<a href="#">HB 524</a>	<a href="#">Brown, Fred</a>	<p>Relating to a court order to disannex an area from a municipality.</p>
		<p><b>Remarks:</b> CEB-Clarifies that a court may order disannexation of an area from a municipality if the municipality failed to provide municipal services.</p>
		<p><b>Last Action:</b> 1- 5-11 H Filed</p>
<a href="#">HB 526</a>	<a href="#">McClendon</a>	<p>Relating to the exemption from ad valorem taxation of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran.</p>
		<p><b>Remarks:</b> CEB-Creates a property tax exemption for the surviving spouse of a disabled veteran for the same amount the veteran qualified if the survivor has not remarried since the veteran died, if the survivor lived in the home when the veteran died and the property remains the residence of the survivor.</p>
		<p><b>Last Action:</b> 1- 5-11 H Filed</p>
<a href="#">HB 530</a>	<a href="#">Shelton</a>	<p>Relating to the definition of local law enforcement authority for purposes of the sex offender registration program.</p>
		<p><b>Remarks:</b> CEB-Clarifies definition of the office of the sheriff of a county for purposes of the sex offender registration program.</p>
		<p><b>Last Action:</b> 1- 6-11 H Filed</p>
<a href="#">HB 532</a>	<a href="#">Lewis</a>	<p>Relating to certain offenses and criminal procedures involving persons who are not citizens of the United States.</p>
		<p><b>Remarks:</b> CEB-Requires a law enforcement agency that arrests a person for a felony offense, public intoxication or DWI to attempt to verify if the person is not a citizen of the US before they are released on bond and report illegal aliens to ICE. Allows a peace officer to arrest any person, without warrant, the officer has probable cause to believe is not a citizen of the United States. The law enforcement agency with jurisdiction over a warrantless arrest must notify ICE promptly and may detain the person for up to 48 hours before they are</p>

transferred to federal custody. Creates a presumption that person who is not a US citizen is a flight risk for the purpose setting bail. Creates a 2nd degree felony for a person who is not a US citizen to apply to vote, attempt to vote or vote in Texas.

**Last Action:** 1- 6-11 H Filed

[HB 538](#)

[Anderson,](#)  
[Charles](#)

Relating to the application of certain demand charges by transmission and distribution utilities to certain schools and nonprofit athletic or sports associations.

**Remarks:** CEB-Requires a transmission and distribution utility that includes a ratchet provision in a tariff relating to distribution service for a public or private school, a nonprofit athletic association or a fairground owned by a non-profit association to apply the ratchet provision in two tiers so that when a customer's electrical consumption is high or low they will be charged in a manner comparable to other customers in the area.

Last session, HB 230 by Pitts would have exempted schools and nonprofit athletic or sports associations from ratchet demand fees during idle months (Pitts – in Senate B&C).

Currently, certain Texas electricity customers are subject to a "ratchet demand charge," from their electric distribution service. A ratchet demand charge is assessed by levying a constant fee based on the customer's peak electricity demand. This charge is then added to a customer's regular demand charge, which is based on the customer's actual usage.

However, schools and nonprofit athletic and sports associations typically only operate during certain months of the year, and are idle during other times. Because a ratchet demand charge is assessed for the entire year, these entities are being unnecessarily charged.

**CSHB 230 would have exempted public and private schools and nonprofit athletic and sports associations from the assessment of a ratchet demand charge. The bill would also have exempted municipally owned facilities from the assessment of a ratchet demand charge.**

**This bill will be supported by P3; we have two ISDs that would benefit from this change.**

**Last Action:** 1- 6-11 H Filed

[HB 539](#)

[Anderson,](#)  
[Charles](#)

Relating to requiring a voter to present proof of identification.

**Remarks:** CEB-Requires the county voter registrar to include a notice of ID requirements on each voter registration certificate issued or renewed and to post the requirements on the county's website. Requires training for election officers and clerks on handling IDs. Requires a list of acceptable IDs to be posted outside each polling location.

If a voter shows up to vote and their name is not on the precinct list or they do not have a voter's registration card they are allowed to vote if they can produce:

-a photo ID issued by a state or federal agency with the person's name and an expiration date that has not passed, and

-any two of the following documents bearing the person's name: utility bill, mail from a government agency, birth certificate, US citizenship papers, marriage license or divorce decree, court record of adoption, name or sex change, ID card for government benefits, temporary driving permit, pilot's license, library card, or hunting or fishing license.

Requires an election officer to inform a voter who does not have proper ID of their right to cast a provisional ballot. The notice must be in writing, with a space for the election officer to indicate that the person did not have proper ID. Allows a provisional ballot to be cast and counted if the person brings acceptable ID to the early voting ballot board within 6 days.

Prohibits DPS from charging a fee for an ID card obtained solely for voting purposes.

**Last Action:** 1- 6-11 H Filed

[HB 540](#)

[Turner,](#)  
[Sylvester](#)

Relating to the allocation of the value of certain federal allowances for carbon dioxide emissions granted to certain electric or gas utilities.

**Remarks:** CEB-Requires that the PUC adopt rules to pass on the economic value of federal subsidies for carbon dioxide emission allowances provided to an electric or gas utility to consumers.

**Last Action:** 1- 7-11 H Filed

[HB 541](#)

[Dutton](#)

Relating to certain personal information contained in a decree of dissolution of a marriage or an order in a suit affecting the parent-child relationship.

**Companions:** [HB 147](#) Raymond (Identical)  
2-11-11 H Introduced and referred to committee on House Judiciary and Civil Jurisprudence

**Remarks:** CEB-Removes personal information about any party in the final decree for divorce, modification or a suit affecting the parent-child relationship and makes that information confidential. Requires any personal information be listed in a separate document that can only be shared with a party to the suit or their attorney, law enforcement, courts or others approved by a court.

<a href="#">HB 542</a>	<a href="#">Dutton</a>	<p><b>Last Action:</b> 1- 7-11 H Filed</p> <p>Relating to the consequences of successfully completing a period of deferred adjudication community supervision.</p>
<p><b>Remarks:</b> CEB-Establishes that a person who successfully completes deferred adjudicated probation may not be denied housing, employment or a professional license if they are otherwise entitled to qualify for same.</p>		
<a href="#">HB 557</a>	<a href="#">Deshotel</a>	<p><b>Last Action:</b> 1- 7-11 H Filed</p> <p>Relating to the areas in which a freight rail district may be created.</p>
<p><b>Remarks:</b> CEB-Expands a provision in the Transportation Code allowing counties over 250,000 that border state lines and adjacent counties to create a freight rail district.</p>		
<a href="#">HB 562</a>	<a href="#">Berman</a>	<p><b>Last Action:</b> 1- 7-11 H Filed</p> <p>Relating to the development of juvenile justice alternative education programs in counties with a population greater than 125,000.</p>
<p><b>Remarks:</b> CEB-Makes juvenile justice alternative education programs permissive, rather than mandatory for counties over 125,000.</p>		
<a href="#">HB 563</a>	<a href="#">Pickett</a>	<p><b>Last Action:</b> 1-10-11 H Filed</p> <p>Relating to the purposes and designation of a transportation reinvestment zone.</p>
<p><b>Remarks:</b> MJV - Allows cities and counties to form a transportation reinvestment zone for any transportation project without entering into a Pass-Through contract with TxDOT. Prohibits a reduction in state transportation funding because of the use of a TRZ.</p>		
<a href="#">HB 564</a>	<a href="#">Craddick</a>	<p><b>Last Action:</b> 1-10-11 H Filed</p> <p>Relating to inspection of portable fire extinguishers in government-owned vehicles in certain local governmental jurisdictions.</p>
<p><b>Remarks:</b> CEB-Requires a county that has a policy requiring portable fire extinguishers on county owned vehicles have the extinguishers inspected annually.</p>		
<a href="#">HB 567</a>	<a href="#">Guillen</a>	<p><b>Last Action:</b> 1-10-11 H Filed</p> <p>Relating to authorizing justice, municipal, and juvenile courts to obtain evidence that certain minors are in compliance with mandatory school attendance requirements and suspend driver's licenses or permits for failure to comply.</p>
<p><b>Remarks:</b> CEB-Allows a justice of the peace to suspend the driver's license of a truant.</p>		
<a href="#">HB 569</a>	<a href="#">Dutton</a>	<p><b>Last Action:</b> 1-10-11 H Filed</p> <p>Relating to the computation of certain supplemental funding for community supervision and corrections departments.</p>
<p><b>Remarks:</b> CEB-Requires an adult probation department to reduce revocation</p>		

and recidivism rates by at least 3% per year in order to receive supplemental funds from the Community Justice Assistance Division.

-Requires the funds paid from this account to be used for reducing caseloads, providing victim services or creating recidivism reduction strategies.

-Prohibits the state from using awards from the Community Justice Assistance Division to offset the standard state funds paid to a probation department.

**Last Action:** 1-10-11 H Filed

[HB 576](#)

[McClendon](#)

Relating to the exemption from ad valorem taxation of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran.

**Remarks:** CEB-Allows the existing homestead exemption for a disabled veteran to pass to the surviving spouse so long as the spouse has not remarried and is still living in the home. Requires the spouse to reapply for the exemption every year.

**Last Action:** 1-10-11 H Filed

[HB 578](#)

[Guillen](#)

Relating to state financing of public transportation.

**Companions:** [SB 505](#) Williams (Identical)  
2- 2-11 S Filed

**Remarks:** MJV-Makes adjustments to population brackets regarding formula funding for public transportation provided transit authorities to account for bracket creep with the new census. Also defines as eligible for funding an urban transit district with a population below 50,000 that has lost population due to a natural disaster.

**Last Action:** 1-10-11 H Filed

[HB 581](#)

[Hancock](#)

Relating to the constitutional limit on the rate of growth of appropriations.

**Remarks:** KCT - Limits state appropriations in a biennium to the growth of population plus inflation. If growth is negative, the appropriations must be reduced.

**Last Action:** 1-11-11 H Filed

[HB 582](#)

[Button](#)

Relating to eligibility requirements for businesses for the receipt of certain public subsidies.

**Remarks:** KCT - Requires local taxing jurisdictions to require business applying for public subsidies to register with and participate in the E-verify program. Prohibits awarding public subsidies to business that cannot show proof or participation in E-verify.

**Last Action:** 1-11-11 H Filed

[HB 584](#)

[Kleinschmidt](#)

Relating to storage of electronic fingerprint records and access to criminal history record information.

		<b>Remarks:</b> KCT - Requires that DPS keep electronic fingerprint records on people subject to criminal background checks. Allows a person to request copies of their own criminal background checks and allows DPS to assess a fee for providing the copy.
		<b>Last Action:</b> 1-11-11 H Filed
<a href="#">HB 588</a>	<a href="#">Guillen</a>	Relating to the advance payment of surcharges under the Driver Responsibility Program.
		<b>Remarks:</b> KCT - Requires the DPS to offer the option of advanced payment of Driver Responsibility Program surcharges as a single up-front payment.
		<b>Last Action:</b> 1-11-11 H Filed
<a href="#">HB 589</a>	<a href="#">Guillen</a>	Relating to the authority of a county elections administrator to engage in certain political activity.
		<b>Remarks:</b> KCT - Clarifies and enhances the prohibition on an political candidacy, political contributions or support by a county elections administrator in any election in which the administrator is at all involved.
		<b>Last Action:</b> 1-11-11 H Filed
<a href="#">HB 592</a>	<a href="#">Pitts</a>	Relating to the population of a county required to operate a juvenile justice alternative education program.
		<b>Remarks:</b> KCT - Changes the county population bracket for counties required to operate a juvenile justice alternative education program from 125,000 to 180,000.
		<b>Last Action:</b> 1-11-11 H Filed
<a href="#">HB 593</a>	<a href="#">Pitts</a>	Relating to the powers and duties of the state auditor's office.
		<b>Companions:</b> <a href="#">SB 592</a> Williams (Identical) 2-10-11 S Filed
		<b>Remarks:</b> MJV-Allows the state auditor to audit local governmental entities or political subdivisions that received funds under the American Recovery and Reinvestment Act of 2009. Allows the state auditor to audit a comprehensive development agreement by a toll project entity. Requires the toll project entity to reimburse the auditor for the costs of the audit. Makes additional changes to the powers and duties of the state auditor and makes conforming repeals.
		<b>Last Action:</b> 1-11-11 H Filed
<a href="#">HB 595</a>	<a href="#">Raymond</a>	Relating to the punishment prescribed for false identification as a peace officer.
		<b>Remarks:</b> KCT - Increases the penalty for impersonating a peace officer to a 3rd degree felony if the person committed the offense with the intent to commit another felony.
		<b>Last Action:</b> 1-11-11 H Filed
<a href="#">HB 598</a>	<a href="#">Jackson, Jim</a>	Relating to requiring certain applicants for motor vehicle registration

to provide proof that the applicant holds a valid driver's license.

**Remarks:** KCT - Prohibits a county assessor-collector from registering a motor vehicle unless the owner of the vehicle provides a valid driver's license. This does not apply to a vehicle owned by a person 85 or older or to a dealer.

**Last Action:** 1-12-11 H Filed

[HB 601](#)

[Jackson, Jim](#)

Relating to requiring employers to participate in the federal electronic verification of work authorization program or E-verify.

**Remarks:** KCT - Requires the state, municipality, county, etc to register and participate in the E-verify program to verify information on all new employees.

Creates a provision for immediate termination of the employee responsible for verifying information of new employees of the employer if that employee fails to perform their duties regarding e-verification.

**Last Action:** 1-12-11 H Filed

[HB 603](#)

[Farrar](#)

Relating to a prohibition on law enforcement inquiries regarding the nationality or immigration status of a victim of or witness to a criminal offense.

**Companions:** [SB 600](#) Rodriguez (Identical)  
2-11-11 S Filed

**Remarks:** KCT - A peace officer may not inquire as to the nationality or immigration status of a victim of or witness to a criminal offense, except to investigate the offense.

**Last Action:** 1-12-11 H Filed

[HB 609](#)

[Zerwas](#)

Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem taxation.

**Companions:** [HB 798](#) Creighton (Identical)  
1-21-11 H Filed

**Remarks:** MJV-Changes the appraisal cap to 5 percent.

**Last Action:** 1-12-11 H Filed

[HB 610](#)

[Zerwas](#)

Relating to the method of delivery of certain notices sent by the Texas Commission on Environmental Quality.

**Remarks:** KCT - Allows TCEQ to inform the senator and representative of an area of a new application for a coal related utility permit application by email unless notice by mail is requested.

**Last Action:** 1-12-11 H Filed

[HB 611](#)

[Murphy](#)

Relating to the provision of certain professional services by certain governmental entities.

**Remarks:** KCT - Prohibits a governmental entity from providing a commercially available services (engineering, architecture, and construction) for the improvement to real property it does not own

or lease, except for cases of public calamity or emergency. Counties with a population of more than 50,000 must make available to the public the cost and accounting of that service.

**Last Action:** 1-12-11 H Filed

[HB 616](#)

[Quintanilla](#)

Relating to local regulation of the possession and consumption of alcoholic beverages on certain formerly licensed or permitted premises.

**Remarks:** KCT - Allows a commissioners court to enact regulations in the unincorporated area to prohibit possession or consumption of alcoholic beverages at a location that was previously licensed to sell such beverages for on-premise consumption if the license expired or was cancelled for cause. The county may not regulate a location for more than three years and may allow variances to the regulation.

**Last Action:** 1-12-11 H Filed

[HB 617](#)

[Dutton](#)

Relating to discovery procedures for a claim against a governmental entity under the Texas Tort Claims Act.

**Remarks:** KCT - Requires the supreme court to adopt rules allowing plaintiff discovery on the issue of sovereign immunity.

**Last Action:** 1-12-11 H Filed

[HB 619](#)

[Dutton](#)

Relating to the provision of courses in behavioral modification by disciplinary alternative education programs and juvenile justice alternative education programs.

**Remarks:** KCT - Requires JJAEP's to offer a course in behavioral modification taught by a person who has at least a bachelor's degree in behavioral science.

**Last Action:** 1-12-11 H Filed

[HB 621](#)

[Fletcher](#)

Relating to the regulation of law enforcement officers by the Commission on Law Enforcement Officer Standards and Education.

**Companions:** [SB 542](#) Hegar (Identical)  
2- 7-11 S Filed

**Remarks:** KCT - Requires counties to provide continuing education for county jailers. The commission on law enforcement officer standards and education may suspend the license of a county jailer who fails to comply with this requirement. Repeals a restriction that ex officio members of TCLEOSE do not vote on commission matters.

**Last Action:** 1-12-11 H Filed

[HB 622](#)

[Hochberg](#)

Relating to disciplinary action taken against certain public school students on the basis of serious and persistent misbehavior.

**Remarks:** KCT - Establishes serious and persistent misbehavior as grounds for removing a student from a classroom, campus, or disciplinary alternative education program.

**Last Action:** 1-12-11 H Filed

[HB 623](#)

[Bonnen](#)

Relating to the detection and reporting of unauthorized immigration,

*the collection of information concerning unauthorized immigration, the legal treatment of aliens for certain purposes, the enforcement of laws governing immigration.*

**Remarks:** *CEB-Prohibits a county from receiving or retaining state funds if it does not enforce immigration laws.*

*-Requires any governmental entity that issues a license to obtain proof of employment eligibility in the United States before issuing a license.*

*-Requires law enforcement agencies to verify an arrested person's immigration status within 48 hours and before the person is released on bond, and report any persons not legally present in the united states to ICE and DPS.*

*-Requires each state agency to submit an accounting of the provision of services to persons not legally present in the united states. The agencies must do the same for any moneys provided to political subdivisions.*

*-Requires DPS to create and maintain a state database of undocumented persons' criminal background information and post the information on the DPS website.*

*-Establishes English as the official language of Texas and eliminates the requirement for state agencies to provide information in Spanish. Makes conforming repeal.*

*-Requires a driver's license to include a statement of whether the driver is a legal resident of the United States.*

*-Eliminates language allowing in-state tuition for children of persons not legally present in the united states.*

**Last Action:** 1-12-11 H Filed

[HB 624](#)

[Bonnen](#)

*Relating to requiring a voter to present proof of identification.*

**Remarks:** *KCT - Requires a voter registrar to provide notice of the identification requirements for voting on each voter registration card or renewal certificate. A county that maintains a website must provide the information on the website. Requires that each election clerk complete training related to the acceptance and handling of identification. Requires that notice of acceptable forms of identification be prominently displayed at each polling location. Establishes the following as acceptable forms of ID: drivers license (no more than one year expired) US military photo ID, Citizenship certificate, passport, concealed handgun license, or a governmental issued ID card. Requires DPS to issue free ID cards for purposes of voting. Allows a person without ID to cast a provisional vote and provide ID to the voter registrar within 7 days. Makes conforming repeals.*

**Last Action:** 1-12-11 H Filed

[HB 627](#)

[Woolley](#)

*Relating to a fee collected by a district clerk for certain electronic*

certified copies.

**Companions:** [SB 680](#) Gallegos (Identical)  
2-14-11 S Filed

**Remarks:** KCT - Requires the clerk for a district court to collect a fee for an electric certified copy of a record not exceed \$1 per page. Requested by Harris County.

**Last Action:** 1-12-11 H Filed

[HB 628](#)

[Callegari](#)

Relating to contracts by governmental entities and related professional services and to public works performance and payment bonds.

**Remarks:** MJV- Lays out new contracting procedures for state agencies and local governments (repeals an existing subchapter on alternative delivery methods for city and county projects in the Local Government Code). Exempts TxDOT and projects that receive state or federal highway funds and RTAs from the provisions.

-Lays out requirements for using the following methods for contracts for public works: competitive bidding method; competitive sealed proposal method; construction manager-agent method; construction manager-at-risk method; design-build method; and job order contracts Method.

-Prohibits using a reverse auction procedure for services related to a public work contract for which a bond is required.

**Last Action:** 1-12-11 H Filed

[HB 629](#)

[Pickett](#)

Relating to the use of municipal or county sales tax increment financing for a transportation reinvestment zone.

**Remarks:** MJV-Permits a county to use county sales tax (if any) financing for a transportation reinvestment zone.

**Last Action:** 1-12-11 H Filed

[HB 630](#)

[Pickett](#)

Relating to the authority of the Texas Department of Transportation, counties, and regional tollway authorities to enter into funding agreements to expedite environmental review duties related to certain projects.

**Remarks:** KCT - Allows a county to provide funds to a state or federal agency to expedite the environmental review process . The county may specify the projects to be considered priorities for review.

**Last Action:** 1-12-11 H Filed

[HB 631](#)

[Chisum](#)

Relating to processing certain early voting ballots before election day.

**Remarks:** KCT- Allows an early voting ballot board to remove data from voting machines used for early voting prior to election day if the county is using the machines on election day, and if the secretary of state approves of the process.

**Last Action:** 1-12-11 H Filed

<a href="#">HB 634</a>	<a href="#">McClendon</a>	Relating to toll project information provided by the Texas Department of Transportation.
	<b>Remarks:</b>	KCT - Restricts TxDOT to only providing information on the status of pending or ongoing toll projects and availability of toll tags or other toll resources in advertising or marketing efforts. Strikes language allowing TxDOT to promote or market the development and use of toll roads.
	<b>Last Action:</b>	1-12-11 H Filed
<a href="#">HB 636</a>	<a href="#">Zerwas</a>	Relating to creation of the Texas Health Insurance Connector.
	<b>Remarks:</b>	WLJ - Creates a health insurance exchange called the Texas Health Insurance Connector in compliance with the federal Patient Protection and Affordable Care Act.
	<b>Last Action:</b>	1-13-11 H Filed
<a href="#">HB 638</a>	<a href="#">Branch</a>	Relating to the elimination of straight-party voting.
	<b>Companions:</b>	<a href="#">SB 139</a> Wentworth (Identical) 1-31-11 S Introduced and referred to committee on Senate State Affairs
	<b>Remarks:</b>	CEB-Eliminates straight-party voting. Makes conforming repealers
	<b>Last Action:</b>	1-13-11 H Filed
<a href="#">HB 640</a>	<a href="#">Sheets</a>	Relating to an exemption from the motor vehicle sales and use tax for military servicemembers serving on active duty.
	<b>Remarks:</b>	CEB - Creates an exemption from motor vehicle sales and use tax for active duty members of the military who are Texas residents, providing that the vehicle is for private use and the comptroller certifies that the person is eligible for the exemption.
	<b>Last Action:</b>	1-13-11 H Filed
<a href="#">HB 644</a>	<a href="#">Orr</a>	Relating to the period in which a public entity, public work, or state agency must respond to a complaint filed by a person entitled to an employment preference.
	<b>Remarks:</b>	CEB-Extends the time period in which a public entity must respond to a complaint filed by a veteran entitled to an employment preference from 15 business days to 30 business days.
	<b>Last Action:</b>	1-13-11 H Filed
<a href="#">HB 645</a>	<a href="#">Orr</a>	Relating to the information required to be included on a form for an application for an exemption from ad valorem taxation of property owned by a charitable organization.
	<b>Remarks:</b>	CEB-Modifies the application form for property tax exemption claimed by a non-profit agency to allow a federal tax I.D. number in lieu of a driver's license number, personal I.D. certificate number, or social security number.
	<b>Last Action:</b>	1-13-11 H Filed

[HB 652](#)

[Christian](#)

Relating to the appointment of county auditors.

**Remarks:** CEB-Changes the population bracket for counties in which district judges are required to appoint the county auditor from 10,200 or more to 12,000 or more. Makes the same change for optional appointments in small counties.

**Last Action:** 1-13-11 H Filed

[HB 654](#)

[Solomons](#)

Relating to a report regarding the municipality or county of origin of tax revenue collected by the comptroller.

**Remarks:** CEB-Requires the comptroller to issue a report prior to the legislative session the aggregate amount of tax revenue remitted by each city and county for taxes collected by the comptroller.

**Last Action:** 1-13-11 H Filed

[HB 655](#)

[Taylor, Van](#)

Relating to determining eligibility for indigent health care.

**Companions:** [SB 420](#) Deuell (Identical)  
2- 2-11 S Introduced and referred to committee on Senate Health and Human Services

**Remarks:** CEB-Requires the income information of a sponsor of a resident alien to be included in determining eligibility for indigent health care.

**Last Action:** 1-13-11 H Filed

[HB 658](#)

[Villarreal](#)

Relating to the repeal of state sales tax and franchise tax refunds for certain ad valorem tax payers.

**Remarks:** CEB-Repeals a provision that allows a refund of state taxes for economic development.

**Last Action:** 1-13-11 H Filed

[HB 662](#)

[Rodriguez](#)

Relating to authorizing certain counties to adopt buffer zone regulations and comprehensive land development plans.

**Remarks:** KCT - A county with a population of more than one million in which is wholly or partly located in a national wildlife refuge may, by technical advisory committee, adopt a regulation to require a buffer zone between an industry and - a residential area, hospital, elder-care facility, a school, a day-care facility, a church or similar land use.

A county may not regulate land devoted to agricultural use or land used for operating a pipeline.

The buffer zone must be in compliance with the county comprehensive plan. A comprehensive plan must lessen congestion in the streets, secure safety from fire, panic, and other dangers, promote health and the general welfare, provide adequate light and air or facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public requirements. A comprehensive plan must be consistent with the plans of

municipalities located in the county.

A buffer zone is not effective until it is adopted by the commissioners court after a public hearing

The county may provide incentives to develop land in the unincorporated area of the county. The county may grant exceptions to a person aggrieved by the buffer zone. The county may enforce regulation of the buffer zone - An offense is a misdemeanor punishable by a fine of not less than \$500 or more than \$1,000. Each day that a violation occurs is a separate offense.

A county may enter into agreements with any municipality located in the county to help with implementation and enforcement of buffer zone regulations.

If this law imposes a greater or lesser standard than an existing law, the higher standard is the controlling regulation.

**Last Action:** 1-13-11 H Filed

[HB 663](#)

[Kleinschmidt](#)

Relating to procedures for amending restrictions governing certain residential subdivisions.

**Remarks:** CEB- Ties the population bracket of a provision regarding amendments to subdivision restrictions in counties of less than 65,000 to the most recent federal census.

**Last Action:** 1-13-11 H Filed

[HB 664](#)

[Larson](#)

Relating to voting eligibility requirements for members of a metropolitan planning organization policy board.

**Remarks:** CEB-Creates a requirement that a voting member of a metropolitan planning organization policy board be an elected official.

**Last Action:** 1-13-11 H Filed

[HB 666](#)

[Villarreal](#)

Relating to a study regarding sales price disclosure of real property.

**Remarks:** CEB-Requires the comptroller to conduct a study to examine the impact that requiring disclosure of the sales price of real property would have on the property tax system, tax revenues and allocation of tax burdens among taxpayers.

An advisory committee shall be appointed to assist in the study. Members of the committee shall include representatives of school districts, real estate, appraisal districts and organizations representing taxpayers and low/moderate-income households.

**Last Action:** 1-14-11 H Filed

[HB 668](#)

[Brown, Fred](#)

Relating to procedures regarding the removal and storage of vehicles.

**Remarks:** CEB-Changes the time a vehicle storage facility has to consider a vehicle abandoned from 41 days to 10 days. The facility must send a report of abandonment to a law enforcement agency. Makes

		conforming repeal.
	<b>Last Action:</b>	1-14-11 H Filed
<a href="#">HB 674</a>	<a href="#">Christian</a>	Relating to the dissolution of certain bail bond boards.
	<b>Remarks:</b>	CEB-A bail bond board may be dissolved in a county with a population between 64,000 and 65,000 that is located next to a county with a geriatric prison facility and if the dissolution is approved by the board and commissioners court.
	<b>Last Action:</b>	1-14-11 H Filed
<a href="#">HB 676</a>	<a href="#">Lucio III</a>	Relating to the creation of an offense for certain uses of a wireless communication device while operating a motor vehicle.
	<b>Remarks:</b>	KCT - Prohibits communicating on a wireless device while operating a vehicle stopped for a school bus loading or unloading students.
	<b>Last Action:</b>	1-14-11 H Filed
<a href="#">HB 678</a>	<a href="#">Lucio III</a>	Relating to coordination between school districts and other governmental agencies regarding necessary transportation infrastructure improvements associated with real property.
	<b>Remarks:</b>	MJV-Requires a school district, before it may issue bonds or enter into a construction contract to build a new facility, to hold a joint public meeting with representatives of TxDOT and representatives of the cities and counties where the property is located. The meeting must cover the impact of the facility on traffic and transportation infrastructure and each entity that will be responsible for funding any necessary improvements.
	<b>Last Action:</b>	1-14-11 H Filed
<a href="#">HB 679</a>	<a href="#">Button</a>	Relating to change order approval requirements for certain political subdivisions of the state.
	<b>Remarks:</b>	KCT - Allows the Commissioners Court (governing body of a city, civic center authority, sports facility district, a jail district, water board) to grant authority to an official or employee responsible for purchasing or administering a contract to approve a change order of \$50,000 or less.
	<b>Last Action:</b>	1-14-11 H Filed
<a href="#">HB 681</a>	<a href="#">Kleinschmidt</a>	Relating to an employee's transportation and storage of certain firearms or ammunition while on certain property owned or controlled by the employee's employer.
	<b>Companions:</b>	<a href="#">SB 321</a> Hegar (Identical) 2- 2-11 S Introduced and referred to committee on Senate Criminal Justice
	<b>Remarks:</b>	CEB-Allows an employee who has a concealed handgun license to store a gun or ammunition in a locked, privately owned vehicle in a parking area provided by the employer.  Prohibits possession of a gun or ammunition by an employee on any property where it is illegal, in a vehicle owned by an employer

*(unless it is part of the job duty), in schools, or on property owned by someone other than an employer that has a valid oil and mineral lease issued before September 1, 2011 that prohibits the possession of firearms.*

*Allows an employer to prohibit an employee with a concealed handgun license to bring a gun on its premises.*

*Creates immunity from civil liability for an employer if an injury or death occurs from the act of an employee who stores a weapon in their vehicle as provided by this statute.*

**Last Action:** 1-18-11 H Filed

[HB 682](#)

[Brown, Fred](#)

*Relating to leasing advertising space on state agency Internet websites.*

**Remarks:** *CEB-Allows state agencies to sell advertising space on their internet website at a rate determined by the Department of Information Services with an allowance to the state agency for administering the lease contract. Fees collected above the administrative allowance are deposited to the state general revenue fund.*

**Last Action:** 1-18-11 H Filed

[HB 683](#)

[Rodriguez](#)

*Relating to the ad valorem taxation of property owned by certain organizations and used to provide affordable housing.*

**Remarks:** *MJV-Clarifies that the tax exemption provided for organizations that construct or rehabilitate low income housing applies for multifamily or single-family dwellings. Requires a chief appraiser to use the income method of appraisal to determine such a property's value.*

**Last Action:** 1-18-11 H Filed

[HB 684](#)

[Larson](#)

*Relating to housing prisoners in a tent or other facility in lieu of a county jail.*

**Remarks:** *MJV- Allows a county to indefinitely house prisoners in a tent or other facility that is not a county jail. Requires Jail Standards Commission to adopt rules for such housing.*

**Last Action:** 1-18-11 H Filed

[HB 687](#)

[Dutton](#)

*Relating to liability of a governmental unit for personal injury and death caused by the governmental unit's negligence.*

**Remarks:** *MJV-Makes a governmental unit liable for personal injury and death caused by the governmental unit's negligence.*

**Last Action:** 1-18-11 H Filed

[HB 688](#)

[Dutton](#)

*Relating to restrictions on the disclosure of certain criminal history records and to the duty of law enforcement agencies regarding records associated with certain defendants.*

**Remarks:** *MJV - Expands a provision allowing a person on deferred adjudication to request an order of nondisclosure of their record*

*after successfully completing the deffered adjudication process to include community supervision. Creates a Class A misdemeanor for compiling or disseminating criminal history information that is known to be the subject of a nondisclosure orer.*

**Last Action:** 1-18-11 H Filed

[HB 690](#)

[Martinez Fischer](#) *Relating to the punishment for the offense of graffiti.*

**Remarks:** *CEB-Makes the offense of graffiti on a historic structure a state jail felony.*

**Last Action:** 1-18-11 H Filed

[HB 691](#)

[Hartnett](#) *Relating to testimony or the production of documents before a legislative committee.*

**Remarks:** *CEB-Repeals the law that protects a witness from self-incrimination who is required to testify or produce documents before the legislature. Also removes a witness's protection against prosecution.*

**Last Action:** 1-18-11 H Filed

[HB 693](#)

[Christian](#) *Relating to where a justice of the peace court is held.*

**Remarks:** *CEB-Allows a justice of the peace court to be located in any county building located inside or outside the county seat.*

**Last Action:** 1-18-11 H Filed

[HB 696](#)

[Hunter](#) *Relating to the offense of escape from custody by a person lawfully detained.*

**Remarks:** *CEB-Expands the third degree felony of escape to include any person lawfully detained.*

**Last Action:** 1-18-11 H Filed

[HB 697](#)

[Hunter](#) *Relating to the status of certain training programs for peace officers, reserve law enforcement officers, county jailers, and recruits.*

**Remarks:** *CEB-Prohibits the Commission on Law Enforcement Officer Standards and Education from adopting rules that place a training provider on at-risk probationary status based solely on the scores of the provider's students on licensing exams if at least 80% of the students pass,*

**Last Action:** 1-18-11 H Filed

[HB 702](#)

[Howard, Donna](#) *Relating to certain restrictions on contributions and expenditures from political funds by a lobbyist.*

**Remarks:** *MJV-Prohibits a registered lobbyists from making a political contribution or political expenditure ever (SIC). Creates an exception for an advocate of a nonprofit who is not paid but rather reimbursed.*

**Last Action:** 1-18-11 H Filed

<a href="#">HB 703</a>	<a href="#">Gutierrez</a>	Relating to enhanced penalties for assault of a health care services provider.
	<b>Remarks:</b>	CEB-Makes assault of a health care provider a third degree felony if the victim was wearing a badge or clothes that identified them as a provider.
	<b>Last Action:</b>	1-18-11 H Filed
<a href="#">HB 704</a>	<a href="#">Gutierrez</a>	Relating to the rate of a local sales and use tax imposed by certain local governmental entities.
	<b>Remarks:</b>	MJV-Allows a taxing unit that has authority to adopt a variable sales tax rate in 1/4 or 1/8 cent increments to also use an increment of 1/16 of a cent. This change does not change any other statutory requirement for the tax (purpose, maximum, combined rate limit, etc.).
	<b>Last Action:</b>	1-18-11 H Filed
<a href="#">HB 705</a>	<a href="#">Davis, John</a>	Relating to certain prohibited practices concerning the payment of copayments and deductibles under health benefit plans.
	<b>Remarks:</b>	MJV-Prohibits a health care provider from waiving a copay or deductible from an enrollee in a health benefit plan in order to induce or encourage the enrollee to accept their services. Allows a district or county attorney to sue for an injunction or a civil penalty (for repeat or serious offenders).
	<b>Last Action:</b>	1-18-11 H Filed
<a href="#">HB 711</a>	<a href="#">Walle</a>	Relating to a study and report by the Texas Education Agency regarding certain public school disciplinary placements.
	<b>Remarks:</b>	CEB-Creates a provision for the Texas Education Agency to conduct a study during this biennium and make recommendations to the legislature for changes in law that will reduce the number of students assigned by school districts and charter schools to disciplinary placements (in-school suspensions, expulsion, placement in an alternative education program or a JJAEP).
	<b>Last Action:</b>	1-18-11 H Filed
<a href="#">HB 715</a>	<a href="#">Hochberg</a>	Relating to automatic voter registration on issuance or change of a driver's license or identification card by the Department of Public Safety.
	<b>Remarks:</b>	MJV-Repeals or strikes the authority of the Tax Assessor Collector to act as registrar. Replaces most references to the registrars duties with a reference to the Secretary of state. Provides for voter registration will be automatic on issuing or changing a driver's license.
	<b>Last Action:</b>	1-19-11 H Filed
<a href="#">HB 717</a>	<a href="#">Miller, Doug</a>	Relating to the selection of the board of directors of an appraisal district.
	<b>Remarks:</b>	KCT - Requires a appraisal district board have seven directors. Two must be members of the district and elected at the general election. The term of elected directors begin on January 1st of odd

numbered years. Taxing unit appointees and employees are not eligible to run. If a vacancy occurs in an elected position the board is required to appoint a qualified replacement by majority vote. Provides methods for replacing appointed members.

Repeals the taxing units ability to provide that the terms of the appointed members of the board of directors be staggered if the governing bodies of at least 3/4 of the taxing units that are entitled to vote on the appointment of board members, adopt resolutions providing for the staggered terms.

Repeals the authority of the taxing units entitled to vote on the appointment of board members to adopt resolutions disapproving an action other than adoption of the budget.

**Last Action:** 1-19-11 H Filed

[HB 720](#)

[Hartnett](#)

Relating to the designation of a person as a vexatious litigant.

**Remarks:** CEB-Creates a provision for appeal of a person's designation as a vexatious litigant and requires notice of the appeal to be posted on the OCA website.

**Last Action:** 1-19-11 H Filed

[HB 722](#)

[Harless](#)

Relating to the regulation of massage therapists, massage establishments, massage schools, and sexually oriented businesses.

**Remarks:** CEB-Adds language to expand the definition of persons regulated for massage therapy services to include anyone offering massage services, the operator, and the owner of an establishment. Defines sexual contact that is prohibited and allows a peace officer to enter a premise at any time the officer deems necessary to ensure compliance with these rules. Also allows a peace officer to ask for ID to verify that a therapist is a United States Citizen. Creates criminal penalties for repeat offenses.

**Last Action:** 1-19-11 H Filed

[HB 724](#)

[Schwertner](#)

Relating to the abolition of the Alternative Fuels Research and Education Division program administered by the Railroad Commission of Texas.

**Remarks:** DJQ-Abolishes the Alternative Fuels Research and Education Division program administered by the Railroad Commission.

HB724 by Schwertner abolishes the Alternative Fuels Research and Education Division program administered by the Railroad Commission. AFRED was created in 1991 by the Lege and was charged with researching and educating the public about propane (LP-gas, LPG) as an environmentally and economically beneficial alternative fuel. AFRED partners with Texas propane marketers on rebates, trade shows, customized marketing and educational programs. The division also operates the Commission's licensing, examination, certification and training programs for propane company managers and technicians statewide. AFRED also collaborates with federal and state agencies and with its counterparts nationally and in other states. Since 1991 AFRED has

leveraged a total of \$74 million for propane-related research and development, demonstration, marketing and public education projects in Texas. **I will check to see if this was a Sunset Commissions recommendation; if not, the question is... why? Potentially some impact to CUC members if this has been an operational source for alternative fuel vehicles.**

**Last Action:** 1-19-11 H Filed

[HB 728](#)

[Dutton](#)

Relating to the restoration of certain rights to a criminal defendant.

**Remarks:** CEB-Allows a person convicted of any offense under state law to apply for restoration of their civil rights.

**Last Action:** 1-19-11 H Filed

[HB 730](#)

[Guillen](#)

Relating to the suspension or removal of certain deputy sheriffs.

**Remarks:** CEB-Creates a provision that a deputy sheriff covered by the Fire and Police Employee Relations Act be suspended or removed only according to terms of that agreement.

**Last Action:** 1-19-11 H Filed

[HB 732](#)

[Hopson](#)

Relating to increasing the amount of the residence homestead exemption from ad valorem taxation by a school district from \$15,000 to \$30,000, providing for a reduction of the limitation on the total amount of ad valorem taxes.

**Remarks:** MJV-Increases the school district property tax exemption on a homestead from \$15,000 to \$30,000. Entitles school districts to additional state aid to make up for the lost revenue.

**Last Action:** 1-19-11 H Filed

[HB 734](#)

[Patrick, Diane](#)

Relating to the jurisdiction of constitutional county courts over truancy cases and the appointment of magistrates to hear truancy cases in certain counties.

**Companions:** [SB 255](#) Nelson (Identical)  
1-31-11 S Introduced and referred to committee on Senate Jurisprudence

**Remarks:** CEB-Reduces the population bracket on a statute allowing an attendance officer or other school official to file a truancy complaint in the constitutional county court from 2 million or more to 1.4 million or more.

**Last Action:** 1-19-11 H Filed

[HB 735](#)

[Patrick, Diane](#)

Relating to the events eligible to receive funding through a major events trust fund.

**Companions:** [SB 309](#) Harris (Identical)  
2- 2-11 S Introduced and referred to committee on Senate Economic Development

		<b>Remarks:</b> CEB-Expands events eligible to receive funds from a major events trust fund to include the Academy of Country Music Awards and conventions of the Republican or Democratic National Committees.
		<b>Last Action:</b> 1-19-11 H Filed
<a href="#">HB 740</a>	<a href="#">Orr</a>	Relating to liability for ad valorem taxes on property that is the subject of a consignment.
		<b>Remarks:</b> MJV-Makes the seller of a property by consignment the "owner" of the property for tax purposes if the consignment agreement provides for them to pay the taxes on the property.
		<b>Last Action:</b> 1-20-11 H Filed
<a href="#">HB 741</a>	<a href="#">Vo</a>	Relating to criteria for financing certain multifamily housing developments.
		<b>Remarks:</b> KCT- To qualify for financing thought the TX Department of housing and community affairs a multifamily housing development must be located within the boundaries of a small school district and consist only of new construction and will not cause the total number of housing units within such developments within the boundaries of the district to exceed 60 units per square mile.
		<b>Last Action:</b> 1-20-11 H Filed
<a href="#">HB 745</a>	<a href="#">Johnson</a>	Relating to requirements for providing documents and written information to certain owners of property subject to the exercise of eminent domain authority.
		<b>Remarks:</b> MJV-Requires a governmental entity seeking to exercise eminent domain to provide the property owner with all documents in any language requested by the property owner.
		<b>Last Action:</b> 1-20-11 H Filed
<a href="#">HB 746</a>	<a href="#">Johnson</a>	Relating to the assessment of damages to a property owner from condemnation.
		<b>Remarks:</b> MJV-Requires special commissioners, in considering an eminent domain condemnation to consider the cost of the landowner to relocate and reestablish their homestead, farm or business elsewhere in the city or county.
		<b>Last Action:</b> 1-20-11 H Filed
<a href="#">HB 747</a>	<a href="#">Johnson</a>	Relating to the disclosure of certain information by a governmental entity with eminent domain authority in connection with an offer to purchase real property.
		<b>Remarks:</b> MJV-Requires a governmental entity to disclose in a written statement the reasons the acquisition of the property is necessary for public use, and if requested, information regarding the governments selection of that property including other properties considered.
		<b>Last Action:</b> 1-20-11 H Filed
<a href="#">HB 748</a>	<a href="#">Menendez</a>	Relating to a criminal defendant's incompetency to stand trial, to certain related time credits, and to the maximum period allowed for restoration of the defendant to competency.

**Remarks:** MJV-Requires the time that a defendant spends being evaluated for mental competency or waiting to be transferred to a facility for a competency hearing to be include in calculating the maximum time a defendant may be held for an offense.

**Last Action:** 1-20-11 H Filed

[HB 749](#)

[Menendez](#)

Relating to county law enforcement officer civil service systems.

**Remarks:** CEB- Authorizes a county to hold an election to adopt or repeal a law enforcement civil service system for the sheriff's department, constables' office or both.

Among many provisions, the bill:

-Requires commissioners court to establish a Law Enforcement Officers' Civil Service Commission to implement and manage the civil service system.

Includes other provisions regarding: classification of employees, exams for entry positions and promotions, appeals, removal and suspension of employees, demotions, reinstatement, political activities, strike prohibition and personnel files.

-Requires a county provide an employee paid leave of absence for an illness or injury related to the person's line of duty.

-Requires a county to continue to maintain health, dental or life insurance coverage for a person employed by the county who is called to active military duty.

Creates various criminal penalties for violation of commission rules.

**Last Action:** 1-20-11 H Filed

[HB 756](#)

[Paxton](#)

Relating to the maximum rate of growth of appropriations.

**Remarks:** CEB-Overhauls the limitation of state appropriations by changing the basis of growth from undedicated state tax revenues to all funds available from the state treasury, except for funds from the federal government and revenues made to reduce property taxes.

Caps the limit to the lowest of the following rates: estimated growth of the state economy; the sum of population growth plus inflation; growth of the state's gross state product.

Changes methods for the legislative budget board's calculations for determining rate of growth, inflation and the gross state product.

Increases voting requirement to exceed these restrictions from a majority vote to a two-thirds majority vote.

**Last Action:** 1-20-11 H Filed

[HB 759](#)

[Eiland](#)

Relating to the reporting by an owner of a facility used to store

certain hydrocarbons to the chief appraiser of an appraisal district of information related to property stored in the facility.

**Remarks:** MJV-Requires the owner of a storage facility that stores oil, gas, or other hydrocarbons from wells owned by others to file a report with the chief appraiser each January 1 that details the owner of the products and how much of what product is stored on their behalf.

**Last Action:** 1-20-11 H Filed

[HB 760](#)

[Eiland](#)

Relating to an exemption from regulation as health spas for certain governmental hospitals and clinics.

**Companions:** [SB 335](#) Fraser (Identical)  
2- 2-11 S Introduced and referred to committee on Senate Health and Human Services

**Remarks:** CEB-Clarifies that a hospital or clinic that is owned or operated by a county is not subject to regulation as a health spa.

**Last Action:** 1-20-11 H Filed

[HB 763](#)

[Lozano](#)

Relating to the creation of the offense of unlawful transport of an undocumented person.

**Companions:** [SB 146](#) Hinojosa (Identical)  
1-31-11 S Introduced and referred to committee on Senate Criminal Justice

**Remarks:** CEB-Makes it a criminal offense to transport a person who is in the state illegally and is not a citizen of the United States and conceal the person from law enforcement.

**Last Action:** 1-20-11 H Filed

[HB 767](#)

[Lozano](#)

relating to an exemption from ad valorem taxation of the residence homesteads of certain totally disabled veterans.

**Remarks:** KCT- A disabled veteran who is classified as having a service-connected disability and is totally disabled is entitled to an exemption from property tax on his/her residence homestead.

**Last Action:** 1-20-11 H Filed

[HB 768](#)

[Lozano](#)

relating to the provision of drug court programs in this state.

**Remarks:** CEB-Allows the administrative judge in a county of less than 200,000 to appoint an associate judge for drug court programs if regional courts desire the appointment, a host county commissioners court approves the appointment, and state funds are available to pay the appointed judge's salary. A host county must provide office space, utilities and personnel needed to support an associate judge appointed for drug court programs.

**Last Action:** 1-20-11 H Filed

[HB 770](#)

[Lozano](#)

Relating to the punishment prescribed for the offense of bail jumping and failure to appear.

**Remarks:** CEB-Creates a first degree felony for a person charged with murder

or capital murder who jumps bail and fails to appear.

**Last Action:** 1-20-11 H Filed

[HB 771](#)

[Vo](#)

Relating to the exemption of school district property from charges for drainage service imposed by certain municipalities and from related ordinances, resolutions, and rules adopted by those municipalities.

**Remarks:** KCT – Exempts property owned by a school district located wholly or partly in a municipality that has a population of 1.9 million or more from drainage charges.

**Last Action:** 1-20-11 H Filed

[HB 773](#)

[Anchia](#)

Relating to creating an energy efficiency council to coordinate administration of energy efficiency programs.

**Remarks:** DJQ-Creates an energy efficiency council in the comptroller's office to monitor energy efficiency programs, recommend improvements and be a clearing house for information.

HB773 by Anchia would create an energy efficiency council in the comptroller 's office to:

(1) monitor energy efficiency programs

(2) recommend improvements in energy efficiency programs; and

(3) be a central repository for info on energy efficiency programs.

This would be of interest to members interested in energy efficiency programs. The council would compile and maintain a list of energy efficiency programs and would look to other states for ideas and it would make recommendations. Useful source. P3 members would support this kind of assistance; however, question remain re. the fiscal note.

**Last Action:** 1-20-11 H Filed

[HB 774](#)

[Anchia](#)

Relating to renewable energy capacity, jobs, and trading credits.

**Companions:** [SB 330](#) Watson (Identical)  
2- 2-11 S Introduced and referred to committee on Senate Natural Resources

**Remarks:** MJV-Reconfigures the goals for electric utilities to provide more of their energy production from renewable sources by breaking them into tier 1 goals (solar, wind, water, etc.) and tier 2 goals (same as tier 1, but producing more than 150 kilowatts). Allows a utility to pay an alternative payment set by PUC instead of meeting the goals.

**Last Action:** 1-20-11 H Filed

[HB 775](#)

[Anchia](#)

Relating to the adoption of energy efficiency, conservation, and

indoor air quality standards for the design, construction, and renovation of public school instructional facilities.

**Remarks:** DJQ-Requires the State Energy Conservation Office to adopt energy efficiency and conservation standards for the design, construction, and major renovation of instructional facilities to find savings.

HB775 by Anchia requires the State Energy Conservation Office to adopt energy efficiency and conservation standards for the design, construction, and major renovation of instructional facilities to find long-term savings in energy and water costs through innovative building techniques. It provides guidance for determining which buildings are eligible for these standards. The hammer is (d): it requires new instructional facilities or renovations to meet the standards adopted by the energy office.

P3 members schools would be interested in this bill; to the extent that it would guarantee long-term over short-term savings they might support it. However, that is the key question.

**Last Action:** 1-20-11 H Filed

[HB 776](#)

[Anchia](#)

Relating to the rights of distributed renewable generation owners and certain parties who provide distributed renewable generation to retail electric customers.

**Remarks:** DJQ-Allows customers who install renewable energy technology on their side of the meter (or who contract with someone who does this) not to have to register as a self-generator and it establishes a minimum rate for purchasing this surplus electricity.

HB776 by Anchia allows a customer who installs a distributed renewable generation on their side of the meter or contracts with someone who does this (without taking ownership of it) not to have to register as a self-generator. (Some customers want to rent roof space to companies to install solar panels, for example). The bill also would establish a minimum rate at which an electric utility or retail electric provider would purchase this surplus electricity produced by distributed renewable generation and defines this rate as the minimum rate must be equal to or greater than the clearing price for energy at the time of day that the electricity is made available to the grid. The bill would allow any CUC member interested in installing solar panels or renewable technology on the premises not to have to register as a utility.

**Last Action:** 1-20-11 H Filed

[HB 777](#)

[Gonzalez,  
Naomi](#)

Relating to court costs imposed on conviction and deposited to the courthouse security fund.

**Companions:** [SB 606](#) Rodriguez (Identical)  
2-11-11 S Filed

**Remarks:** KCT - Increases the court security fees paid by a defendant. A

felony offense in district court is raised from \$5 to \$10. A misdemeanor offense in a county court, county court at law, or district court is raised from \$3 to \$8. A misdemeanor offense in a justice court is raised from \$4 to \$9.

**Last Action:** 1-20-11 H Filed

[HB 778](#)

[Gonzalez, Naomi](#)

Relating to the execution of lawful process by county jailers.

**Companions:** [SB 604](#) Rodriguez (Identical)  
2-11-11 S Filed

**Remarks:** KCT- A licensed county jailer may serve warrants, capias, subpoena's and like documents, per the direction of a magistrate or court, to inmates confined in the jail at which the jailer is employed.

**Last Action:** 1-20-11 H Filed

[HB 779](#)

[King, Phil](#)

Relating to the state's or a governmental entity's direct or indirect use of state or local tax revenue to finance the performance of an elective abortion or elective abortion-related service.

**Remarks:** KCT - Prohibits the direct or indirect use of local tax revenue to pay for an elective abortion or related service.

**Last Action:** 1-20-11 H Filed

[HB 781](#)

[King, Phil](#)

Relating to an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran.

**Companions:** [HB 95](#) Fletcher (Identical)  
2- 9-11 H Introduced and referred to committee on House Ways and Means  
[HB 313](#) Pickett (Identical)  
11-17-10 H Filed  
[SB 516](#) Patrick, Dan (Identical)  
2- 3-11 S Filed

**Remarks:** KCT- Allows existing homestead exemption to pass from a deceased disabled veteran to the spouse so long as the spouse has not remarried.

**Last Action:** 1-20-11 H Filed

[HB 782](#)

[Davis, Yvonne](#)

Relating to a requirement that certain bond issuers obtain an appraisal of property that is to be purchased with bond proceeds.

**Remarks:** MJV-Requires a city or Type B corporation (created by a city) to obtain an independent appraisal on a property before it may issue bonds to purchase the property.

**Last Action:** 1-21-11 H Filed

[HB 784](#)

[Davis, Yvonne](#)

Relating to the application of the sunset review process to certain exemptions from property taxes and state taxes.

**Remarks:** MJV-Requires the Sunset Commission to do regular reviews and

make recommendations on retaining, eliminating or improving tax exemptions granted for sales taxes and property taxes. Requires the legislature to act to retain a tax exemption or it expires the year in which it is evaluated. The evaluation does not apply to exemptions that are explicitly provided by the state constitution or for an item or service that cannot be taxed under the U.S. Constitution or federal law.

**Last Action:** 1-21-11 H Filed

[HB 791](#)

[Lewis](#)

Relating to prohibiting certain contracts for investment services for state funds.

**Remarks:** KCT- Prohibits the state or entity of state government from entering into a contract for professional investment management service where the provider would receive an incentive payment based on performance of the investment.

**Last Action:** 1-21-11 H Filed

[HB 798](#)

[Creighton](#)

Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem taxation.

**Companions:** [HB 609](#) Zerwas (Identical)  
1-12-11 H Filed

**Remarks:** MJV-Changes the appraisal cap to 5 percent.

**Last Action:** 1-21-11 H Filed

[HB 799](#)

[Christian](#)

Relating to where certain justice of the peace courts may be held.

**Remarks:** CEB-Changes the population bracket in which counties may hold justice of the peace court in any county facility from counties with a population of less than 30,000 to counties with a population of less than 66,000.

**Last Action:** 1-21-11 H Filed

[HB 803](#)

[Bonnen](#)

Relating to the penalty for failure to make a timely installment payment of ad valorem taxes on property in a disaster area.

**Companions:** [SB 432](#) Jackson, Mike (Identical)  
2- 2-11 S Introduced and referred to committee on Senate Finance

**Remarks:** MJV-Reduces the delinquent penalty interest rate for failing to make a timely installment on property taxes in a disaster area from 12% to 6%.

**Last Action:** 1-21-11 H Filed

[HB 804](#)

[Lewis](#)

Relating to the offense of illegal voting by a person who is not a United States citizen.

**Remarks:** KCT - Creates a new offense. Voting by a non-citizen is a second degree felony.

**Last Action:** 1-21-11 H Filed

[HB 806](#) [Howard, Donna](#) *Relating to the appointment of a campaign treasurer and filing of reports of political contributions and expenditures by certain candidates.*

**Remarks:** *KCT - A candidate for elected office is not required to appoint a campaign treasurer, or submit reports if he does not intend to accept in contributions or spend connection with the election more than \$500 total. **A candidate for elected office who files a written declaration of intent not to exceed \$500 in campaign contributions or political expenditures is not required to appoint a campaign treasurer or file reports, unless he exceeds the \$500 limit.***

**Last Action:** 1-21-11 H Filed

[HB 809](#) [Darby](#) *Relating to the use of certain fees collected for pretrial intervention programs offered in a county.*

**Remarks:** *CEB-Allows a district attorney discretion (currently only in accordance with a budget approved by commissioners court) to apply the balance of fees collected for pretrial diversion programs, after reimbursing county expenses, to defray salaries and expenses of the prosecutors office. Funds may not be used to supplement the attorney's own salary.*

**Last Action:** 1-21-11 H Filed

[HB 812](#) [King, Phil](#) *Relating to the definition of peace officer for purposes of intercepting or collecting information in relation to certain communications in an investigation of criminal conduct.*

**Remarks:** *CEB-Allows a fire marshal or other investigator approved in the fire safety code to intercept or collect information in a criminal investigation.*

**Last Action:** 1-21-11 H Filed

[HB 815](#) [Paxton](#) *Relating to the state highway fund.*

**Remarks:** *MJV- Strikes language allowing state highway funds to be used to pay for DPS expenses. Repeals a provision allowing state highway funds that are not required to be spent for public roadways to be used for TxDOT functions. Dedicates the sales tax on sale, storage and use of motor vehicle tires and parts to the state highway fund. Dedicates the taxes on undyed diesel fuel that is used off-highway to the state highway fund.*

**Last Action:** 1-24-11 H Filed

[HB 819](#) [Farrar](#) *Relating to abolishing the death penalty.*

**Companions:** [HB 852](#) [Dutton](#) (Identical)  
1-25-11 H Filed

**Remarks:** *MJV - Eliminates the death penalty.*

**Last Action:** 1-24-11 H Filed

[HB 820](#) [Farrar](#) *Relating to monitoring air contaminants under the Texas Clean Air Act.*

**Remarks:** MJV-Allows TCEQ to require major source emitters to install monitors for air contaminant emissions. Allows them to require the owner to monitor air contaminants as requested by a city or county air pollution control agency.

**Last Action:** 1-24-11 H Filed

[HB 822](#)

[Farrar](#)

Relating to reducing mercury emissions from electric generating facilities.

**Remarks:** Relates to generating facilities- and might be opposed by the generators and Retail Electric Providers because they will say that these kind of regs might add to the cost of production... but it would not affect P3 members currently under contract and we probably won't take a position on this. The biggest effect it will have will be on the emissions standards applying to counties, so this falls more into your environmental and emissions bag of legislation rather than electric market.

**Last Action:** 1-24-11 H Filed

[HB 830](#)

[Dutton](#)

Relating to the consideration of the cumulative effects of air contaminant emissions in the emissions permitting process.

**Remarks:** MJV-Requires the TCEQ, in considering a permit application for a new facility that will produce emissions, to consider the cumulative effects on the public's health from the facility and any others in a three mile area.

**Last Action:** 1-24-11 H Filed

[HB 831](#)

[Craddick](#)

Relating to the authority of certain local governmental entities to borrow money for a public hospital.

**Companions:** [SB 494](#) Fraser (Identical)  
2-14-11 S Introduced and referred to committee on Senate Intergovernmental Relations

**Remarks:** MJV-Allows a local government entity that owns or operates a public hospital to obtain funds for the hospital by securing a 1 year loan based on tax revenue or a 5 year loan based on hospital revenue.

**Last Action:** 1-24-11 H Filed

[HB 833](#)

[Lozano](#)

Relating to an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran or the principal residence of the surviving minor children of such a disabled veteran.

**Companions:** [SB 357](#) Van de Putte (Identical)  
2- 2-11 S Introduced and referred to committee on Senate Finance

**Remarks:** MJV-Allows the homestead exemption of a disabled veteran to pass to a surviving unremarried spouse. If the disabled veteran is unmarried, the owner of the property is entitled to the exemption if a minor child lived in the home and continues to remain in the residence while under age 18 and unmarried.

<a href="#">HB 837</a>	<a href="#">Taylor, Van</a>	<p><b>Last Action:</b> 1-24-11 H Filed</p>
		<p>Relating to the authority of peace officers to request thumbprints during motor vehicle stops.</p>
		<p><b>Remarks:</b> MJV-Allows a peace officer to request and obtain a digital thumbprint of a person operating a motor vehicle without ID. If the officer issues a citation for an offense and ink thumbprint may be made. Allows the law enforcement agency to retain the fingerprint; but it must be destroyed if the charge is dismissed, the person is acquitted, or convicted of an offense punishable by fine only.</p>
<a href="#">HB 840</a>	<a href="#">Gonzalez, Naomi</a>	<p><b>Last Action:</b> 1-25-11 H Filed</p>
		<p>Relating to the power and authority of the El Paso County Hospital District, and related entities, to employ physicians and dentists.</p>
		<p><b>Remarks:</b> MJV-Allows the board of the El Paso County Hospital District to employ physicians and dentists directly or through a nonprofit corporation. Neither entity is permitted supervise or control the practice of medicine or dentistry under such an arrangement.</p>
<a href="#">HB 843</a>	<a href="#">Geren</a>	<p><b>Last Action:</b> 1-25-11 H Filed</p>
		<p>Relating to the use of electronic means for the delivery of ad valorem tax bills to certain property owners and agents.</p>
		<p><b>Remarks:</b> MJV-Allows a tax assessor to send a tax bill to an owner or agent via electronic means if requested. Specifies that failure to receive the requested electronic copy does not affect the validity of the tax, penalties, interest, etc.</p>
<a href="#">HB 846</a>	<a href="#">Aycok</a>	<p><b>Last Action:</b> 1-25-11 H Filed</p>
		<p>Relating to the civil liability of a political party on primary election day.</p>
		<p><b>Remarks:</b> KCT - A political party is immune from civil liability in death, damage, or injury occurring during a primary election, precinct convention or runoff primary election at a polling place unless there is intent to do harm. A political party holding a primary election is liable for death, damage, or injury arising from the operation or use of any motor-driven equipment, to the extent it is covered by insurance.</p>
<a href="#">HB 847</a>	<a href="#">Aycok</a>	<p><b>Last Action:</b> 1-25-11 H Filed</p>
		<p>Relating to the date for a political party's precinct conventions.</p>
		<p><b>Remarks:</b> KCT - Allows the county executive committee to choose the date of a precinct convention, to be held in the regular county precinct, on a date not later than 5 days after the general primary election. Requires the county chair to notice of the date to the county clerk.</p>
<a href="#">HB 849</a>	<a href="#">Miller, Sid</a>	<p><b>Last Action:</b> 1-25-11 H Filed</p>
		<p>Relating to notice of an application for a permit to dispose of oil and gas waste in a commercial disposal well.</p>
		<p><b>Remarks:</b> MJV-Requires rules adopted by the Railroad Commission regarding</p>

a permit application to dispose of oil and gas waste in a well to include notice to each adjoining landowner, the commissioners court an any groundwater conservation district where the well is proposed to be located. Also requires a public notice in newspaper.

**Last Action:** 1-25-11 H Filed

[HB 852](#)

[Dutton](#)

Relating to abolishing the death penalty.

**Companions:** [HB 819](#) Farrar (Identical)  
1-24-11 H Filed

**Remarks:** MJV - Eliminates the death penalty.

**Last Action:** 1-25-11 H Filed

[HB 853](#)

[Dutton](#)

Relating to the penalty for certain offenders for possession of a small amount of certain controlled substances.

**Remarks:** MJV-Reduces the penalty for possession of a controlled substance (less than one gram) from a state jail felony to a class A misdemeanor with a minimum 180 days in jail. The offense remains a state jail felony if the person has a previous conviction.

-Makes the same change for possession of fewer than 20 "abuse units" of a controlled substance.

-A judge who grants community supervision in these cases must require successful completion of a substance abuse awareness program.

**Last Action:** 1-25-11 H Filed

[HB 856](#)

[Dutton](#)

Relating to the powers and duties of the Texas Commission on Environmental Quality and other entities regarding water and sewer utilities.

**Remarks:** MJV-Requires a water and sewer utility to provide notice of a proposed rate change 120 days before it would take effect. Requires the regulatory authority to hold a hearing on the proposal if it receives a complaint from any affected city or 10% of the ratepayers (it may also hold a hearing on its own motion). If a hearing is set the rate is suspended until a final decision is made. Makes conforming repeals.

**Last Action:** 1-25-11 H Filed

[HB 857](#)

[Hughes](#)

Relating to exempting certain judicial officers from certain requirements for obtaining or renewing a concealed handgun license and to the authority of certain judicial officers to carry certain weapons.

**Companions:** [SB 285](#) Harris (Identical)  
1-31-11 S Introduced and referred to committee on Senate Jurisprudence

**Remarks:** MJV-Expands a provision allowing the possession of concealed weapons by judges to include a person appointed as a family court associate judge.

<p><a href="#">HB 858</a></p>	<p><a href="#">Gonzalez, Naomi</a></p>	<p><b>Last Action:</b> 1-25-11 H Filed</p> <p>Relating to the authority of the El Paso County Hospital District to employ and commission peace officers.</p>
<p><b>Companions:</b> <a href="#">SB 601</a> Rodriguez (Identical) 2-11-11 S Filed</p>		
<p><b>Remarks:</b> MJV-Allows the El Paso County Hospital District to employ and commission peace officers for the district.</p>		
<p><a href="#">HB 864</a></p>	<p><a href="#">Fletcher</a></p>	<p><b>Last Action:</b> 1-25-11 H Filed</p> <p>Relating to the punishment for the offense of evading arrest or detention.</p>
<p><b>Remarks:</b> MJV-Increases the penalty for evading arrest from a state jail felony to a third degree felony if the person uses a vehicle or uses a tire deflation device against authorities. Use of a tire deflation device is a second degree felony if another person is injured.</p>		
<p><a href="#">HB 867</a></p>	<p><a href="#">Darby</a></p>	<p><b>Last Action:</b> 1-25-11 H Filed</p> <p>Relating to the eligibility of a person convicted of certain sex offenses for jury-recommended community supervision.</p>
<p><b>Remarks:</b> MJV-Allows a jury to recommend community supervision for a person who commits a nonviolent sexual offense with a person who is at least 14 but younger than 17 and the defendant is five or more years older than the victim.</p>		
<p><a href="#">HB 868</a></p>	<p><a href="#">Huberty</a></p>	<p><b>Last Action:</b> 1-25-11 H Filed</p> <p>Relating to the calculation of the rollback tax rate of a taxing unit other than a school district.</p>
<p><b>Remarks:</b> MJV-Revenue cap bill (rollback rate calculation factor set at the lower of 1 plus the inflation rate or 0.05). The Comptroller annually selects the index used to determine the inflation rate.</p>		
<p><a href="#">HB 871</a></p>	<p><a href="#">Davis, Yvonne</a></p>	<p><b>Last Action:</b> 1-25-11 H Filed</p> <p>Relating to indigent health care services provided by a county.</p>
<p><b>Remarks:</b> WLJ: Expands the list of mandatory services a county must provide under the county indigent health care program to include, physical and occupational therapy services.</p>		
<p><a href="#">HB 872</a></p>	<p><a href="#">Davis, Yvonne</a></p>	<p><b>Last Action:</b> 1-25-11 H Filed</p> <p>Relating to the right of a person exempt from registration as a property tax consultant who files a protest with the appraisal review board on behalf of a property owner to receive notices from the board regarding the property subject</p> <p><b>Remarks:</b> MJV-Requires notices from an appraisal review board to be sent to a representative (of an owner) who is exempt from registration as a property tax consultant until the authority is revoked by the property owner.</p>

	<b>Last Action:</b> 1-25-11 H Filed
<a href="#">HB 873</a>	<a href="#">Davis, Yvonne</a> Relating to the deadline for filing a suit to compel an appraisal review board to change an appraisal roll.
	<b>Remarks:</b> MJV-Increases the time limit (from 45 to 60 days) for a chief appraiser to file suit to compel an appraisal review board to change an appraisal roll.
	<b>Last Action:</b> 1-25-11 H Filed
<a href="#">HB 878</a>	<a href="#">Howard, Charlie</a> Relating to the participation of governmental entities and other employers in a federal work authorization verification program.
	<b>Remarks:</b> MJV-Requires the state and all governmental entities to participate in a status verification system to verify federal employment authorization status of all new employees. Prohibits a governmental entity from contracting for services unless the contractor also participates in a verification system.
	<b>Last Action:</b> 1-25-11 H Filed
<a href="#">HB 879</a>	<a href="#">Howard, Charlie</a> Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem tax purposes.
	<b>Remarks:</b> MJV-Lowers the appraisal cap from 10% to 5%.
	<b>Last Action:</b> 1-25-11 H Filed
<a href="#">HB 884</a>	<a href="#">Howard, Donna</a> Relating to a limited waiver of sovereign immunity for state and local governmental entities in certain employment lawsuits filed by nurses.
	<b>Remarks:</b> MJV-Provides a waiver of sovereign immunity for state and local government entities in a whistleblower lawsuit filed by a nurse who practices at a facility owned or operated by the governmental entity.
	<b>Last Action:</b> 1-25-11 H Filed
<a href="#">HB 889</a>	<a href="#">Lewis</a> Relating to the appraisal for ad valorem tax purposes of a real property interest in oil or gas in place.
	<b>Remarks:</b> MJV-Requires, if an appraisal of a real property interest in oil or gas in place takes into account future income from the sale of those products, that the calculation use the value of the average price of oil or gas for the previous two calendar years (currently one year multiplied by a market condition factor).
	<b>Last Action:</b> 1-26-11 H Filed
<a href="#">HB 892</a>	<a href="#">Howard, Charlie</a> Relating to the creation of the offense of unlawful transport of an illegal alien.
	<b>Remarks:</b> MJV-Creates an offense for transporting a person who is not a legal citizen of the U.S. in a manner to conceal their presence from authorities. An offense is a state jail felony. It is a third degree felony if it was done for money or done in such a way that the transported person could be injured.
	<b>Last Action:</b> 1-26-11 H Filed

[HB 896](#) [Howard, Charlie](#) *Relating to auxiliary members of an appraisal review board.*

**Remarks:** *MJV-Allows the Harris County Appraisal district Appraisal Review Board to provide for a number of auxiliary ARB members as appropriate to hear protests.*

**Last Action:** 1-26-11 H Filed

[HB 902](#) [Thompson](#) *Relating to consideration of a bidder's principal place of business in awarding certain municipal contracts.*

**Remarks:** *MJV-Allows a city with a population of 2 million or more to provide a local vendor preference if the local bidder is within 5% of lowest bid and the expenditure is less than \$100,000.*

**Last Action:** 1-26-11 H Filed

[HB 903](#) [Thompson](#) *Relating to the payment of certain costs and expenses of a juvenile case manager.*

**Remarks:** *MJV-Expands the allowable expenses of a juvenile case manager that may be funded by the juvenile case manager fund to include: training, travel, office supplies, and other operating and maintenance costs.*

**Last Action:** 1-26-11 H Filed

[HB 918](#) [Allen](#) *Relating to permit application requirements for solid waste facilities.*

**Remarks:** *MJV-Requires an applicant for a solid waste facility permit to include a certification that the applicant has provided notice to area residents and community groups of the proposed site and requested and received comments on the application.*

**Last Action:** 1-26-11 H Filed

[HB 921](#) [Lewis](#) *Relating to the reimbursement of certain medical, dental, or health-related services as a condition of community supervision and to the revocation of community supervision for failure to make certain payments.*

**Remarks:** *MJV-Allows a judge to include as a condition of community supervision a requirement that the person reimburse the county for medical, dental or health-related services provided while confined in the county jail.*

**Last Action:** 1-26-11 H Filed

[HB 923](#) [Frunlo](#) *Relating to the board of hospital managers of the Lubbock County Hospital District.*

**Companions:** [SB 398](#) Duncan (Identical)  
2- 2-11 S Introduced and referred to committee on Senate Intergovernmental Relations

**Remarks:** *MJV-Increases the size of the board of hospital managers of the Lubbock County Hospital District from an allowed range of 5 to 7 members to 6 to 8 members.*

<a href="#">HB 926</a>	<b>Last Action:</b> <a href="#">Harper-Brown</a>	1-26-11 H Filed Relating to the use of information from the internal verification system of the Department of Public Safety for voter registration purposes.
	<b>Remarks:</b>	MJV-Allows DPS to disclose driver's license information to the Secretary of State's office if a particular address is repeatedly used. A voter registrar who is notified by the SOS of multiple cards issued for one address shall conduct an investigation and challenge the voter's registration where warranted.
<a href="#">HB 928</a>	<b>Last Action:</b> <a href="#">Harper-Brown</a>	1-26-11 H Filed Relating to requiring the use of an ignition interlock device on conviction of certain intoxication offenses.
	<b>Remarks:</b>	MJV-Requires a court to order, as a condition of community service for DWI and DWI-type offenses (boats, planes, etc.), that the defendant install an interlock device in their car at their expense.
<a href="#">HB 929</a>	<b>Last Action:</b> <a href="#">Darby</a>	1-26-11 H Filed Relating to the execution docket and other records of certain court clerks.
<a href="#">HB 930</a>	<b>Last Action:</b> <a href="#">Darby</a>	1-26-11 H Filed Relating to the requirements for an application for a tax warrant authorizing the seizure of personal property for the payment of ad valorem taxes.
	<b>Remarks:</b>	MJV-Allows a tax assessor collector to apply for a warrant to seize personal property from a person who is delinquent in their taxes if the collector has reason to believe the property will be removed from the county or sold at a liquidation sale.
<a href="#">HB 933</a>	<b>Last Action:</b> <a href="#">Smith, Todd</a>	1-26-11 H Filed Relating to the imposition and use of certain court costs for breath alcohol testing programs.
	<b>Companions:</b>	<a href="#">SB 383</a> Harris (Identical) 2- 2-11 S Introduced and referred to committee on Senate Criminal Justice
	<b>Remarks:</b>	CEB-Increases from \$22.50 to \$45.00, the fee for court costs a county may collect from defendants convicted of alcohol related offense in District Court, Statutory County Court or County Court to defray cost of maintaining an alcohol testing program.
<a href="#">HB 934</a>	<b>Last Action:</b> <a href="#">Smith, Todd</a>	1-26-11 H Filed Relating to an administrative fee for defendants required by a court to perform community service in lieu of serving a term of confinement in county jail.
	<b>Companions:</b>	<a href="#">SB 382</a> Harris (Identical) 2- 2-11 S Introduced and referred to committee on Senate Criminal Justice
	<b>Remarks:</b>	MJV-Allows a court that requires a defendant to perform

community service, including service as an alternative to jail time, to impose an administrative fee of up to \$50.

**Last Action:** 1-26-11 H Filed

[HB 939](#)

[Gonzales,](#)  
[Veronica](#)

Relating to the amount of the fee paid by a defendant for certain services performed by a peace officer.

**Remarks:** MJV-Increases the amount that may be charged of a defendant convicted of an offense from \$50 to \$75 for the services of a peace officer in executing or processing an issued arrest warrant, capias or capias pro fine. Increases a \$5 fee for issuing a notice for violation provided the peace officer was not required to locate the defendant to issue the notice to \$75 if the peace officer did have to locate the defendant.

**Last Action:** 1-26-11 H Filed

[HB 942](#)

[Dukes](#)

Relating to an exemption for school districts from security for court costs and appeal bond.

**Last Action:** 1-26-11 H Filed

[HB 961](#)

[Turner,](#)  
[Sylvester](#)

Relating to the sealing of and restricting access to juvenile records of adjudications of delinquent conduct or conduct indicating a need for supervision.

**Last Action:** 1-27-11 H Filed

[HB 964](#)

[Hartnett](#)

Relating to the effect of indexing notices of lis pendens.

**Last Action:** 1-27-11 H Filed

[HB 968](#)

[Strama](#)

Relating to expulsion from school or placement in a disciplinary alternative education program for certain conduct.

**Last Action:** 1-27-11 H Filed

[HB 974](#)

[Dutton](#)

Relating to the compensation of an election judge or clerk.

**Remarks:** MJV-Requires an election judge or cloerk to be paid at least 1.5 times the federal minimum wage. Increases the minimum hourly rate for primary election to \$11. Requires payment to be made within 72 hours of submitting a compensation statement.

**Last Action:** 1-27-11 H Filed

[HB 975](#)

[Dutton](#)

Relating to eligibility to serve on the appraisal review board of an appraisal district.

**Last Action:** 1-27-11 H Filed

[HB 976](#)

[Carter](#)

Relating to the issuance of a warrant or summons by a magistrate.

**Remarks:** MJV-Allows a person to appear before a magistrate by an electronic broadcast system. A recording must be preserved until the end of a pretrial hearing or for 91 days for a misdemeanor or 120 days for a felony.

<a href="#">HB 981</a>	<a href="#">Guillen</a>	<b>Last Action:</b> 1-27-11 H Filed Relating to the creation of local mobility credit programs.
<a href="#">HB 982</a>	<a href="#">Carter</a>	<b>Last Action:</b> 1-27-11 H Filed Relating to creating an offense for failure to install and maintain an ignition interlock device for persons convicted of certain intoxication offenses. <b>Remarks:</b> CEB- Creates a Class A misdemeanor for a person convicted of a second DWI offense within 5 years who fails to comply with a court order to install an ignition interlock device on their vehicle.
<a href="#">HB 983</a>	<a href="#">Menendez</a>	<b>Last Action:</b> 1-28-11 H Filed Relating to health insurance coverage for eligible survivors of certain public servants killed in the line of duty. <b>Companions:</b> <a href="#">SB 423</a> Lucio (Identical) 2- 2-11 S Introduced and referred to committee on Senate State Affairs <b>Remarks:</b> MJV-Expands a provision allowing the surviving spouse of an individual who is killed in the line of duty to continue to purchase insurance coverage from the public entity that employed them to allow "continued" coverage even if the individual was covered under another policy.
<a href="#">HB 990</a>	<a href="#">Rodriguez</a>	<b>Last Action:</b> 1-28-11 H Filed Relating to certain homestead preservation reinvestment zones. <b>Remarks:</b> CEB-Changes the amount a county must pay into the tax increment fund for a homestead preservation reinvestment zone from the amount "equal to" what the city pays to the "same percentage" of what the city pays. Allows commissioners court to appoint representatives to the board of directors of a homestead preservation reinvestment zone.
<a href="#">HB 994</a>	<a href="#">Castro</a>	<b>Last Action:</b> 1-28-11 H Filed Relating to proceedings that may be referred to and the powers of a criminal law magistrate in Bexar County. <b>Remarks:</b> CEB-Allows a criminal law magistrate in Bexar County to hear cases in which a plea of guilty or no contest is entered by a defendant charged with: a felony; a misdemeanor when charged with both a misdemeanor and a felony; or a Class C misdemeanor.
<a href="#">HB 995</a>	<a href="#">Gutierrez</a>	<b>Last Action:</b> 1-28-11 H Filed Relating to provision by the secretary of state of notice to a candidate of the form of the candidate's name that will appear on the general election ballot. <b>Remarks:</b> CEB-Requires the secretary of state to provide a form for which the candidate's name will be certified for placement on the ballot and

provide the candidate information on how errors in the form of the candidate's name may be corrected.

**Last Action:** 1-28-11 H Filed

[HB 1004](#)

[Hopson](#)

Relating to the hotel occupancy tax rate in certain municipalities.

**Companions:** [SB 349](#) Eltife (Identical)

2- 2-11 S Introduced and referred to committee on Senate Finance

**Remarks:** CEB-Caps the hotel occupancy tax rate at nine percent in a city larger than 95,000 located within a county larger than 200,000 that borders Lake Palestine.

**Last Action:** 1-31-11 H Filed

[HB 1005](#)

[Hopson](#)

Relating to the procedures for registering to vote and accepting a voter at a polling place.

**Remarks:** KCT - Requires the secretary of state to establish methods to obtain a photograph of each registered voter for use on their voter registration certificate. Requires a voter to show their registration certificate containing their photo, and identification card issued by the state, or an affidavit stating they reside in the precinct and intend to vote only once. Allows a voter who is accepted for provisional voting because they do not meet identification requirements to present proof of identification by the 6th business day after the election.

Repeals the list of acceptable proof of identification for voting. Makes other conforming repeals.

**Last Action:** 1-31-11 H Filed

[HB 1008](#)

[Lewis](#)

Relating to the State of Texas entering into the Interstate Medicaid Reform Compact.

**Remarks:** KCT - Allows the state to enter into a interstate medicaid reform compact.

- Article I - Requires the responsibility of each participating state to formulate plans for replacing the federal Medicaid program with a new direct grant to states program
- Article II - Each state will set enrollment and benefit levels
- Article III - The compact will become operative upon its entrance by any 2 states, then operative to any state when that state joins
- Article IV - A participating state may withdraw by repealing the enactment of this compact. The compact will dissolve if all but one state leaves the compact

**Last Action:** 1-31-11 H Filed

[HB 1009](#)

[Callegari](#)

Relating to procedures for obtaining informed consent before certain postmortem examinations or autopsies.

**Remarks:** KCT - Repeals current provision for consent to autopsy, which does not require informed consent. Prohibits a physician from performing an autopsy unless he obtains written informed consent from an authorized person on a autopsy consent form. Authorized persons in order of priority. - spouse - guardian - adult child - parent - adult siblings.

The commissioner of state health services in coordination with the Texas medical board will create the standard written consent form.

02.07.11 - Email: Dr.Frost Chief ME for Bexar County- This will not affect MEs or JPs. Bottom line:

1) this does not affect ME's

2) it does nothing that will significantly change current practice that I can see, but it does make things needlessly more complicated

**Last Action:** 1-31-11 H Filed

[HB 1014](#)

[Legler](#)

Relating to appointment of a municipal judge to serve as a visiting justice of the peace in certain proceedings involving misdemeanor traffic offenses.

**Remarks:** CEB-Allows a Justice of the Peace, with approval from the County Judge, to appoint a municipal court judge from a city within the county to act as a visiting justice. The salary of the visiting justice is to be paid from the budget of the justice of the peace for whom the visiting judge is sitting.

**Last Action:** 1-31-11 H Filed

[HB 1015](#)

[Harper-Brown](#)

Relating to the consolidation of the regional poison control centers into the Texas Poison Control Center.

**Companions:** [SB 435](#) Nelson (Identical)  
2- 2-11 S Introduced and referred to committee on Senate Health and Human Services

**Remarks:** CEB-Consolidates poison control centers from regional entities into the Texas Poison Control Center by abolishing regional centers at: UTMB; Dallas County Hospital District/North Texas; UT Health Science Center at San Antonio; University Medical Center of El Paso; El Paso County Hospital District; Texas Tech University Health Sciences Center at Amarillo; and Scott and White Memorial Hospital in Temple. Removes an option for the Commission on State Emergency Communications to designate a satellite poison control center in Harris County.

Allows a coordinating committee to designate one or more medical facilities in the state to be affiliated with the center.

**Last Action:** 1-31-11 H Filed

[HB 1020](#)

[Miller, Sid](#)

Relating to minimum liability insurance coverage amounts for persons convicted of offenses related to the operation of a motor vehicle while intoxicated.

		<p><b>Remarks:</b> CEB-Requires a person convicted of DWI to maintain additional auto liability insurance over the minimum coverage required. The amount of additional coverage required increases by \$25,000 for each conviction.</p>
		<p><b>Last Action:</b> 1-31-11 H Filed</p>
<a href="#">HB 1029</a>	<a href="#">Carter</a>	<p>Relating to the conditions of release on bond for certain defendants charged with the offense of burglary.</p>
		<p><b>Remarks:</b> CEB-Requires that a person convicted more than two times for burglary wear an electronic monitoring device as a condition of release on bond.</p> <p>Supervision will be provided by an agency designated by the magistrate.</p> <p>Requires the defendant to pay for the cost of monitoring as a condition of bond, unless the defendant is indigent or is otherwise unable to pay all or part of the costs.</p>
		<p><b>Last Action:</b> 1-31-11 H Filed</p>
<a href="#">HB 1030</a>	<a href="#">Miller, Doug</a>	<p>Relating to the powers and duties of certain emergency services districts.</p>
		<p><b>Companions:</b> <a href="#">SB 359</a> Wentworth (Identical) 2- 2-11 S Introduced and referred to committee on Senate Intergovernmental Relations</p>
		<p><b>Remarks:</b> MJV-Requires 5% of the TERP funds to be used for the clean fleet program and allows 2% to be used for the alternative fuel facilities program. The alternative fuel facilities program provides grant funding for facilities in nonattainment counties that provide fuel other than gasoline or diesel (biodiesel, electric, CNG, natural gas, hydrogen, propane, etc.).</p>
		<p><b>Last Action:</b> 1-31-11 H Filed</p>
<a href="#">HB 1033</a>	<a href="#">Craddick</a>	<p>Relating to the authority of certain counties to impose a county hotel occupancy tax.</p>
		<p><b>Remarks:</b> CEB-Allows the collection of a hotel occupancy tax, if approved by commissioners court, in counties that have a population of less than 8,000 that borders the Pecos River and borders another county with a population of more than 120,000.</p>
		<p><b>Last Action:</b> 1-31-11 H Filed</p>
<a href="#">HB 1035</a>	<a href="#">Legler</a>	<p>Relating to the proof of identity required of an applicant for a driver's license.</p>
		<p><b>Remarks:</b> KCT - Requires that the DPS deny the issue of a driver license unless acceptable proof of identify is verified. An offender identification card or similar form of identification issued to an inmate by the Texas Department of Criminal Justice is stricken as acceptable id. Defines acceptable proof of identity as: If a US Citizen:</p>

- a birth certificate issued by:
  - an agency of the United States;
  - a state or territory of the United States, or the District of Columbia;
- a Certificate of United States Citizenship;
- a Consular Report of Birth Abroad of a Citizen of the United States;
- an unexpired United States passport;
- a Certificate of United States Naturalization;
- an unexpired United States Military Identification Card; or
- a United States Citizen Identification Card.

Or If not a US citizen

- a Permanent Resident Card;
- an unexpired passport issued by another country with "Processed for I-551" stamp;
- a Permanent Resident Re-entry Permit;
- an Arrival-Departure Form I-94 that bears the holder's photograph with "Temporary I-551" stamp;
- a Travel Document issued to Permanent Residents;
- a Travel Document issued to Refugees; or
- a Form I-94 with "Asylee," "Parolee or Parole," "Refugee," "Asylum," "HP-Humanitarian Parolee," or "PIP-Public Interest Parolee"

**Last Action:** 1-31-11 H Filed

[HB 1036](#)

[Legler](#)

Relating to eligibility to file a sworn complaint with the Texas Ethics Commission.

**Remarks:** KCT - To file a sworn complaint with the Texas ethics commission you must own real property in the state.

**Last Action:** 1-31-11 H Filed

[HB 1037](#)

[Otto](#)

Relating to the creation of an alternative fuel program to be funded by the Texas emissions reduction plan fund.

**Companions:** [SB 385](#) Williams (Identical)

2- 2-11 S Introduced and referred to committee on Senate Natural Resources

**Remarks:** MJV-Requires 5% of the TERP funds to be used for the clean fleet program and allows 2% to be used for the alternative fuel facilities program. The alternative fuel facilities program provides grant funding for facilities in nonattainment counties that provide fuel other than gasoline or diesel (biodiesel, electric, CNG, natural gas, hydrogen, propane, etc.).

**Last Action:** 1-31-11 H Filed

[HB 1038](#)

[Reynolds](#)

Relating to prohibited deceptive or disenfranchising practices regarding an election.

	<p><b>Companions:</b> <a href="#">SB 212</a> Ellis (Identical) 1-31-11 S Introduced and referred to committee on Senate State Affairs</p>
	<p><b>Remarks:</b> MJV-Creates a state jail felony for unlawfully restricting a voter's right to vote. Prohibits deceiving or misleading a voter with the intent to prevent them from voting. Requires the AG to investigate complaints and the Secretary of State to provide a report to the legislature on violations.</p>
	<p><b>Last Action:</b> 1-31-11 H Filed</p>
<a href="#">HB 1041</a>	<p><a href="#">Workman</a> Relating to the waiver of sovereign immunity for certain claims arising under written contracts with state agencies.</p>
	<p><b>Companions:</b> <a href="#">SB 562</a> Wentworth (Identical) 2- 8-11 S Filed</p>
	<p><b>Remarks:</b> KCT - As filed does not apply to counties. Waives sovereign immunity in certain cases relating to breach of contract for state agencies.</p>
	<p><b>Last Action:</b> 1-31-11 H Filed</p>
<a href="#">HB 1044</a>	<p><a href="#">Solomons</a> Relating to categories of information presumed to be public under the public information law.</p>
	<p><b>Companions:</b> <a href="#">SB 375</a> Wentworth (Identical) 1-19-11 S Filed</p>
	<p><b>Remarks:</b> CEB-Clarifies that information made confidential under the public information act is exempt from disclosure.</p>
	<p><b>Last Action:</b> 2- 1-11 H Filed</p>
<a href="#">HB 1045</a>	<p><a href="#">Fletcher</a> Relating to proficiency certificates issued by the Commission on Law Enforcement Officer Standards and Education.</p>
	<p><b>Remarks:</b> KCT - Requires the Commission on Law Enforcement Standards to reissue proficiency certificates if the original certificates contains incorrect information. A proficiency certificate must include the date the license holder became eligible for the certificate.</p>
	<p><b>Last Action:</b> 2- 1-11 H Filed</p>
<a href="#">HB 1046</a>	<p><a href="#">Fletcher</a> Relating to the confidentiality of certain personal information.</p>
	<p><b>Remarks:</b> MJV-Adds current and former employees of the attorney general who had law enforcement duties to the list of officials whose personal information is exempt from the open records act.</p> <p>-Specifies that personnel information of a deputy sheriff in a county of 300,000 or more may not be made public except in response to a public information request.</p>
	<p><b>Last Action:</b> 2- 1-11 H Filed</p>
<a href="#">HB 1056</a>	<p><a href="#">Villarreal</a> Relating to the ad valorem taxation of property used to provide low-income or moderate-income housing and clarifying legislative intent.</p>

**Remarks:** MJV-Expands the Community Housing Development Organizations tax exemption for providing low income housing to include other organizations that do not meet the current standard.

**Last Action:** 2- 1-11 H Filed

[HB 1058](#)

[Fruzzo](#)

Relating to the authority of a municipality or county to contract with another entity to collect certain assessments levied by the municipality or county.

**Companions:** [SB 422](#) Duncan (Identical)  
2- 2-11 S Introduced and referred to committee on Senate Intergovernmental Relations

**Remarks:** CEB-Allows a county or city to contract with another taxing unit or appraisal district to collect assessments levied by a public improvement district.

**Last Action:** 2- 1-11 H Filed

[HB 1062](#)

[Murphy](#)

Relating to the exercise of the power of eminent domain by certain local governmental entities.

**Remarks:** MJV-Changes the statutes allowing a school district, city, or county to exercise the right of eminent domain for a public purpose to allow it to be taken only for public use.

**Last Action:** 2- 1-11 H Filed

[HB 1064](#)

[Pitts](#)

Relating to exempting certain customers from certain demand charges by transmission and distribution utilities.

**Remarks:** KCT - Requires the PUC to create rules that require a transmission and distribution utility to:

- Waive the application of demand ratchet provision for nonresidential secondary customers that are equal to or lower than a load factor set by the PUC.
- Implement procedures to annually verify the load factors for nonresidential secondary customers.
- Specify how customers are billed:
  - kilowatts
  - kilowatt hours
  - kilovolt amperes
- Modify the utility's tariff in the next base rate case to implement the waiver.

DQ: would exempt certain customers from TDSP charges. However, it applies only to Chapter 35 of the Utilities Code which regulates only a municipally owned utility and an electric cooperative. It would not affect AP or P3 members. No position.

**Last Action:** 2- 1-11 H Filed

[HB 1066](#)

[Workman](#)

Relating to requiring the use of display timers with certain traffic-control signals.

**Remarks:** KCT - Requires a local authority to install a easily readable illuminated timer which counts down the seconds until a traffic light

changes at each intersection where a photographic traffic signal enforcement system is used.

**Last Action:** 2- 2-11 H Filed

[HB 1070](#)

[Scott](#)

Relating to the taking of a defendant's bail bond by county jailers.

**Remarks:** MJV- Allows a licensed jailer to take a bail bond and discharge any related powers and duties related to taking bond.

**Last Action:** 2- 2-11 H Filed

[HB 1071](#)

[Davis, Sarah](#)

Relating to the extension of deed restrictions in certain residential real estate subdivisions.

**Remarks:** KCT- Allows the extension of deed restrictions by majority vote of a subdivision located wholly or partly in a municipality with a population of more than 2 million, located in a county with a population of 3.3 million or more. An extension of restrictions is binding on all lots and all unplatted land in the subdivision. **This bills population bracket indicated that it is for Houston. I do not expect this to impact counties.**

**Last Action:** 2- 2-11 H Filed

[HB 1072](#)

[Solomons](#)

Relating to the State Bar of Texas membership dues for an attorney employed by this state's government.

**Remarks:** MJV-Exempts a full-time attorney who is employed by a board, commission, department, agency, officer or other entity of state government from payment of the state bar membership fee. Requires a pro rata membership fee to be charged if the attorney does not work an entire year. Current law exempts attorneys that work for the state, county or city.

**Last Action:** 2- 2-11 H Filed

[HB 1073](#)

[Madden](#)

Relating to discharging or releasing inmates of the Texas Department of Criminal Justice from regional release facilities.

**Remarks:** MJV-Strikes a provision allowing TDCJ to release an inmate at a regional release facility that is not the closest to the facility in which the sentence was served if that sort of release is not in the best interests of the public or the inmate.

**Last Action:** 2- 2-11 H Filed

[HB 1074](#)

[Vo](#)

Relating to the hours during which the polls are open for early voting by personal appearance.

**Remarks:** KCT - Requires in a county of 500,000 or more, voting in a primary or general election for state or county officers or a special election be conducted at the mail early voting location until at least 7pm on each weekday of the first week of early voting and from 7am to 7pm on each weekday of the remainder early voting.

**Last Action:** 2- 2-11 H Filed

[HB 1075](#)

[Anderson, Rodney](#)

Relating to the consolidation of certain alert systems into a single statewide alert system and to the addition of other factors that will

*prompt an alert under the consolidated system.*

**Remarks:** *CEB-Expands issuance of AMBER alerts to include missing persons who are: -A child younger than 14 regardless of whether the child left willingly;*

*-A child taken without permission of the parent by another person who is more than 3 years older than the child and who is not a relative; and*

*-A person incapacitated by an intellectual and developmental disability.*

*Among other procedural provisions, requires a local law enforcement agency that locates a person who is subject of an alert to notify DPS as soon as possible.*

*Makes conforming repeals.*

**Last Action:** 2- 2-11 H Filed

[HB 1078](#)

[King, Phil](#)

*Relating to the appointment of a guardian ad litem and attorney ad litem for a minor in an application for a court order authorizing the minor to consent to an abortion.*

**Remarks:** *CEB-Prohibits a judge who hears an application for a court order authorizing a minor to consent to an abortion from appointing the same person to serve as both the minor's attorney and the minor's guardian ad litem.*

**Last Action:** 2- 2-11 H Filed

[HB 1079](#)

[King, Phil](#)

*Relating to a limitation on increases in the appraised value for ad valorem tax purposes of commercial or industrial real property.*

**Companions:** [SB 474](#) Patrick, Dan (Identical)  
2-14-11 S Introduced and referred to committee on Senate Finance

**Remarks:** *KCT - Appraisal cap of 10% of the previous year's value plus any new improvements on industrial and commercial real property.*

**Last Action:** 2- 2-11 H Filed

[HB 1081](#)

[Gallego](#)

*Relating to reports and complaints filed with the Texas Ethics Commission.*

**Remarks:** *KCT - Requires the Texas ethics commission to provide web base e-filing for campaign and lobby reports. Requires 24- hour real time support for filing reports. Requires the creation of a complaint system.*

**Last Action:** 2- 2-11 H Filed

[HB 1083](#)

[Elkins](#)

*Relating to the issuance of an identification card to certain honorably retired peace officers.*

**Remarks:** *MJV-Requires a law enforcement agency to issue an ID to an honorably retired peace officer (who has a concealed carry permit) upon request (currently at the discretion of the agency).*

<a href="#">HB 1084</a>	<p><b>Last Action:</b> 2- 2-11 H Filed</p> <p><a href="#">Lewis</a> Relating to creation of the offense of registering to vote by persons who are not citizens of the United States.</p>
	<p><b>Remarks:</b> KCT - Creates a state jail felony for registering/ attempting to register to vote by an undocumented person.</p>
	<p><b>Last Action:</b> 2- 2-11 H Filed</p>
<a href="#">HB 1088</a>	<p><a href="#">Howard, Charlie</a> Relating to appraisal review board members.</p>
	<p><b>Companions:</b> <a href="#">SB 589</a> Uresti (Identical) 2-10-11 S Filed</p>
	<p><b>Remarks:</b> KCT - Strikes the Harris County and Ft. Bend County bracket to allow the local administrative district judge, of the county in which the appraisal district is established, to appoint the appraisal review board</p> <ul style="list-style-type: none"> <li>• Requires that members of an appraisal review board be both residents of the district, having lived there for 2 years and a US citizen.</li> <li>• Members of an appraisal review board are appointed by the local administrative district judge of the county in which the appraisal district is established.</li> <li>• Consolidated appraisal review boards are appointed jointly by the local administrative district judges in the counties in which the appraisal districts are parties to an interlocal contract.</li> <li>• Strikes language allowing for a majority vote of the board to remove board member.</li> </ul>
	<p><b>Last Action:</b> 2- 2-11 H Filed</p>
<a href="#">HB 1089</a>	<p><a href="#">Martinez Fischer</a> Relating to the authority of a county or municipality to require the removal of graffiti by a property owner.</p>
	<p><b>Remarks:</b> MJV-Changes a requirement that a city or county order or ordinance regarding graffiti removal to allow it to include a provision that a property owner cannot be made to remove graffiti unless they have turned down an offer for the city or county to remove the graffiti for free (currently the provision is required).</p>
	<p><b>Last Action:</b> 2- 2-11 H Filed</p>
<a href="#">HB 1090</a>	<p><a href="#">Gonzalez, Naomi</a> Relating to the calculation of interest on certain ad valorem tax refunds.</p>
	<p><b>Companions:</b> <a href="#">SB 641</a> Seliger (Identical) 2-14-11 S Filed</p>
	<p><b>Remarks:</b> MJV-Strikes the requirement that a property tax refund (due to a</p>

*district court appeal) be assessed an interest rate of 8%.*

**Last Action:** 2- 2-11 H Filed

[HB 1091](#)

[Davis, John](#)

*Relating to the authority of certain hospital districts to contract for the performance of administrative functions and services.*

**Remarks:** *KCT - A hospital district may contract with a federally qualified health center or look-alike, that is devoted to providing services to socially and economically disadvantaged individuals, to perform administrative functions and services.*

**Last Action:** 2- 2-11 H Filed

[HB 1094](#)

[Farias](#)

*Relating to the availability on the Internet of reports of political expenditures and contributions filed in connection with certain county and municipal offices.*

**Remarks:** *KCT - Requires a county clerk to make a political expenditure report filed in connection with a county office or the office of county commissioner available to the public on the county's website by the 2nd business day after the report is filed. **Also applies to a clerk of a city of 500,000 or more for reports filed in connection with the officer of the mayor or member of the governing body. Repeals a provision requiring the internet posting requirement for these same reports to counties of 800,000 or more and cities of 500,000 or more - Effective January 1, 2012.***

**Last Action:** 2- 2-11 H Filed

[HB 1100](#)

[Farias](#)

*Relating to the correction of voter registration records following a change of address submitted to the United States Postal Service.*

**Remarks:** *KCT - Requires a voter registrar to make corrections in the registration records after receipt of any U.S. Postal service information indication an address change.*

*Requires the registrar to request any information relating to changes of address submitted by persons in the county from the U.S. Postal Service that may be provided under federal law.*

*Requires the secretary of state to prescribe procedures to provide for the registrar to transfer the registration of a voter from one county to another.*

**Last Action:** 2- 2-11 H Filed

[HB 1103](#)

[Lucio III](#)

*Relating to payment of a fee as a required condition of community supervision for certain criminal offenses involving animal cruelty.*

**Remarks:** *CEB-Requires the court to order a person who is placed on probation for cruelty of an animal to pay \$100 to the animal shelter nearest where the offense occurred. Requires that the shelter be a recipient of government funds and serve the county in which the court is located.*

**Last Action:** 2- 2-11 H Filed

[HB 1104](#)

[Paxton](#)

*Relating to the phasing out of ad valorem taxes on the residence*

homesteads of elderly persons by 2021.

**Remarks:** MJV-Entitles a person who is 65 or older to a 20% exemption from their appraised value each year starting in 2017 and ending with an 80% exemption in 2020. Allows a surviving spouse who has not remarried and who is 55 or older to keep the exemption in the same amount. Strikes current language providing a tax exemption and eligibility for a tax freeze for over 65 homesteads.

-Entitles a school district to additional state aid to make up for the tax revenue lost to the exemption.

-Repeals a provision for a person over 65 to perform a service for a taxing unit instead of paying taxes. Makes conforming repeals.

**Last Action:** 2- 3-11 H Filed

[HB 1105](#)

[Harper-Brown](#)

Relating to the adoption and implementation of a policy by the Texas Transportation Commission providing for the accommodation of pedestrians, bicyclists, persons with disabilities, children, senior citizens, users of public

**Companions:** [SB 513](#) Ellis (Identical)  
2- 3-11 S Filed

**Remarks:** MJV-Requires the Transportation Commission to develop a complete streets policy that provides guidelines for safety, accessibility and mobility of all transportation users (includes bicycles, pedestrians, disabled persons, etc.). Requires the state and local road building or maintaining entities to ensure that all projects comply with the policy if federal or state funds are used. Provides some limited exceptions if the costs would be excessively disproportionate to the present or future need or probable use of the street or highway or if lack of population indicates an absence of future need. Requires an exception to be approved by the governing body of the local authority and publicly documented.

**Last Action:** 2- 3-11 H Filed

[HB 1106](#)

[Johnson](#)

Relating to providing certain information to criminal defendants before a plea is entered and at the time of the dismissal of certain proceedings against the defendant.

**Remarks:** CEB-Requires the court to inform a defendant of their right to petition the court for an order of nondisclosure on criminal history before accepting a plea of guilty or no contest to an offense that qualifies for deferred adjudicated probation.

The court must also advise whether the plea will make the defendant ineligible for nondisclosure because of the nature of the offense or the defendant's criminal history.

Clarifies that failure of the court to comply with this provision is not grounds for reversal unless the defendant can prove they were harmed by the omission.

**Last Action:** 2- 3-11 H Filed

[HB 1107](#)

[Zerwas](#)

Relating to the creation, administration, powers, and duties of a

county assistance district.

**Companions:** [SB 520](#) Hegar (Identical)  
2- 3-11 S Filed

**Remarks:** MJV-Allows more than one county assistance district to be created in a county. Removes the prohibition that a district election may not be held within a year if it failed to pass. Allows areas to be included in the district upon petition by the majority of landowners in the area. Allows the commissioners court to appoint a governing board for the district. Makes a conforming repeal.

**Last Action:** 2- 3-11 H Filed

[HB 1112](#)

[Phillips](#)

Relating to the authority and powers of regional mobility authorities.

**Companions:** [SB 581](#) Nichols (Identical)  
2- 9-11 S Filed

**Remarks:** MJV –Allows a Regional Mobility Authority to fund a parking area and improvements to a transportation reinvestment zone.

-Allows an RMA to borrow money from or enter into a loan agreement or other arrangement with the TxDOT, the Texas Transportation Commission or any other public or private entity.

-Gives an RMA the same powers and duties regarding toll collection and enforcement powers for its turnpike projects or other toll projects operated under an agreement as the powers and duties of TxDOT, a county with toll authority or a regional tollway authority.

-Authorizes a governmental entity to agree with an authority to a transportation reinvestment zone and to collect and remit to an authority, taxes, fees or assessments collected for purposes of developing transportation projects.

**Last Action:** 2- 3-11 H Filed

[HB 1113](#)

[Raymond](#)

Relating to the sentencing hearing or deferred adjudication hearing and conditions of community supervision for defendants convicted of certain offenses involving controlled substances.

**Remarks:** CEB-Allows a judge who hears criminal cases to conduct the sentencing hearing of a defendant convicted of possession, manufacture or delivery of a controlled substance to be held at a high school.

Allows a judge to order as a condition of defendant's probation, community outreach/education about the dangers of drugs in lieu of community service.

**Last Action:** 2- 3-11 H Filed

[HB 1118](#)

[Ritter](#)

Relating to the resale of property purchased by a taxing unit at a tax sale.

**Remarks:** KCT - Allows a taxing unit to sell property it bought, which was party to a judgment, for an amount equal to or greater than its

market value, if:

- the sum of the amount of the judgment plus post-judgment taxes, penalties, and interest owing against the property exceeds the market value; and
- each taxing unit entitled to receive proceeds of the sale consents to the sale for that amount.

Discharges and extinguishes all liens with the exception of the prorated tax for the current year.

The presiding officer of a taxing unit selling real property under must execute a deed to the property conveying to the purchaser.

The conveyance is subject to any remaining obligation to pay the prorated taxes for the current year. The deed must that tax liens are discharged and extinguished by virtue of the conveyance.

A taxing unit that does not consent to a sale under is liable to the taxing unit that purchased the property for a pro-rata share of the costs incurred by the purchasing unit in maintaining the property.

- The non-consenting unit's share of the costs is calculated from the date the unit fails to consent to the sale and is equal to the percentage of the proceeds from a sale of the property to which the non-consenting unit would be entitled multiplied by the costs incurred by the purchasing unit to maintain the property.

**Last Action:** 2- 3-11 H Filed

[HB 1124](#)

[Burnam](#)

Relating to safety requirements applicable to gas pipelines in certain counties.

**Remarks:** KCT - Prohibits a gathering gas pipeline from being constructed within 50 feet of an established permanent structure that is used by human beings on a regular basis, unless the owner of the structure consents in writing to the construction of the pipeline or the pipeline:

- **operates at a pressure that does not exceeds 50% of the specified yield strength;**
- **is equipped with automatic shutoff valves; and**
- **is buried at least 12" deeper than required by state and federal regulation.**

**Requires that the pipeline be monitored with supervisory control and data acquisition system unless:**

- **it is demonstrated to be infeasible or economically impractical; and**

- **a leak survey is conducted at least quarterly.**

**The pipeline must be constructed of approved materials and be protected from corrosion per federal regulation. The Railroad Commission may offer and exemption from this requirement. An integrity assessment must be performed every 3 years.**

**Last Action:** 2- 3-11 H Filed

[HB 1125](#)

[Burnam](#)

Relating to a study regarding the odorization of natural gas transported in gathering and transmission lines located in populated areas.

**Remarks:** KCT - Directs the RR Commission to conduct a study on the odorization of natural gas in gathering and transmission lines located in populated areas.

**Last Action:** 2- 3-11 H Filed

[HB 1126](#)

[Burnam](#)

Relating to the control of emissions from crude oil and condensate storage tanks in certain areas of this state.

**Remarks:** KCT - Requires an owner/operator of a crude oil and condensate storage tanks in Tarrant County to ensure that flash gasses are routed to vapor recovery system if;

- Storage tanks or tank battery's in operation before 9.1.12 that have the potential to emit an aggregate of 10, or more tons of VOCs in any 12 month period if emissions were not controlled;
- Storage tanks or tank battery's in operation on or after 9.1.12 that have the potential to emit an aggregate of 5, or more tons of VOCs in any 12 month period if emissions were not controlled.

A vapor recovery system must be operated and maintained to ensure that 95% minimum control of efficiency between the internal and external atmospheres of the tank or tanks.

**Last Action:** 2- 3-11 H Filed

[HB 1128](#)

[Menendez](#)

Relating to consent to certain medical treatments by a surrogate decision-maker on behalf of certain inmates.

**Remarks:** CEB-Allows a surrogate decision-maker to consent to medical treatment for an adult inmate of a county or municipal jail who is comatose, incapacitated or unable to communicate.

A surrogate decision-maker may not consent to an inmate of a county or municipal jail to receive psychotropic medication, involuntary inpatient mental health services or psychiatric services to restore competency.

**Last Action:** 2- 3-11 H Filed

[HB 1131](#)

[Larson](#)

Relating to the permissible uses of the state highway fund.

	<b>Companions:</b>	<a href="#">SB 135</a> Wentworth (Identical) 1-31-11 S Introduced and referred to committee on Senate Finance
	<b>Remarks:</b>	MJV-Stikes language allowing highway funds to be used for DPS funding. Makes a conforming repeal.
	<b>Last Action:</b>	2- 3-11 H Filed
<a href="#">HB 1132</a>	<a href="#">Larson</a>	Relating to the time permitted for the abatement of a public nuisance.
	<b>Remarks:</b>	MJV-Reduces the time a person has to abate a nuisance from 30 days to 15 days.
	<b>Last Action:</b>	2- 3-11 H Filed
<a href="#">HB 1135</a>	<a href="#">Aycock</a>	Relating to an application to run for political office.
	<b>Remarks:</b>	KCT - Prohibits a candidate from amending an application after it has been filed. Prohibits a candidate from amending a petition in lieu of a filing fee submitted with an application.
	<b>Last Action:</b>	2- 7-11 H Filed
<a href="#">HB 1136</a>	<a href="#">Aycock</a>	Relating to requiring an election authority to provide notice to certain county chairs regarding certain election activities.
	<b>Remarks:</b>	KCT - Requires the county clerk or other election authority to deliver written notice of the time and place of any meeting called by an election authority for the purpose of discussing an upcoming primary, runoff or general election, at least 72 hours prior to the meeting. The notice may be sent via US mail, electronic mail, or other method of written communication.
	<b>Last Action:</b>	2- 7-11 H Filed
<a href="#">HB 1145</a>	<a href="#">Geren</a>	Relating to air monitors in Texas Commission on Environmental Quality Regions 3 and 4 to be funded through the Texas emissions reduction plan.
	<b>Companions:</b>	<a href="#">SB 527</a> Fraser (Identical) 2- 7-11 S Filed
	<b>Remarks:</b>	MJV-Dedicates five percent of TERP funds for the clean fleet program. Requires \$3m to \$7m of the new technology research and development program fund (9% of TERP) to be dedicated to a regional nonprofit entity in North Texas to conduct regional air monitoring in the Amarillo Region and DFW in 2012 and 2013 to fund. Requires \$1m-\$3m to be dedicated to that purpose in subsequent years.
	<b>Last Action:</b>	2- 7-11 H Filed
<a href="#">HB 1147</a>	<a href="#">Smith, Wayne</a>	Relating to notice by a governmental entity regarding certain geospatial data products.
	<b>Remarks:</b>	KCT - Requires a county to identify any geospatial data product(notice, service or map)that represents property boundaries as 'informational only' if the product was developed without a

suvey conducted by a registered land surveyor.

Creates an exemption if the geospatial data product does not: - contain a legal description or property boundaries; or -is prepared only for evidence in a legal proceeding.

**Last Action:** 2- 7-11 H Filed

[HB 1153](#)

[Paxton](#)

Relating to public access to financial and tax rate information of political subdivisions.

**Remarks:** MJV-Requires the comptroller to create an internet portal to local government finances that allows a Texan to enter their address and obtain links to all relevant financial information for the taxing units that apply to them. Allows the comptroller to develop procedures for taxing units to electronically file information necessary to update the portal. Provides that this statute does not require posting by a political subdivision of financial reports, statements or other information.

**Last Action:** 2- 7-11 H Filed

[HB 1164](#)

[Keffer](#)

Relating to enforcement actions by the Texas Board of Professional Engineers against political subdivisions and certain public officials.

**Remarks:** KCT - Prohibits the Texas Board of professional engineers for taking enforcement action against or imposing administrative penalties on a political subdivision or a public office or employee of the state.

**Last Action:** 2- 7-11 H Filed

[HB 1165](#)

[Keffer](#)

Relating to the exemption of certain electric cooperatives from certain regulations.

**Companions:** [SB 312](#) Seliger (Identical)  
2- 2-11 S Introduced and referred to committee on Senate Natural Resources

**Remarks:** KCT -Creates an exemption (from regulation as a gas utility) for electric cooperatives that operate gas storage facilities no larger than five billion cubic feet and that support the integration of renewable resources.

- No impact on P3 members.

**Last Action:** 2- 7-11 H Filed

[HB 1169](#)

[Morrison](#)

Relating to the issuance of certain permits for the movement of oversize or overweight vehicles.

**Companions:** [SB 524](#) Hegar (Identical)  
2- 7-11 S Filed

**Remarks:** MJV-Victoria County Navigation District statute. Allows permits to be issued by the district for oversize or overweight vehicles on specific highways and roads in the county (currently restricted to highways). Increases the \$80 fee per trip to \$100. Increases the

allowable weight from 125,000 pounds to 140,000 pounds.

**Last Action:** 2- 8-11 H Filed

[HB 1173](#)

[Riddle](#)

Relating to the release on bond of certain persons arrested for a misdemeanor without a warrant in certain counties.

**Companions:** [SB 685](#) Huffman (Identical)  
2-14-11 S Filed

**Remarks:** CEB-Extends the deadline for releasing a person arrested for a misdemeanor without a warrant to be released on bond from the 24th hour to the 36th hour after their arrest if no probable cause exists in a county with a population of three million or more.

**Last Action:** 2- 8-11 H Filed

[HB 1174](#)

[Workman](#)

Relating to the expiration of a county burn ban.

**Remarks:** MJV-Allows commissioners court to designate the county judge or fire marshall as the person who can end a burn ban if conditions warrant.

**Last Action:** 2- 8-11 H Filed

[HB 1183](#)

[Raymond](#)

Relating to local option elections to legalize or prohibit the operation of eight-liners and the imposition of a fee on eight-liner owners.

**Remarks:** CEB - Requires the commissioners court to order a local option election on petition of the voters of the county, justice precinct or municipality to determine whether the operation of eight-liners shall be legalized or prohibited in the political subdivision. A political subdivision must have been in existence for at least 18 months before the local option election may be held.

-Sets requirements for a petition to approve or prohibit the operation of eight-liners.

-Creates a Class B misdemeanor offense for misrepresenting the purpose or effect of a petition.

-Requires the county clerk to keep a copy of each petition and a record of all the applications for each petition.

-Requires the voter registrar to verify the petition and establishes procedure for the verification.

-Requires the commissioners court to enter in its minutes the date a petition is presented, the names of the signers and the action taken with respect to the petition.

- Requires county election precincts to be used for a local option election to be held in an entire county or in a justice precinct.

-Requires the issued order to appear on the ballot for an election ordered by the commissioners court to be the same as the issued

*applied for and set out in the petition.*

*-Limits elections to one a year.*

*-Requires the county to pay the expense of holding a local option election in the county, justice precinct or municipality. Provides exceptions.*

*-If a county is not required to pay the expense, the clerk shall require the applicants to make a deposit before the issuance of the petition.*

*-Requires an election to legalize or prohibit the operation of eight-liners in a municipality located in more than one county to be conducted by the municipality instead of the counties.*

*-Sets requirements for recording and posting election results.*

*-Creates a \$350 per year fee on each eight-liner that an owner exhibits or displays; allows prorated fees. Exempts an owner who possesses the eight-liner for resale only.*

*-Requires the comptroller to collect the fee and deposit 30% of each fee collected to the general revenue fund. For an eight-liner located outside a municipality, the comptroller shall remit 70% of the fee to the county in which the eight-liner is located.*

*-Establishes a range of criminal penalties for offenses involving eight-liners.*

*-Creates an affirmative defense to prosecution for eight-liners used for bona fide amusement.*

*-Makes conforming repeal.*

**Last Action:** 2- 8-11 H Filed

[HB 1184](#)

[Legler](#)

*Relating to a limitation on the maximum appraised value of real property for ad valorem tax purposes of 105 percent of the appraised value of the property for the preceding tax year.*

**Remarks:** *MJV-Lowers appraisal cap to 5% and makes it apply to all real property.*

**Last Action:** 2- 8-11 H Filed

[HB 1188](#)

[Aliseda](#)

*Relating to state assistance for certain county health care expenditures.*

**Remarks:** *WLJ: Requires state assistance funds for indigent health care to cover 100% of the costs the county would incur after the county has hit its 8% expenditure level. Currently 90% of costs are required to be covered, or the county can discontinue providing indigent health care services.*

**Last Action:** 2- 8-11 H Filed

<a href="#">HB 1191</a>	<a href="#">Castro</a>	Relating to the sheriff's department civil service commission appointments in certain counties.
<b>Remarks:</b>		CEB-Allows appointment of a sheriff's department civil service commission in a county with a population of less than 2.8 million and if the county has a population of one million or more and more than 80% of the population resides in a single city as follows: -the sheriff shall appoint two people, and -the commissioners court, DA and employee union representing the sheriff's department employees shall each appoint one person.
<b>Last Action:</b>		2- 8-11 H Filed
<a href="#">HB 1196</a>	<a href="#">Dutton</a>	Relating to foreclosure of a property owners' association's assessment lien.
<b>Remarks:</b>		CEB-Requires a homeowner's association to pay for an appraisal before filing suit to foreclose an assessment lien on a property. Stipulates that the final sale price at foreclosure be at least 80% of the fair market value shown in the appraisal before an association can conclude a foreclosure. Creates a prioritized schedule of payments after foreclosure.
<b>Last Action:</b>		2- 8-11 H Filed
<a href="#">HB 1199</a>	<a href="#">Gallego</a>	Relating to the penalty for certain intoxication assaults.
<b>Remarks:</b>		CEB-Makes an offense of intoxication assault a second degree felony if the person caused an injury that results in the victim being in persistent vegetative state.
<b>Last Action:</b>		2- 8-11 H Filed
<a href="#">HB 1201</a>	<a href="#">Kolkhorst</a>	Relating to repeal of authority for the establishment and operation of the Trans-Texas Corridor.
<b>Companions:</b>		<a href="#">SB 565</a> Hegar (Identical) 2- 8-11 S Filed
<b>Remarks:</b>		MJV-Strikes all references to the trans-Texas Corridor. Makes conforming repeals.
<b>Last Action:</b>		2- 8-11 H Filed
<a href="#">HB 1204</a>	<a href="#">Turner, Sylvester</a>	Relating to the removal of certain restrictions on the ability to switch retail electric providers.
<b>Remarks:</b>		KCT - In an area that has implemented customer choice, on request of a retail electric provider, a transmission and distribution utility must remove a hold or any other restriction that is based on an amount due to another retail electric provider which is preventing the customer from receiving electric service.
<b>Last Action:</b>		2- 9-11 H Filed
<a href="#">HB 1205</a>	<a href="#">Turner, Sylvester</a>	Relating to the establishment of certain time credits through which a defendant's period of community supervision is reduced.
<b>Remarks:</b>		CEB-Entitles certain defendants convicted of a state jail or 3rd degree felony who are granted probation to earn time credit if they

earn a high school diploma, GED or associates degree; or if they complete alcohol or substance abuse counseling, a vocational training program, parenting class, anger management or life skills course.

To qualify defendants must have paid required fees/fines and satisfied victim restitution. Defendants convicted of intoxication offenses, family violence or other violent crimes are not eligible.

**Last Action:** 2- 9-11 H Filed

[HB 1209](#)

[Taylor, Larry](#)

Relating to a probate fee exemption for estates of certain law enforcement officers, firefighters, and others killed in the line of duty.

**Companions:** [SB 543](#) Hegar (Identical)  
2- 7-11 S Filed

**Remarks:** CEB-Creates probate fee exemptions for the estates of law enforcement officers, firefighters and related officers and employees who are killed in the line of duty.

Fees exempted include fees associated with filing the will and any service rendered by the court for administration of the decedent's estate. Makes conforming repeal.

**Last Action:** 2- 9-11 H Filed

[HB 1214](#)

[McClendon](#)

Relating to certain fees imposed in connection with the operation of overweight and oversize vehicles.

**Remarks:** MJV-Requires TxDOT to biennially evaluate the impact on the highway system of overweight vehicles to determine whether fees and exemptions need to be reviewed and improved. Changes the highway maintenance fee from just weight to a combination of weight and distance travelled. Allows TxDOT to establish the fee by rule.

**Last Action:** 2- 9-11 H Filed

[HB 1219](#)

[Miles](#)

Relating to the right of an employee to time off from work if the employee or the employee's child is a victim of family violence or a violent felony offense.

**Remarks:** MJV-Entitles an employee who is a victim of a violent offense or whose child is a victim to time off for medical care, victim services meetings, counseling, legal consultation, or other related purposes. The employee is entitled to not more than 30 work days of leave per year. The employee must first use any existing vacation, personal, sick leave, or compensatory leave time.

**Last Action:** 2- 9-11 H Filed

[HB 1220](#)

[Miles](#)

Relating to the restoration of certain inmates' good conduct time that is forfeited during a term of imprisonment.

**Remarks:** KCT - The TDCJ may restore forfeited good conduct time for certain inmates.

**Last Action:** 2- 9-11 H Filed

<a href="#">HB 1224</a>	<a href="#">Reynolds</a>	Relating to expulsion of a public school student who commits certain criminal acts involving a computer, computer network, or computer system owned by or operated on behalf of a school district.
	<b>Companions:</b>	<a href="#">SB 217</a> Huffman (Identical) 1-31-11 S Introduced and referred to committee on Senate Education
	<b>Remarks:</b>	MJV-Allows a student to be expelled for a breach of computer security involving accessing a computer system owned by a school district.
	<b>Last Action:</b>	2- 9-11 H Filed
<a href="#">HB 1226</a>	<a href="#">Dutton</a>	Relating to the eligibility of certain persons who have received deferred adjudication to vote.
	<b>Remarks:</b>	KCT - Allows a person on differed adjudication the right to vote.
	<b>Last Action:</b>	2- 9-11 H Filed
<a href="#">HB 1234</a>	<a href="#">Miller, Doug</a>	Relating to the authority of certain counties to impose a county hotel occupancy tax.
	<b>Remarks:</b>	CEB-Adjusts the population bracket to allow Gillespie County to continue to collect a hotel occupancy tax. Creates a new provision for Kendall County to collect a hotel occupancy tax.
	<b>Last Action:</b>	2-10-11 H Filed
<a href="#">HB 1239</a>	<a href="#">Zedler</a>	Relating to a prohibition against the construction or operation by a local governmental entity of a day labor center used to facilitate the employment of aliens not lawfully present in the United States.
	<b>Remarks:</b>	MJV-Prohibits local government entities from using public money to fund or run a day labor center that knowingly provides jobs for non legal residents.
	<b>Last Action:</b>	2-10-11 H Filed
<a href="#">HB 1241</a>	<a href="#">Zedler</a>	Relating to surety bond requirements for reserve deputy constables.
	<b>Remarks:</b>	MJV-Allows a constable with multiple reserve deputies to execute a blanket bond for them. Allows a county to self-insure a constable and reserve deputy constables instead of individual or blanket bonds.
	<b>Last Action:</b>	2-10-11 H Filed
<a href="#">HB 1252</a>	<a href="#">Smith, Todd</a>	Relating to the powers and duties of criminal law magistrates in Tarrant County.
	<b>Companions:</b>	<a href="#">SB 483</a> Harris (Identical) 2-14-11 S Introduced and referred to committee on Senate Jurisprudence
	<b>Remarks:</b>	MJV-Expands a specific provision regarding criminal law magistrates in Tarrant County to allow a judge to refer to the magistrate: an agreed order of expunction; an asset forfeiture; and agreed order of nondisclosure; and a motion to revoke probation.

<a href="#"><u>HB 1254</u></a>	<b>Last Action:</b> <a href="#"><u>Pickett</u></a>	2-10-11 H Filed Relating to consideration of the consolidation of school district peace officers and security personnel in certain counties.
	<b>Remarks:</b>	MJV-Requires school districts in El Paso County to study and make recommendations for consolidation of peace officers and security personnel county-wide.
<a href="#"><u>HB 1258</u></a>	<b>Last Action:</b> <a href="#"><u>Kolkhorst</u></a>	2-10-11 H Filed Relating to the eligibility of federally qualified health centers for certain grants.
	<b>Remarks:</b>	WLJ: Requires MHMR services be provided for an entity to receive a FQHC grant.
<a href="#"><u>HB 1260</u></a>	<b>Last Action:</b> <a href="#"><u>Thompson</u></a>	2-10-11 H Filed Relating to family violence and protective orders.
	<b>Remarks:</b>	CEB-Allows a court to enforce a protective order rendered by another court relating to family violence. Provides the judge options for dealing with an absent respondent. Adds a requirement for printing a statement of the criminal penalties for violating a protective order on the order. Expands the definition of abuse to include dating violence if the conduct is directed against a child. Makes conforming repeals.
<a href="#"><u>HB 1267</u></a>	<b>Last Action:</b> <a href="#"><u>Smithee</u></a>	2-10-11 H Filed Relating to the authority of certain counties and intergovernmental pools to require reimbursement for punitive damage coverage.
	<b>Remarks:</b>	KCT - A self insuring county may require reimbursement for the provision of punitive damage coverage for a person whom the county provides coverage.
<a href="#"><u>HB 1269</u></a>	<b>Last Action:</b> <a href="#"><u>Murphy</u></a>	2-10-11 H Filed Relating to the eligibility requirements of deputy voter registrars.
	<b>Remarks:</b>	KCT - Prohibits the appointment of a deputy voter registrar that is not a registered voter.
<a href="#"><u>HB 1270</u></a>	<b>Last Action:</b> <a href="#"><u>Murphy</u></a>	2-10-11 H Filed Relating to residency requirements for deputy voter registrars.
	<b>Remarks:</b>	KCT - To be eligible for appointment as a deputy registrar a person must have resided continuously in this state for the six months immediately preceding the date of appointment.
<a href="#"><u>HB 1272</u></a>	<b>Last Action:</b> <a href="#"><u>Miller, Doug</u></a>	2-10-11 H Filed Relating to requiring employers to participate in the federal electronic verification of work authorization program, or E-Verify.
	<b>Remarks:</b>	KCT - Requires an employer, including a county, to register and

		<i>participate in the Federal E- verify program to verify information of all new employees.</i>
	<b>Last Action:</b>	2-10-11 H Filed
<a href="#">HB 1280</a>	<a href="#">Kolkhorst</a>	<i>Relating to the payment of an examination fee to the attorney general for the legal sufficiency review of a comprehensive development agreement.</i>
	<b>Last Action:</b>	2-11-11 H Filed
<a href="#">HB 1282</a>	<a href="#">Kleinschmidt</a>	<i>Relating to the selection of the chief appraiser of an appraisal district.</i>
	<b>Remarks:</b>	kct
	<b>Last Action:</b>	2-11-11 H Filed
<a href="#">HB 1285</a>	<a href="#">Kleinschmidt</a>	<i>Relating to the payment by the holder of abandoned mineral proceeds of the ad valorem taxes on the mineral interest to which the proceeds are attributable.</i>
	<b>Last Action:</b>	2-11-11 H Filed
<a href="#">HB 1287</a>	<a href="#">Villarreal</a>	<i>Relating to refunds of ad valorem taxes made following the final determination of an appeal that decreases a property owner's tax liability.</i>
	<b>Last Action:</b>	2-11-11 H Filed
<a href="#">HB 1288</a>	<a href="#">Paxton</a>	<i>Relating to ad valorem tax lien transfers.</i>
	<b>Last Action:</b>	2-11-11 H Filed
<a href="#">HB 1291</a>	<a href="#">Hochberg</a>	<i>Relating to the operation of toll projects.</i>
	<b>Last Action:</b>	2-11-11 H Filed
<a href="#">HB 1294</a>	<a href="#">Shelton</a>	<i>Relating to the eligibility of certain persons to receive a sentence of community supervision, including deferred adjudication community supervision.</i>
	<b>Remarks:</b>	<i>CEB-Defines "illegal alien" as a person who enters the US illegally or is a person whose visitation status expires.</i>
		<i>Makes a defendant who is an "illegal alien" and who is convicted of a state jail felony ineligible for probation.</i>
	<b>Last Action:</b>	2-11-11 H Filed
<a href="#">HB 1295</a>	<a href="#">Shelton</a>	<i>Relating to a pilot project to increase enrollee access to primary care services and simplify enrollment procedures under the child health plan program.</i>
	<b>Last Action:</b>	2-11-11 H Filed
<a href="#">HB 1297</a>	<a href="#">Paxton</a>	<i>Relating to the enforcement of certain laws governing immigration and to certain requirements concerning illegal criminal aliens in the custody of the Texas Department of Criminal Justice.</i>
	<b>Remarks:</b>	<i>CEB-Among other provisions allows a political subdivision to enter into agreement with the US attorney general and ICE to provide</i>

*training for local law enforcement in the functions of an immigration officer.*

*Prohibits a governmental entity from adopting rules or ordinances that require a peace officer to violate state or federal law in dealing with persons in the US illegally.*

*Allows a local unit of government to request funds from the governor's office to reimburse costs incurred to train immigration officers (does not mandate payment).*

*Requires TDJC to maintain statistical information regarding the number of persons in the US illegally and the costs incurred to imprison them on its website.*

**Last Action:** 2-11-11 H Filed

[HB 1298](#)

[Kolkhorst](#)

*Relating to reporting of lobbying activities and restrictions on lobbying activities by certain persons.*

**Remarks:** kct

**Last Action:** 2-11-11 H Filed

[HJR 16](#)



[Riddle](#)

*Proposing a constitutional amendment authorizing the legislature to provide for a local option election in a county to set a limit on the maximum appraised value of a residence homestead for ad valorem tax purposes.*

**Remarks:** MJV-Permits the state to allow a commissioners court to call an election to lower the percentage limitation on the maximum appraised value below 110 percent (down to a floor of 103 percent).

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Ways and Means

[HJR 17](#)



[Guillen](#)

*Proposing a constitutional amendment to authorize a political subdivision to establish a freeze on the total amount of ad valorem taxes that may be imposed by the political subdivision on the residence homestead of certain people.*

**Remarks:** MJV-Allows the governing body of a political subdivision (on its own or by petition of 5% of the registered voters) to implement a tax freeze on the residence homestead of a member of the military reserves who is called up for active duty.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Ways and Means

[HJR 19](#)

[Branch](#)

*Proposing a constitutional amendment relating to the determination of a quorum of the senate or house of representatives.*

**Remarks:** MJV-Stipulates that presiding officer may exclude members who are absent from the state from the two-thirds rule.

**Last Action:** 11- 8-10 H Filed

[HJR 21](#)



[Martinez](#)

*Proposing a constitutional amendment increasing the amount of the residence homestead exemption from ad valorem taxation for public*

school purposes from \$15,000 to \$45,000.

**Remarks:** MJV-Increases the school district property tax exemption on a residence homestead from \$15,000 to \$45,000. Makes a corresponding correction to language regarding the school district freeze limitation for over sixty five disabled persons.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Ways and Means

[HJR 23](#)

[Fletcher](#)

Proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran.

**Companions:** [HJR 40](#) Pickett (Identical)  
11-17-10 H Filed  
[HJR 72](#) King, Phil (Identical)  
1-20-11 H Filed  
[SJR 21](#) Patrick, Dan (Identical)  
2-14-11 S Introduced and referred to committee on Senate Finance

**Remarks:** MJV-Allows a surviving spouse of a 100% disabled veteran who qualified for a total property tax exemption to continue to receive the benefit if they do not remarry.

**Last Action:** 2- 9-11 H Introduced and referred to committee on House Ways and Means

[HJR 28](#)

[Alvarado](#)

Proposing a constitutional amendment requiring the legislature to establish a state gaming commission and to authorize and provide for the regulation of gaming conducted at certain locations in this state.

**Remarks:** MJV-Constitutional Amendment to require the legislature to establish a gaming commission and allows the legislature to permit one or more types of gaming (casino) at: a coastal barrier island; on dredge spoil islands at least 18 miles in length; and in cities with a population of at least 675,000. Requires the governor to call a special session if the legislature does not implement this provision.

**Last Action:** 11- 8-10 H Filed

[HJR 29](#)

[Callegari](#)

Proposing a constitutional amendment requiring certain tax bills to be approved by two-thirds of all the members elected to each house of the legislature.

**Companions:** [HJR 37](#) Hughes (Identical)  
11- 8-10 H Filed  
[HJR 59](#) Hancock (Identical)  
1-11-11 H Filed  
[SJR 12](#) Patrick, Dan (Identical)  
2- 2-11 S Introduced and referred to committee on Senate Finance

**Remarks:** MJV-Constitutional Amendment to require a 2/3 vote in each house for creating a new state tax or increasing an existing one. Excludes changes in how a tax is computed, administered or its applicability.

		State tax does not include local taxes, fines, fees, penalties or a charge for service.
	<b>Last Action:</b>	11- 8-10 H Filed
<a href="#">HJR 30</a>	<a href="#">Laubenberg</a>	Proposing a constitutional amendment authorizing certain payment for health care services and prohibiting requiring participation in a health care system.
	<b>Companions:</b>	<a href="#">HJR 27</a> Legler (Identical) 11- 8-10 H Filed
	<b>Remarks:</b>	MJV-Constitutional Amendment to prohibit the state or a health care system (public or private) from directly or indirectly requiring an individual, employer or health care provider to participate in a health care system, including imposition of a fine or penalty for failure to participate.
	<b>Last Action:</b>	11- 8-10 H Filed
<a href="#">HJR 37</a>	<a href="#">Hughes</a>	Proposing a constitutional amendment requiring certain tax bills to be approved by two-thirds of all the members elected to each house of the legislature.
	<b>Companions:</b>	<a href="#">HJR 29</a> Callegari (Identical) 11- 8-10 H Filed <a href="#">HJR 59</a> Hancock (Identical) 1-11-11 H Filed <a href="#">SJR 12</a> Patrick, Dan (Identical) 2- 2-11 S Introduced and referred to committee on Senate Finance
	<b>Remarks:</b>	MJV-Constitutional Amendment to require a 2/3 vote in each house for creating a new state tax or increasing an existing one. Excludes changes in how a tax is computed, administered or its applicability. State tax does not include local taxes, fines, fees, penalties or a charge for service.
	<b>Last Action:</b>	11- 8-10 H Filed
<a href="#">HJR 38</a>	<a href="#">Berman</a>	Proposing a constitutional amendment to establish English as the official language of Texas and require that officials acts of government be performed in English.
	<b>Remarks:</b>	MJV-Constatutonal amendment to require all official acts of government to be conducted in English.
	<b>Last Action:</b>	11-16-10 H Filed
<a href="#">HJR 39</a>	<a href="#">Callegari</a>	Proposing a constitutional amendment to authorize the legislature to set a lower limit on the maximum appraised value of a residence homestead for ad valorem taxation.
	<b>Companions:</b>	<a href="#">SJR 7</a> Patrick, Dan (Identical) 2- 2-11 S Introduced and referred to committee on Senate Finance
	<b>Remarks:</b>	MJV-Lowers the appraisal cap to 5%.
	<b>Last Action:</b>	11-17-10 H Filed

[HJR 40](#) [Pickett](#) *Proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran.*

<b>Companions:</b>	<a href="#">HJR 23</a>	Fletcher (Identical) 2- 9-11 H Introduced and referred to committee on House Ways and Means
	<a href="#">HJR 72</a>	King, Phil (Identical) 1-20-11 H Filed
	<a href="#">SJR 21</a>	Patrick, Dan (Identical) 2-14-11 S Introduced and referred to committee on Senate Finance

**Remarks:** *MJV-Allows a surviving spouse of a 100% disabled veteran who qualified for a total property tax exemption to continue to receive the benefit if they do not remarry.*

**Last Action:** 11-17-10 H Filed

[HJR 41](#) [Raymond](#) *Proposing a constitutional amendment authorizing local option elections to legalize or prohibit the operation of eight-liners.*

**Remarks:** *MJV-Constitutional Amendment to allow an election in any county, justice precinct, or city to determine whether to allow eight-liner gaming devices. Permits the legislature to impose a fee or allow political subdivisions to impose a fee. Permits the legislature to determine the amount of the fee and the allocation of revenue.*

**Last Action:** 12- 2-10 H Filed

[HJR 42](#) [Callegari](#) *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.*

**Remarks:** *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.*

**Last Action:** 12- 6-10 H Filed

[HJR 43](#) [Quintanilla](#) *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.*

**Remarks:** *CEB-Allows the legislature to legalize and regulate gambling in counties that have had gaming approved by local election.*

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

[HJR 44](#) [Larson](#) *Allowing the voters of certain counties to adopt a charter that restructures and empowers the county government and that may allow the integration of the county government with certain other political subdivisions.*

**Remarks:** CEB - Constitutional amendment allowing the creation of a county charter to modify the structure of county government or integrate the county with other local governments (except school districts) in a county with a population of 100,000 or more, or a county that is in an MSA, and adjacent to another county of 100,000 or more.

The charter shall create the structure, number of members, duties and other features of a governing body that replaces commissioners court, modify or merge the duties of elected/appointed county officials and ensure that all the functions of county government continue.

If the charter integrates political subdivisions all the powers, obligations and liabilities of the entity transfer to the county. Such a charter must include service districts in those areas to allow the county to assess taxes based on the level of services provided in that service district.

Requires the legislature to permit the creation of a county charter by action of commissioners court, action of the largest city in the county, or by petition.

**Last Action:** 12-14-10 H Filed

[HJR 46](#)

[White](#)

Proposing a constitutional amendment releasing a school district from the obligation to comply with an unfunded state educational mandate.

**Remarks:** MJV-Constitutional amendment extending the homestead property tax exemption for a totally disabled veteran to include a surviving spouse.

**Last Action:** 12-21-10 H Filed

[HJR 47](#)

[Kleinschmidt](#)

Authorizing the legislature to exempt from ad valorem taxation the residence of the surviving spouse of a totally disabled veteran in an amount equal to the residence homestead exemption to which the disabled veteran was entitled.

**Remarks:** Constitutional amendment extending the homestead property tax exemption for a totally disabled veteran to include a surviving spouse.

**Last Action:** 12-21-10 H Filed

[HJR 48](#)

[Anderson,  
Charles](#)

Authorizing legislature to exempt from ad valorem taxation the homestead of the surviving spouse of a totally disabled veteran in an amount equal to amount of the homestead exemption to which disabled vet was entitled.

**Companions:** [HJR 52](#) McClendon (Identical)  
1- 5-11 H Filed

**Remarks:** MJV- Constitutional amendment extending the homestead property tax exemption for a totally disabled veteran to include a surviving spouse.

**Last Action:** 12-22-10 H Filed

[HJR 52](#)

[McClendon](#)

Proposing a constitutional amendment authorizing the legislature to

exempt from ad valorem taxation the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran.

**Companions:** [HJR 48](#) Anderson, Charles (Identical)  
12-22-10 H Filed

**Remarks:** MJV- Constitutional amendment extending the homestead property tax exemption for a totally disabled veteran to include a surviving spouse.

**Last Action:** 1- 5-11 H Filed

[HJR 53](#) [Christian](#) Proposing a constitutional amendment prohibiting any political subdivision of this state from imposing ad valorem taxes.

**Remarks:** CEB-Proposes a constitutional amendment prohibiting the collection of property taxes from a political subdivision after January 1, 2014.

**Last Action:** 1- 7-11 H Filed

[HJR 55](#) [Christian](#) Proposing a constitutional amendment to prohibit a hospital district from using tax revenue to finance the performance of an abortion.

**Remarks:** CEB-Proposes a constitutional amendment prohibiting a hospital district from using tax revenue to finance an abortion.

**Last Action:** 1-10-11 H Filed

[HJR 56](#) [Solomons](#) Proposing a constitutional amendment to restrict the power of the legislature to mandate requirements upon certain local governments.

**Remarks:** MJV - Constitutional amendment to prohibit the legislature from passing an unfunded mandate on local governments.

**Last Action:** 1-10-11 H Filed

[HJR 58](#) [Hancock](#) Proposing a constitutional amendment concerning the limitation on the rate of growth of state appropriations.

**Remarks:** KCT - Limits state appropriations to population plus inflation.

**Last Action:** 1-11-11 H Filed

[HJR 59](#) [Hancock](#) Proposing a constitutional amendment requiring certain tax bills to be approved by two-thirds of all the members elected to each house of the legislature.

**Companions:** [HJR 29](#) Callegari (Identical)  
11- 8-10 H Filed  
[HJR 37](#) Hughes (Identical)  
11- 8-10 H Filed  
[SJR 12](#) Patrick, Dan (Identical)  
2- 2-11 S Introduced and referred to committee on Senate Finance

**Remarks:** MJV-Constitutional Amendment to require a 2/3 vote in each house for creating a new state tax or increasing an existing one. Excludes changes in how a tax is computed, administered or its applicability. State tax does not include local taxes, fines, fees, penalties or a

charge for service.

**Last Action:** 1-11-11 H Filed

[HJR 62](#)

[Zerwas](#)

Constitutional amendment to authorize the legislature to limit the maximum appraised value of a residence homestead for ad valorem tax purposes to 105 percent or more of the appraised value of the property for the preceding tax year.

**Companions:** [HJR 74](#) Creighton (Identical)  
1-21-11 H Filed  
[HJR 79](#) Howard, Charlie (Identical)  
1-26-11 H Filed

**Remarks:** KCT - A constitutional amendment lowering the appraisal cap to 5% on a residence homestead.

**Last Action:** 1-12-11 H Filed

[HJR 63](#)

[Pickett](#)

Amendment authorizing the legislature to permit a county to issue bonds or notes to finance the development or redevelopment of an unproductive, underdeveloped, or blighted area.

**Remarks:** KCT - A constitutional amendment allowing counties to issue bonds or notes to pay for the development or redevelopment of blighted areas of the county and to promise repayment by increased property taxes in that area.

**Last Action:** 1-12-11 H Filed

[HJR 64](#)

[Pickett](#)

Proposing a constitutional amendment limiting the uses of revenue from motor vehicle registration fees, taxes on motor fuels and lubricants, and certain revenue received from the federal government.

**Remarks:** MJV - A constitutional amendment freezing diversions from fund 6 for purposes other than acquiring rights-of-way or constructing or maintaining public roadways. Requires the legislature to ratchet down diversions when the state has sufficient surplus revenue.

**Last Action:** 1-12-11 H Filed

[HJR 66](#)

[Pickett](#)

Proposing a constitutional amendment limiting the uses of revenue from motor vehicle registration fees, taxes on motor fuels and lubricants, and certain revenue received from the federal government.

**Remarks:** MJV- Freezes diversions from Fund 6 (transportation funding) and requires diversions to be reduced by 20% in each biennium in which the total state revenue growth is at least three times the amount of a reduction. Strikes the requirement that 1/4 of the gas tax goes to the Available School Fund.

**Last Action:** 1-18-11 H Filed

[HJR 68](#)

[Hopson](#)

Amendment increasing the amount of the residence homestead exemption from ad valorem taxation for public school purposes from \$15,000 to \$30,000 and providing for a reduction of the limitation on the total amount of taxes.

**Remarks:** MJV-A constitutional amendment to increase the school district

property tax exemption on a homestead from \$15,000 to \$30,000. Entitles school districts to additional state aid to make up for the lost revenue.

**Last Action:** 1-19-11 H Filed

[HJR 70](#)

[Paxton](#)

Proposing a constitutional amendment regarding the maximum rate of growth of appropriations and the use of unencumbered surplus general revenues to fund the state's rainy day fund and a public school property tax relief fund.

**Remarks:** CEB-A constitutional amendment to restrict state spending and require the comptroller to deduct the amount of transfers estimated for the rainy day fund and the property tax relief fund from projected revenues for the next fiscal year budget.

Overhauls the limitation of state appropriations by changing the basis of growth from undedicated state tax revenues to all funds available from the state treasury, except funds from the federal government and revenues made to reduce property taxes.

Changes the limit of appropriations to the lowest of the following rates: -the state's population growth plus inflation; or -the state's gross state product growth; or -the estimated rate of growth of personal income for Texans.

Requires appropriations to be ratcheted down in years of negative growth.

Changes the requirement to approve emergency appropriations by the legislature from a majority vote to a two-thirds vote.

Requires the Comptroller to certify that funds are available to fund any bill before it can be passed or sent to Governor.

Reduces from one-half to one-quarter the amount of unencumbered positive balance in the state budget that the Comptroller shall transfer to the rainy day fund. The remaining two-thirds will be deposited into a public school property tax relief fund.

Sets the maximum rates of reduction to the school district maintenance and operation tax rate at one cent per \$100 valuation of taxable property.

Changes the requirement to approve emergency appropriations by the legislature from a majority vote to a two-thirds vote.

Requires the Comptroller to certify that funds are available to fund any bill before it can be passed or sent to Governor.

Reduces from one-half to one-quarter the amount of unencumbered positive balance in the state budget that the Comptroller shall transfer to the rainy day fund.

Establishes that general revenues are considered encumbered on

the last day of a biennium only to the extent that payment is required for legally enforceable obligations of the state that were intended were budgeted for that biennium.

Requires the comptroller to transfer to a property tax relief fund two-thirds of the amount of the balance of the rate of state appropriations. Earmarks tax relief funds for reducing the rate of school district maintenance and operations taxes.

Sets the maximum rates of reduction to the school district maintenance and operation tax rate at one cent per \$100 valuation of taxable property.

**Last Action:** 1-20-11 H Filed

[HJR 71](#)

[Larson](#)

Proposing a constitutional amendment to set the maximum salary of certain elected public officers.

**Remarks:** KCT - Limits the annual salary for an elected state officer other than a judge to the average salary of a full-time school teacher in the 5 school districts in the state with the largest enrollments.

**Last Action:** 1-20-11 H Filed

[HJR 72](#)

[King, Phil](#)

Proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran.

**Companions:** [HJR 23](#) Fletcher (Identical)  
2-9-11 H Introduced and referred to committee on House Ways and Means  
[HJR 40](#) Pickett (Identical)  
11-17-10 H Filed  
[SJR 21](#) Patrick, Dan (Identical)  
2-14-11 S Introduced and referred to committee on Senate Finance

**Remarks:** MJV-Allows a surviving spouse of a 100% disabled veteran who qualified for a total property tax exemption to continue to receive the benefit if they do not remarry.

**Last Action:** 1-20-11 H Filed

[HJR 74](#)

[Creighton](#)

Amendment to authorize the legislature to limit the maximum appraised value of a homestead for ad valorem tax purposes to 105 percent or more of the appraised value of the property for the preceding tax year.

**Companions:** [HJR 62](#) Zerwas (Identical)  
1-12-11 H Filed  
[HJR 79](#) Howard, Charlie (Identical)  
1-26-11 H Filed

**Remarks:** KCT - A constitutional amendment lowering the appraisal cap to 5% on a residence homestead.

**Last Action:** 1-21-11 H Filed

<a href="#">HJR 75</a>	<a href="#">Paxton</a>	Amendment prescribing the purposes for which revenue from motor vehicle registration fees, certain motor vehicle-related taxes, and certain revenues received from the federal government may b
		<b>Remarks:</b> MJV-Constitutional Amendment to add taxes on motor vehicle tire and parts sales to the state highway fund. Removes "policing" from the allowable uses of highway funds. Requires the state, on or after September 1, 2013 to proportionately reduce the amount of diversions from the highway fund. Prohibits using the highway fund, after September 1, 2015, for any purpose other than acquiring rights-of-way and constructing and maintaining public roadways.
		<b>Last Action:</b> 1-24-11 H Filed
<a href="#">HJR 76</a>	<a href="#">Lozano</a>	Amendment authorizing an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a totally disabled veteran or the principal residence of the surviving minor children of such a disabled veteran.
		<b>Companions:</b> <a href="#">SJR 14</a> Van de Putte (Identical) 2- 2-11 S Introduced and referred to committee on Senate Finance
		<b>Remarks:</b> MJV-A Constitutional Amendment to allow the homestead exemption of a 100%disabled veteran to pass to a surviving unremarried spouse. If the disabled veteran is unmarried, the owner of the property is entitled to the exemption if a minor child lived in the home and continues to remain in the residence while under age 18 and unmarried.
		<b>Last Action:</b> 1-24-11 H Filed
<a href="#">HJR 77</a>	<a href="#">Harper-Brown</a>	Proposing a constitutional amendment dedicating certain revenue derived from the tax imposed on the sale, use, or rental of motor vehicles to the state highway fund.
		<b>Remarks:</b> MJV-Requires 25% of the revenue derived from the tax imposed on the sale, use, or rental of a motor vehicle to be allocated to the highway fund; with the remainder allocated by the legislature by general law.
		<b>Last Action:</b> 1-26-11 H Filed
<a href="#">HJR 78</a>	<a href="#">Harper-Brown</a>	Proposing a constitutional amendment to limit the purposes for which revenues from motor vehicle registration fees and taxes on motor fuels and lubricants may be used.
		<b>Remarks:</b> MJV-Constitutional Amendment to delete the 1/4 dedication of motor fuels taxes for schools.
		<b>Last Action:</b> 1-26-11 H Filed
<a href="#">HJR 79</a>	<a href="#">Howard, Charlie</a>	Amendment to authorize the legislature to limit the maximum appraised value of a residence homestead for ad valorem tax purposes to 105 percent or more of the appraised value of the property for the preceding tax year.
		<b>Companions:</b> <a href="#">HJR 62</a> Zerwas (Identical) 1-12-11 H Filed <a href="#">HJR 74</a> Creighton (Identical)

1-21-11 H Filed

**Last Action:** 1-26-11 H Filed

[HJR 80](#)

[Larson](#)

Proposing a constitutional amendment to limit the time that a person may serve in legislative office or in certain elective executive offices.

**Remarks:** CEB-A constitutional amendment creating 12 year term limits for state representatives and state senators. Legislative service before the legislature convenes in 2013 is not counted toward disqualification under this section.

**Last Action:** 1-31-11 H Filed

[HJR 82](#)

[King, Phil](#)

Amendment to authorize the legislature to limit the maximum appraised value of commercial or industrial real property for ad valorem tax purposes to 110 percent or more of the appraised value of the property.

**Companions:** [SJR 20](#) Patrick, Dan (Identical)  
2-14-11 S Introduced and referred to committee on Senate Finance

**Remarks:** MJV-Constitutional Amendment to limit the appraisal increase for commercial or industrial real property to 110% more than the previous tax year.

**Last Action:** 2- 2-11 H Filed

[HJR 83](#)

[Paxton](#)

Proposing a constitutional amendment to phase out ad valorem taxes on the residence homesteads of elderly persons by 2021.

**Remarks:** MJV-Entitles over 65 residence homestead owners to a total exemption (phased in over five years starting in 2017) from property taxes. Provides school districts with state funding to the extent such a reduction would harm debt repayment. Makes a conforming repeal.

**Last Action:** 2- 3-11 H Filed

[HJR 84](#)

[Larson](#)

Proposing a constitutional amendment to limit the purposes for which revenues from motor vehicle registration fees, taxes on motor fuels and lubricants, and certain revenues received from the federal government may be used.

**Companions:** [SJR 8](#) Wentworth (Identical)  
2- 2-11 S Introduced and referred to committee on Senate Finance

**Remarks:** MJV-Constitutional Amendment to remove "policing" from the allowable uses of the transportation fund (fund 6).

**Last Action:** 2- 3-11 H Filed

[HJR 86](#)

[Murphy](#)

Proposing a constitutional amendment denying bail to certain persons who are unlawfully present in the United States and are taken into custody for committing a felony.

**Remarks:** CEB-A constitutional amendment to deny bail to a person taken into custody for committing a felony who is not a citizen of the US

and is in the country illegally.

**Last Action:** 2- 7-11 H Filed

[HJR 87](#)

[Legler](#)

Proposing a constitutional amendment to authorize the legislature to limit the maximum appraised value of real property for ad valorem tax purposes to 105 percent or more of the appraised value of the property for the preceding tax year.

**Remarks:** MJV-Lowers the appraisal cap to 5% and applies it to all real property.

**Last Action:** 2- 8-11 H Filed

[HJR 89](#)

[Coleman](#)

Proposing a constitutional amendment allowing a state mandate imposed on a county to have effect only if the state provides for payment to the county of the cost of the mandate.

**Remarks:** MJV-Constitutional Amendment-Limited unfunded mandate protection for counties. A state mandate does not take effect unless the legislature provides funding or reimbursement. Exceptions: a mandate required by the constitution, federal law, or a court order; a mandate approved by the voters; a mandate imposed by a 2/3 record vote; or estimated by the comptroller to have a cost of less than \$1 million in a state fiscal year.

**Last Action:** 2-10-11 H Filed

[SB 1](#)

[Ogden](#)

Relating to appropriations for the 2012-2013 biennium.

**Remarks:** MJV-Senate Appropriations Bill.

**Last Action:** 3- 1-11 S Meeting set for 9:00 A.M., E1.036, Senate Finance

[SB 14](#)

[Fraser](#)

Relating to requirements to vote, including presenting proof of identification.

**Remarks:** MJV-Requires a voter registrar to include notice of acceptable ID in voter registration cards. Requires voting ID notices to be displayed at all polling locations and the county website. Requires training for election officers and clerks on handling IDs. Acceptable IDs are: an unexpired Texas drivers license or ID, military ID, a citizenship certificate, or a passport that has not expired.

Requires an election officer to provide written notice to a voter who does not have proper ID of their right to cast a provisional ballot. Allows a provisional ballot to be cast and counted if the person brings acceptable ID to the early voting ballot board within 6 days.

Increases the criminal penalty for illegally voting to a second degree felony and makes an attempt to vote illegally a state jail felony instead of a Class A misdemeanor.

Prohibits DPS from charging a fee for an ID card obtained solely for voting purposes. Makes conforming repeals.

**Last Action:** 2-11-11 H Referred to House Committee on House Select Committee on Voter ID and Fraud

[SB 18](#)



[Estes](#)

Relating to the use of eminent domain authority.

**Companions:**

<a href="#">HB 279</a>	Geren	(Identical)
	11-15-10 H Filed	
<a href="#">SB 180</a>	Estes	(Identical)
	1-31-11 S Introduced and referred to committee on Senate State Affairs	

**Remarks:**

*MJV- Prohibits using eminent domain to acquire property if it is not for public use. Requires a record vote in a public meeting to initiate a condemnation. Each unit of property not owned by the same person requires a separate vote unless there is unanimous consent.*

*-Requires entities authorized to use eminent domain to provide a letter to the comptroller by December 31, 2012 identifying the statute that permits it to use eminent domain. Eminent domain authority expires September 1, 2013 for any entities that fail to submit a letter.*

*-Requires an entity seeking to use eminent domain to acquire or lease a property to disclose all appraisal reports prepared within the last 10 years on the property to the property owner via certified mail. Prohibits including a confidentiality provision.*

*-Requires a bona fide offer to be made in writing prior to use of eminent domain. An owner may be awarded court costs and attorney fees if no bona fide offer was made.*

*-Requires a judge in a condemnation case to allow each party to strike one of the three commissioners appointed to hear the case.*

*-Allows a former owner or owner's heirs, successors or assigns to request information on progress toward using land for a public use after 10 years. Allows a person or their heirs, successor, or assigns to repurchase the property if the public use for which the property was acquired is cancelled; no progress is made toward the public use within 10 years; or the property becomes unnecessary for use.*

*-Requires payment of relocation assistance, moving expenses, relocation and financial assistance.*

*-Repeals a public information act provision requiring entities with eminent domain authority to disclose information in the same manner as a governmental entity. Repeals a provision requiring the production of certain information (regarding a use of eminent domain) for entities that are considered critical infrastructure.*

**Last Action:**

2-14-11 H Received in the House - Not referred

[SB 23](#)



[Nelson](#)

Relating to efficiencies and cost-savings in the health and human services and other related regulatory agencies, including the state medical assistance and child health plan programs.

**Remarks:**

*WLJ: Directs HHSC to: implement managed care; align hospital rates w/ fee for service rates; and optimize federal matching funds for state and local funding streams*

[SB 33](#)



**Last Action:** 2-14-11 S Not heard in committee Senate Finance

[Zaffirini](#)

Relating to the period of continuous eligibility for the medical assistance program.

**Companions:** [HB 58](#) Martinez (Identical)  
2- 9-11 H Introduced and referred to committee on House Public Health

**Remarks:** KCT- Provides continuous eligibility for a child under the medical assistance program until the child ages out at 19 or upon the first anniversary of the child's enrollment.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Health and Human Services

[SB 39](#)



[Zaffirini](#)

Relating to improving application and eligibility determination processes and efficiencies for certain benefits programs.

**Remarks:** WLJ- Requires HHSC to improve the effectiveness of community outreach efforts for state benefit programs. Requires enhanced application processing standards and procedures for benefits programs. Requires HHSC to reduce procedural denials of eligibility for benefits programs. Requires the commission to adopt telephone resolution standards and processes for all call centers. Increases continuous eligibility for the CHIP program from six months to one year.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Health and Human Services

[SB 42](#)



[Zaffirini](#)

Relating to bullying through electronic means in public schools.

**Remarks:** MJV-Includes "expression through electronic means" in the definition of "bullying"

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Education

[SB 44](#)



[Zaffirini](#)

Relating to the detention and transportation of a person with a mental illness.

**Remarks:** MJV- Requires a peace officer to transport a person with mental illness taken into custody to a medical facility or other facility that the local mental health authority deems suitable if a mental health facility is not available.

Prohibits a peace officer from taking a mentally ill person to a jail unless a mental health facility is not available and the nearest medical facility is located more than 75 miles from the location where the person was arrested.

Prohibits holding a person with mental illness in a jail for more than 12 hours and requires the sheriff to document how long the person is held.

Requires a sheriff to keep a person with mental illness segregated

from inmates.

Limits the time a person may be restrained to the time of apprehension, detention or transportation.

**Last Action:** 2-15-11 S Meeting set for 11:00 A.M. or Adj., 2E.20, Senate Health and Human Services

[SB 46](#)

[Zaffirini](#)

Relating to the creation of an offense for certain uses of a wireless communication device while operating a motor vehicle.

**Companions:** [HB 243](#) Craddick (Identical)  
11-10-10 H Filed

**Remarks:** MJV-Prohibits the operator of a motor vehicle from using a wireless communication device to read, write, or send a text-based communication unless the vehicle is stopped.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Transportation and Homeland Security

[SB 48](#)

[Zaffirini](#)

Relating to consideration of school district disciplinary placement information.

**Remarks:** MJV-Requires schools to report the percentage of students subjected to various disciplinary actions (including numbers sent to a DAEP and those sent to JJAEP).

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Education

[SB 55](#)

[Zaffirini](#)

Relating to the administration of psychoactive medications to persons receiving services in certain facilities.

**Remarks:** MJV-Sets out procedures and requirements to order a person who is mentally retarded and receiving voluntary or involuntary residential care services to take psychoactive meds against their will. Entitles the person to a court-appointed attorney.

**Last Action:** 2-15-11 S Meeting set for 11:00 A.M. or Adj., 2E.20, Senate Health and Human Services

[SB 59](#)

[Zaffirini](#)

Relating to the provision of assistance by the Texas Ethics Commission in the reporting of political contributions and expenditures made in connection with offices of and measures proposed by local governmental entities.

**Remarks:** MJV-Allows the Ethics Commission to permit the use of its software and resources by a local government entity or officer, a candidate for local office, or a specific-purpose committee to file reports of political contributions and expenditures.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate State Affairs

[SB 60](#)

[Zaffirini](#)

Relating to disposition of proceeds from the development or sale of the rights to natural resources or minerals in land held by Webb County for the county permanent school fund.

**Remarks:** MJV-Allows Webb County to develop and sell rights to natural resources in land held in trust for the benefit of public schools.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Intergovernmental Relations

[SB 69](#)

[Zaffirini](#)

Relating to reconstituting the system benefit fund as a trust fund and to uses of the fund.

**Remarks:** MJV-Reworks the system benefit fund (provides assistance to low income texans to help with residential electricity bills), making it a dedicated fund outside of state GR.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Finance

[SB 84](#)

[Nelson](#)

Relating to requiring governmental entities and contractors with governmental entities to participate in the federal electronic verification of work authorization program, or E-verify.

**Remarks:** MJV-Requires all governmental entities to register and participate in the E-verify program on all new employees. Any employee of a governmental who fails to comply is subject to immediate termination. Prohibits a governmental entity from awarding a contract unless the contractor and subcontractors participate in E-verify.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Transportation and Homeland Security

[SB 85](#)

[Nelson](#)

Relating to the duties of the county tax assessor-collector and voter registrar regarding exemptions from jury service.

**Companions:** [HB 229](#) Solomons (Identical)  
11- 9-10 H Filed

**Remarks:** MJV-Requires a prospective juror to file their request for permanent exemption for jury service with the voter registrar (currently tax assessor-collector).

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate State Affairs

[SB 94](#)

[Lucio](#)

Relating to the sale of electric energy produced by distributed renewable generation owners.

**Remarks:** MJV-Requires PUC to make information available on its website regarding retail electric providers' offers to distributed renewable generation (small scale solar panels and windmills) owners for their surplus electricity.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Business and Commerce

[SB 100](#)

[Van de Putte](#)

Relating to the adoption of voting procedures necessary to implement the federal Military and Overseas Voter Empowerment Act.

**Companions:** [HB 111](#) Taylor, Van (Identical)  
11- 8-10 H Filed

**Remarks:** MJV-Allows ballot materials to be sent to a voter who is out of the country or outside their former county of residence by email. Requires the Secretary of State to develop a tracking system so a voter who recieved their materials electronically may determine if

they have been received by the early voting clerk.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate State Affairs

[SB 102](#)

[Davis, Wendy](#) Relating to allocation of certain money in the Texas emissions reduction plan fund to air quality monitoring activities.

**Remarks:** MJV-Allows TERP funds to be used for air quality monitoring. Reduces funding for the diesel emissions reduction incentive program to require 5% of TERP funds to be used for the clean fleet program. Allocates 5% of TERP funds to TCEQ for continuous air quality monitoring.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Natural Resources

[SB 103](#)

[Davis, Wendy](#) Relating to the installation, maintenance, operation, and relocation of wastewater pipeline facilities.

**Remarks:** MJV – Entitles a wastewater pipeline operator to install, maintain, and operate a wastewater pipeline through, under, along, or across a controlled access highway only if it is subject to the jurisdiction, control, and regulation of the Railroad Commission; it complies with all federal regulations; and the highway and associated facilities are restored to their former condition.

-Allows the transportation commission, a county, or a city to require relocation of a wastewater pipeline facility (at the operator's cost) to accommodate the construction of a highway or other public work. Requires 30 days written notice to the operator.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Natural Resources

[SB 104](#)

[Davis, Wendy](#) Relating to restrictions on the release into the air of natural gas and associated vapors from a gas well.

**Remarks:** MJV-Bracketed to a county that is located wholly or partly over the Barnett Shale. Requires that the operator of the well deliver all the gas to a pipeline or shut in the well and conserve the gas. Requires an operator to employ methods that minimize the release of gas into the air.

-Requires TCEQ to regulate the release of gas from such wells. Allows a city to monitor compliance with the state regulations.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Natural Resources

[SB 105](#)

[Davis, Wendy](#) Relating to a restriction on the formation in which certain commercial disposal wells permitted by the Railroad Commission of Texas may inject oil and gas waste.

**Remarks:** MJV-Allows the railroad commission to authorize a commercial oil and gas waste disposal well in the area of the Barnett Shale only if it is in the Elleberger formation or deeper.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Natural Resources

[SB 107](#)

[Davis, Wendy](#) *Relating to the detection and repair of natural gas pipeline leakages.*

**Remarks:** *MJV-Requires gas line operators to report to the railroad commission twice a year a list of each Grade 1 leak and its response to stop the leak. A Grade 1 leak is a serious leak that is an immediate hazard to property or the public.*

**Last Action:** *1-31-11 S Introduced and referred to committee on Senate Natural Resources*

[SB 108](#)

[Davis, Wendy](#) *Relating to a customer's right to choose a retail electric provider in the deregulated electric market.*

**Remarks:** *MJV-Stipulates that nothing in the statute regarding the deregulated electric market shall be construed to limit a customer's right to choose or switch retail electric providers.*

**Last Action:** *1-31-11 S Introduced and referred to committee on Senate Business and Commerce*

[SB 110](#)

[Davis, Wendy](#) *Relating to ethics and accountability of certain public employees, public officers, political contributors, state contractors, and grant recipients; providing penalties.*

**Remarks:** *MJV-Prohibits a contractor who has a pending bid on a state contract from contributing to the political campaign of any statewide officeholder or related political committee. The prohibition ends on the date the contract is awarded. The prohibition continues for 30 days for the contractor who is awarded the contract.*

*-Prohibits a general-purpose committee established or administered by a corporation that is bidding on a state contract from making political donations for statewide office. Same expiration as above.*

*-Prohibits an appointed state officer from making more than \$10,000 in political contributions in an election cycle (including spouse contributions).*

*-Defines as a campaign contribution to a candidate a direct campaign expenditure if it is made with the knowledge of the candidate by a specific-purpose committee.*

*-Requires the governor's office to retain all records for 30 days. Requires the governor to post online the activity in each fund administered by the governor. Adds the governor's executive staff to the list of people who must file financial disclosures. Creates a two-year prohibition on former members of the governor's staff before they can lobby the legislature.*

**Last Action:** *1-31-11 S Introduced and referred to committee on Senate State Affairs*

[SB 119](#)

[Uresti](#) *Relating to the creation of an offense for certain uses of a wireless communication device while operating a motor vehicle.*

**Remarks:** *MJV-Prohibits an operator of a motor vehicle from reading, writing,*

or sending a text based communication unless the vehicle is stopped.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Transportation and Homeland Security

[SB 121](#)

[Ellis](#)

Relating to photograph and live lineup identification procedures in criminal cases.

**Companions:** [HB 215](#) Gallego (Identical)  
2-14-11 H Introduced and referred to committee on House Criminal Jurisprudence

**Remarks:** MJV-Requires all law enforcement agencies that conduct photograph or live lineup identifications to adopt a detailed written policy on its administration. Requires the Bill Blackwood Law Enforcement Management Institute of Texas at Sam Houston State University to work with law enforcement and relevant experts to develop a model policy and training materials on the administration of lineups. Law enforcement agencies must either adopt the model or formulate a policy that conforms to the requirements of the model.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 122](#)

[Ellis](#)

Relating to postconviction forensic DNA analysis.

**Remarks:** MJV-Removes restrictions on a motion by a defendant to have the court require DNA testing on evidence gathered by the state but that has not been tested. Requires a court to order any unidentified DNA profile found in a case to be compared with the FBI CODIS DNA database.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 123](#)

[Ellis](#)

Relating to the electronic recording and admissibility of certain custodial interrogations.

**Companions:** [HB 219](#) Gallego (Identical)  
2-14-11 H Introduced and referred to committee on House Criminal Jurisprudence

**Remarks:** MJV-Requires all law enforcement agencies to electronically record custodial interrogations regarding serious violent criminal charges. The recordings must be maintained until all appeals are exhausted or the statute of limitations runs out. Provides exceptions for good faith efforts when a recording fails to be made.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 124](#)

[Patrick, Dan](#)

Relating to the enforcement of state and federal laws governing immigration by certain governmental entities; providing a civil penalty.

**Companions:** [HB 113](#) Harless (Identical)  
2-11-11 H Introduced and referred to committee on

House State Affairs

**Remarks:** MV-Prohibits local governments from enacting any policy that would not fully enforce state or federal law, including laws on drugs and immigration. Cuts off any state grant funds to a local government that adopts such a policy and imposes a fine of \$10,000 for each day of violation. Permits the AG to sue to recover the penalty with the prevailing party getting costs and attorneys fees. Allows any citizen to file suit over failure to meet the standard.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Transportation and Homeland Security

[SB 126](#)

[Patrick, Dan](#) Relating to the duty of a peace officer to inquire into the lawful presence of certain persons.

**Remarks:** MJV-Requires a peace officer to inquire about the immigration status of any person stopped, detained or arrested on other grounds if the officer has a reasonable suspicion to believe the person is not here legally. Allows the officer to arrest the person and notify ICE. Makes any ordinance, regulation, or policy that states otherwise void. Provides immunity from suit and liability for any claim of damages arising from such an arrest.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Transportation and Homeland Security

[SB 128](#)

[Patrick, Dan](#) Relating to lobbying by former members of the legislature; creating an offense.

**Companions:** [HB 508](#) Button (Identical)  
1- 4-11 H Filed

**Remarks:** MJV-Requires a two year waiting period for a former legislator to become a lobbyist. Creates a Class A misdemeanor for an offense. Creates an exception if the former legislator lobbies on behalf of: a nonprofit; individual; a group of low-income individuals; or a group of individuals with disabilities; and the former legislator does not receive compensation above reimbursement of actual expenses.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate State Affairs

[SB 129](#)

[Patrick, Dan](#) Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem taxation.

**Companions:** [HB 312](#) Callegari (Identical)  
11-17-10 H Filed

**Remarks:** MJV-Lowers the appraisal cap to 5%.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Finance

[SB 133](#)

[Wentworth](#) Relating to the regulation and certification of medical examiners and the conduct of autopsy and inquest investigations by justices of the peace and medical examiners; providing penalties.

**Remarks:** MJV-Medical Examiner Bill to update the statute. No significant county impact.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Jurisprudence

[SB 134](#)

[Wentworth](#)

Relating to the regulation of fireworks by counties; providing a criminal penalty.

**Remarks:** MJV-Allows commissioners court to order an election in any defined unincorporated area of the county on whether to prohibit the sale, possession, and use of fireworks in that area. Violation of the county prohibition is a Class B misdemeanor.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Intergovernmental Relations

[SB 135](#)

[Wentworth](#)

Relating to the permissible uses of the state highway fund.

**Companions:** [HB 1131](#) Larson (Identical)  
2- 3-11 H Filed

**Remarks:** MJV-Stikes language allowing highway funds to be used for DPS funding. Makes a conforming repeal.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Finance

[SB 136](#)

[Wentworth](#)

Relating to granting counties authority to regulate certain land use; providing penalties.

**Remarks:** MJV - Authorizes the commissioners court to require a right-of-way on a street or road that functions as a major thoroughfare of a width of more than 120 feet, if such requirement is consistent with a transportation plans it adopts.

-Authorizes the commissioners court to adopt standards for minimum lot frontages on roads in the unincorporated area.

-Increases the gallons of storage a commissioners court may require a developer to construct for a limited fire suppression system.

-Makes other clarifying changes.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Intergovernmental Relations

[SB 137](#)

[Wentworth](#)

Relating to the authority of a county to regulate land development after a local option election.

**Remarks:** MJV- Allows a county to hold an election for the authority to regulate land development in the unincorporated area of the county. Regulations include: requiring developers to include limited fire suppression systems (water storage for subdivisions); requiring buffer zones between residential and commercial property; and requiring a developer to determine the impact of the development and provide for necessary off-site roadway improvements. The county may not adopt zoning regulations. The regulations do not apply to existing residential subdivisions or land or structures on land devoted to agricultural use.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Intergovernmental Relations

[SB 138](#)

[Wentworth](#) Relating to prohibitions on the use of a wireless communication device while operating a motor vehicle.

**Remarks:** MJV-Prohibits communicating on a mobile device while in a vehicle unless it is stopped or the person uses a hands-free device. Repeals the requirement to post mobile device warnings at school zones.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Transportation and Homeland Security

[SB 139](#)

[Wentworth](#) Relating to the elimination of straight-party voting.

**Companions:** [HB 638](#) Branch (Identical)  
1-13-11 H Filed

**Remarks:** CEB-Eliminates straight-party voting. Makes conforming repeals.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate State Affairs

[SB 144](#)

[West](#) Relating to allowing a person who successfully completes a term of deferred adjudication community supervision to be eligible for a pardon.

**Remarks:** MJV-Allows the Governor to pardon someone who successfully completes a term of deferred adjudication community supervision.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 146](#)

[Hinojosa](#) Relating to the creation of the offense of unlawful transport of an undocumented person.

**Companions:** [HB 763](#) Lozano (Identical)  
1-20-11 H Filed

**Remarks:** CEB-Makes it a criminal offense to transport a person who is in the state illegally and is not a citizen of the United States and conceal the person from law enforcement.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 151](#)

[Huffman](#) Relating to the eligibility of certain persons to receive a sentence of community supervision, including deferred adjudication community supervision.

**Remarks:** MJV-Makes an illegal alien ineligible for community supervision.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 152](#)

[Huffman](#) Relating to the admissibility of evidence of other similar offenses in the prosecution of certain sexual offenses.

**Companions:** [HB 1049](#) Woolley (Identical)

2- 1-11 H Filed

**Remarks:** MJV-Allows evidence of other similar offenses to be admitted in the trial of a defendant for a sexual offense involving a child under the age of 17.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 153](#)

[Huffman](#)

Relating to the authority of a judge to suspend the imposition of a sentence and place a defendant on community supervision.

**Remarks:** MJV-Prohibits a judge from placing a defendant on community supervision if a jury did not recommend it as an option.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 154](#)

[Huffman](#)

Relating to the imposition of consecutive fines in sentencing a defendant for offenses arising out of the same criminal episode.

**Remarks:** MJV-Makes fines imposed for multiple convictions arising from one criminal episode run consecutively.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 160](#)

[Williams](#)

Relating to the regulation of certain aggregate production operations by the Texas Commission on Environmental Quality; providing penalties.

**Companions:** [HB 571](#) Huberty (Identical)  
1-10-11 H Filed

**Remarks:** MJV-Requires an aggregate production operation to provide notice to TCEQ when it begins or ends production. Requires the TCEQ to annually survey the state to identify all active aggregate production operations in the state. Requires TCEQ to inspect such operations every three years (or in response to a complaint) for compliance with all permits. Allows TCEQ to charge a permit fee of up to \$1,000 per year. Allows TCEQ to impose penalties of up to \$10,000 for each year an aggregate production operation operates without registration (up to \$25,000 in a three year period).

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Natural Resources

[SB 161](#)

[Shapiro](#)

Relating to highway funding formulas of and project selection by the Texas Department of Transportation.

**Remarks:** MJV-Requires the Transportation Commission to adopt rules for funding formulas for highway projects with the input of planning organizations, transportation officials, and local government officials. Requires all discretionary highway funds (including toll revenue) to be allocated according to a formula that will proportionately address: rural and statewide connectivity needs; and the needs of urban and other heavily populated areas. The formulas must be based on performance measures and include the following criteria: center lane miles; level of congestion; percentage population in poverty; population; safety; and vehicle

*miles traveled. Requires TxDOT to develop criteria to determine the feasibility of highway projects to be included in the local transportation improvement plans and the statewide transportation improvement plan. Requires TxDOT to adopt population and highway demand projection for each area for which an MPO or TxDOT develops a transportation improvement plan. TxDOT and the MPO must use the criteria and population projections to develop the entity's transportation improvement plan.*

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Transportation and Homeland Security

[SB 163](#)

[Shapiro](#)

*Relating to agreements between a regional tollway authority and a local governmental entity governing the ownership, construction, maintenance, and operation of toll projects.*

**Remarks:** *MJV-Establishes primacy for RTA toll projects over individual member county toll projects unless there is an agreement to do otherwise.*

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Transportation and Homeland Security

[SB 167](#)

[West](#)

*Relating to the automatic expunction of arrest records and files after an individual receives a pardon or a grant of certain other relief with respect to the offense for which the individual was arrested.*

**Remarks:** *MJV-Entitles a person to expunction of records related to an arrest if the person is granted relief on the basis of actual innocence with respect to that offense. Requires a court presiding over a case in which a defendant is convicted and subsequently pardoned or granted relief based on innocence to enter an order of expunction within 30 days.*

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 168](#)

[West](#)

*Relating to the use of proceeds from criminal asset forfeiture to provide college scholarships to children of peace officers killed in the line of duty and to an annual report regarding the total value of forfeited property in this state.*

**Remarks:** *MJV-Allows a law enforcement agency to transfer up to 10% of its criminal asset forfeiture fund to a special fund administered by the law enforcement agency and used to fund scholarships to children of peace officers who were killed in the line of duty. Requires the AG to issue an annual report on the total value of forfeited property seized in the previous year.*

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 170](#)

[Ellis](#)

*Relating to the reorganization of powers and duties among agencies in this state that provide representation to indigent defendants in criminal cases and to the reorganization of funding sources for indigent defense.*

**Remarks:** *MJV-Repeals the Task Force on Indigent Defense and creates the Texas Indigent Defense Commission to develop policies and standards for providing indigent defense services.*

*-Gives the Commission authority to enforce standards by withdrawing grant funds or requiring reimbursement of grant funds.*

*-Allows a county or group of counties to form a public defenders office and appoint an oversight board for the office. Fixes a statutory conflict to allow a county to create a public defenders office as a county department without soliciting bids.*

*-Allows a county (with approval of the judges in the county) to create a managed assigned counsel program.*

*-Repeals the indigent defense representation fund, which was never funded.*

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 174](#)

[Nichols](#)

*Relating to prohibiting the use of eminent domain to take private property for recreational purposes.*

**Remarks:** *MJV-Prohibits taking of private property through eminent domain if the taking is for a recreational purpose. Repeals authority of the Parks and Wildlife Department to use eminent domain for development of outdoor recreation resources or park sites.*

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate State Affairs

[SB 175](#)

[Nichols](#)

*Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem taxation.*

**Remarks:** *MJV-Lowers the appraisal cap to 5%. Allows commissioners court to call an election to increase the appraisal cap countywide (up to a limit of 10%). An election may only be held once every ten years.*

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Finance

[SB 178](#)

[Fraser](#)

*Relating to requirements to vote, including presenting proof of identification; providing criminal penalties.*

**Companions:** [HB 248](#) Chisum (Identical)  
11-12-10 H Filed

**Remarks:** *MJV-Requires the county voter registrar to include a notice of ID requirements on each voter registration certificate issued or renewed and to post the requirements on the county's website. Requires a list of acceptable IDs to be posted outside each polling location. Requires election officials to provide written notice of acceptable IDs to anyone showing up to vote without proper ID. Allowable forms of ID are: a current driver's license; military ID, US citizenship certificate; or a US passport.*

*-Increases the penalty for illegal voting to a second degree felony. Increases the penalty for attempting to illegally vote to a state jail felony.*

-Allows a provisional ballot to be cast and counted if the person brings acceptable ID to the early voting ballot board within 6 days. Prohibits DPS from charging a fee for an ID card obtained solely for voting purposes.

-Makes conforming repeals.

**Last Action:** 11- 8-10 S Filed

[SB 180](#)

[Estes](#)

Relating to the use of eminent domain authority.

**Companions:** [HB 279](#) Geren (Identical)

11-15-10 H Filed

[SB 18](#) Estes (Identical)

2-14-11 H Received in the House - Not referred

**Remarks:** MJV- Prohibits using eminent domain to acquire property if it is not for public use. Requires a record vote in a public meeting to initiate a condemnation. Each unit of property not owned by the same person requires a separate vote unless there is unanimous consent.

-Requires entities authorized to use eminent domain to provide a letter to the comptroller by December 31, 2012 identifying the statute that permits it to use eminent domain. Eminent domain authority expires September 1, 2013 for any entities that fail to submit a letter.

-Requires an entity seeking to use eminent domain to acquire or lease a property to disclose all appraisal reports prepared within the last 10 years on the property to the property owner via certified mail. Prohibits including a confidentiality provision.

-Requires a bona fide offer to be made in writing prior to use of eminent domain. An owner may be awarded court costs and attorney fees if no bona fide offer was made.

-Requires a judge in a condemnation case to allow each party to strike one of the three commissioners appointed to hear the case.

-Allows a former owner or owner's heirs, successors or assigns to request information on progress toward using land for a public use after 10 years. Allows a person or their heirs, successor, or assigns to repurchase the property if the public use for which the property was acquired is cancelled; no progress is made toward the public use within 10 years; or the property becomes unnecessary for use.

-Requires payment of relocation assistance, moving expenses, relocation and financial assistance.

-Repeals a public information act provision requiring entities with eminent domain authority to disclose information in the same manner as a governmental entity. Repeals a provision requiring the production of certain information (regarding a use of eminent domain) for entities that are considered critical infrastructure.

<p><a href="#">SB 182</a> ■</p>	<p><b>Last Action:</b> 1-31-11 S Introduced and referred to committee on Senate State Affairs</p> <p><a href="#">Wentworth</a> Relating to the penalty for the offense of reckless driving.</p>
	<p><b>Remarks:</b> MJV-Increases the penalty for reckless driving to a Class B misdemeanor if the result is bodily injury or death. Allows a court to suspend a license for thirty days or require a driver safety course.</p>
<p><a href="#">SB 183</a> ■</p>	<p><b>Last Action:</b> 1-31-11 S Introduced and referred to committee on Senate Transportation and Homeland Security</p> <p><a href="#">Wentworth</a> Relating to placement of a student in a disciplinary alternative education program for certain harassing behavior directed at an educator.</p>
	<p><b>Remarks:</b> MJV-Requires a student to be placed in a DAEP for not less than 60 days if they publish a threat of bodily injury against an educator, associating the educator with a terrorist, criminal, or hate group, or depict an educator as engaging in an obscene act.</p>
<p><a href="#">SB 195</a> ■</p>	<p><b>Last Action:</b> 1-31-11 S Introduced and referred to committee on Senate Education</p> <p><a href="#">Nelson</a> Relating to activity that constitutes maintaining a common nuisance.</p>
	<p><b>Companions:</b> <a href="#">HB 289</a> Jackson, Jim (Identical) 11-15-10 H Filed</p>
	<p><b>Remarks:</b> MJV-Adds crimes involving sexual exploitation of minors to the common nuisance statute.</p>
<p><a href="#">SB 196</a> ■</p>	<p><b>Last Action:</b> 1-31-11 S Introduced and referred to committee on Senate Criminal Justice</p> <p><a href="#">Wentworth</a> Relating to the reapportionment of congressional districts and the creation, function, and duties of the Texas Congressional Redistricting Commission.</p>
	<p><b>Remarks:</b> MJV-Creates the Texas Congressional Redistricting Commission composed of nine members who are appointed by majority vote in each house of the legislature. Each major political party makes four appointments, the ninth member is appointed by the other members of the commission. A person may not serve if they are an elected official, a lobbyist, or have served as an officer of a political party (other than precinct committee membership). The commissio is to adopt a redistricting plan and submit it to the legislative leadership.</p>
	<p><b>Last Action:</b> 1-31-11 S Introduced and referred to committee on Senate Select Committee on Redistricting</p>
<p><a href="#">SB 197</a> ■</p>	<p><a href="#">West</a> Relating to the compulsory inspection of motor vehicles; providing penalties.</p>
	<p><b>Remarks:</b> MJV-Increases the penalties on inspection stations for knowingly providing and inspection sticker in violation of the law. An offense is a Class A misdemeanor (currently Class C misdemeanor).</p>

Requires an inspection station or inspector to post a bond of \$500. The AG or local county attorney may file suit on behalf of the state to recover the bond for violations.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Transportation and Homeland Security

[SB 198](#)

[West](#)

Relating to exempting persons who are convicted of certain sexual offenses from registering as a sex offender in this state.

**Companions:** [HB 227](#) Smith, Todd (Identical)  
11- 9-10 H Filed

**Remarks:** KCT - Exempts convicted persons from registering as a sex offender if they are not more than four years older than the victim and the victim is at least 14 years of age.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 201](#)

[Uresti](#)

Relating to the calculation of ad valorem taxes on the residence homestead of a 100 percent or totally disabled veteran for the tax year in which the veteran qualifies or ceases to qualify for an exemption from taxation.

**Companions:** [HB 469](#) Callegari (Identical)  
12-22-10 H Filed

**Remarks:** MJV-Makes the homestead exemption for 100% disabled veterans effective on January 1 of the tax year in which the person qualifies.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Finance

[SB 202](#)

[Shapiro](#)

Relating to achievement benchmarks in fiscal notes and to legislative review of those benchmarks.

**Remarks:** MJV-Requires the Legislative Budget Board to include in the fiscal note on a bill that authorizes the expenditure or state funds a statement of the purpose of a bill and the reasonable benchmarks that will be used to determine if its purposes have been achieved. Requires the LBB to issue a report indicating whether the benchmarks have been met after six years with a recommendation on repealing or continuing the bill's provisions.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Committee on Administration

[SB 203](#)

[Huffman](#)

Relating to the punishment prescribed for burglary of a vehicle and to grants of community supervision to persons who commit that offense.

**Remarks:** MJV-Makes first time repeat convictions for vehicle burglary a state jail felony (currently a class A misdemeanor with minimum confinement of six months). Repeals language allowing community supervision for the same offense.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 205](#)

[Whitmire](#)

Relating to school district policies to prohibit bullying, cyberbullying, harassment, and intimidation.

**Remarks:** MJV-Requires school districts to adopt a policy prohibiting bullying, harassment and cyberbullying.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Education

[SB 206](#)

[Van de Putte](#) Relating to extending a local behavioral health intervention pilot project.

**Companions:** [HB 35](#) Menendez (Identical)  
2- 9-11 H Introduced and referred to committee on House Public Health

**Remarks:** MJV-Extends a local behavioral health intervention pilot project for children in Bexar County until 2012.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Health and Human Services

[SB 209](#)

[Zaffirini](#) Relating to the supervision of certain juvenile case managers.

**Companions:** [HB 409](#) Walle (Identical)  
12- 9-10 H Filed

**Remarks:** MJV-Requires the judge of a court with a juvenile case manager to provide for supervision of the manager.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Jurisprudence

[SB 210](#)

[Ellis](#) Relating to the designation of certain election days as state holidays.

**Remarks:** MJV-Makes statewide election days (including primaries) state holidays.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate State Affairs

[SB 211](#)

[Ellis](#) Relating to the registration of voters at a polling place during early voting by personal appearance and related procedures.

**Remarks:** MJV-Allows a person to register to vote during early voting. The vote is treated like a mail in ballot (subject to verification of registration).

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate State Affairs

[SB 212](#)

[Ellis](#) Relating to prohibited deceptive or disenfranchising practices regarding an election; providing criminal penalties.

**Companions:** [HB 1038](#) Reynolds (Identical)  
1-31-11 H Filed

**Remarks:** MJV-Creates a state jail felony for unlawfully restricting a voter's right to vote. Prohibits deceiving or misleading a voter with the intent to prevent them from voting. Requires the AG to investigate complaints and the Secretary of State to provide a report to the

legislature on violations.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate State Affairs

[SB 213](#)

[Ellis](#)

Relating to the registration of voters at a polling place and related procedures.

**Remarks:** MJV-Requires two voter registrars to be present at each polling place. Allows a person to register to vote at their polling place.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate State Affairs

[SB 214](#)

[Ellis](#)

Relating to early voting by mail by any qualified voter.

**Remarks:** MV-Allows any qualified voter who is eligible to vote early to vote by mail. Makes conforming repeals.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate State Affairs

[SB 215](#)

[Ellis](#)

Relating to the date on which certain voters may be removed from a county's voter registration list and related requirements.

**Remarks:** MJV-Provides that the date a voter is considered to have been entered on the suspense list is the date of the most recent election in which they voted.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate State Affairs

[SB 216](#)

[Ellis](#)

Relating to procedures related to the placement of a voter on the suspense list.

**Remarks:** MJV-Requires a voter registrar to determine if a returned voter registration certificate was returned due to postal service error or clerical error.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate State Affairs

[SB 217](#)

[Huffman](#)

Relating to expulsion of a public school student who commits certain criminal acts involving a computer, computer network, or computer system owned by or operated on behalf of a school district.

**Companions:** [HB 1224](#) Reynolds (Identical)  
2- 9-11 H Filed

**Remarks:** MJV-Allows a student to be expelled for a breach of computer security involving accessing a computer system owned by a school district.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Education

[SB 219](#)

[Nelson](#)

Relating to health and mental health services for children in foster care and kinship care.

**Remarks:** KCT- Requiring that the Department of Family and Protective

Services provide trauma informed training to department caseworker supervisors, court –appointed special advocates, children’s advocacy center staff, therapists at the DADS mental health centers, domestic violence shelter staff and parenting classes. DFPS must evaluate the trauma informed training program annually.

Health and Human Services Commission must explore opportunities to increase STAR Health program provider’s use of telemedicine and provides new contract provisions requiring physicians or providers be trained in trauma informed care and encourage physicians or providers receive training in PTSD, ADHD disorders. Requires that each child seen under the STAR Health program receive a preliminary behavioral health assessment.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Health and Human Services

[SB 220](#)

[Nelson](#)

Relating to guardianships, including the assessment of prospective wards for, and the provision of, guardianship services by the Department of Aging and Disability Services.

**Remarks:** MJV-Allows a court in guardianship proceedings to apportion costs (attorney, health professionals, and interpreters) to all parties in the proceeding. If the ward’s estate cannot pay the ward’s costs, the responsibility falls to the county (currently all costs fall on the county).

-Increases the number of people a citation (required when a guardianship application is filed) must be served on to include spouses, parents, adult siblings, and adult children. Requires the sheriff or other officer to personally serve the citation to the ward’s spouse and/or parents. The clerk must mail (registered mail) each of the ward’s adult siblings and adult children and any other relatives if appropriate.

-Requires a probate court to appoint an attorney ad litem in a proceeding to remove a guardian. Requires the same citation and mail notification as above in these types of cases. If a guardian is reinstated or if a successor guardian is to be named, the same notice requirements apply.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Jurisprudence

[SB 221](#)

[Nelson](#)

Relating to the Department of Family and Protective Services, including protective services and investigations of alleged abuse, neglect, or exploitation for certain adults who are elderly or disabled.

**Remarks:** MJV-Enhances the ability of the Department of Family and Protective services to investigate alleged abuse or neglect of elderly or disabled adults.

-Adds an extra person to the special task unit (investigates complicated cases) that are required to be created in all counties of more than 250,000. The additional member must be a medical

professional.

-Increases the penalty for a false report of abuse or neglect of an elderly or disabled adult from a Class B misdemeanor to a Class A misdemeanor.

**Last Action:** 2-15-11 S Meeting set for 11:00 A.M. or Adj., 2E.20, Senate Health and Human Services

[SB 231](#)

[Nelson](#)

Relating to the permanent revocation of a person's driver's license or permit on conviction of a second offense relating to the operating of a motor vehicle while intoxicated.

**Remarks:** KCT- Requires the court to permanently revoke an individual's driver's license or permanently deny the issuance of one upon the second conviction of DWI, DWI with a child passenger, intoxication assault or intoxication manslaughter.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 232](#)

[Nelson](#)

Relating to wearing a secure alcohol monitoring device as a required condition of community supervision for certain intoxication offenses.

**Remarks:** KCT- Requires a judge to order a defendant in a certain DWI offense wear a secure alcohol monitoring device as a condition of community supervision for no more than 60 days at the defendant's expense.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 236](#)

[Deuell](#)

Relating to the creation of the Hunt County Municipal Utility District No. 1.

**Companions:** [HB 84](#) Flynn (Identical)  
2- 9-11 H Introduced and referred to committee on House Natural Resources  
[HB 315](#) Flynn (Identical)  
11-18-10 H Filed

**Remarks:** MJV-Creates the Hunt County MUD. Requires a confirmation election which may only be held with the support of each city located in the MUD area.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Intergovernmental Relations

[SB 238](#)

[West](#)

Relating to the regulation of solar energy devices by a property owners' association.

**Companions:** [HB 450](#) Lucio III (Identical)  
12-20-10 H Filed  
[SB 302](#) Wentworth (Identical)  
2- 2-11 S Introduced and referred to committee on Senate Intergovernmental Relations  
[SB 447](#) Jackson, Mike (Identical)  
2- 2-11 S Introduced and referred to committee on Senate Intergovernmental Relations

**Remarks:** *Limits ability of property owners associations to prohibit installation of solar panels on owners' property.*

*Applies only to residential service: no impact on P3 members.*

**Last Action:** *1-31-11 S Introduced and referred to committee on Senate Intergovernmental Relations*

[SB 239](#)

[Huffman](#)

*Relating to the conduct that constitutes an offense for the delivery of drug paraphernalia to a person younger than 18 years of age.*

**Remarks:** *MJV-Removes an age-difference restriction to make it an offense for an adult to provide drug paraphernalia to any person under 18.*

**Last Action:** *1-31-11 S Introduced and referred to committee on Senate Criminal Justice*

[SB 241](#)

[Ellis](#)

*Relating to HIV and AIDS tests and to health benefit plan coverage of HIV and AIDS tests.*

**Companions:** [HB 786](#) *Davis, Yvonne (Identical)*  
*1-21-11 H Filed*

**Remarks:** *MJV-Requires a health care provider who takes a blood sample for a routine medical screening to also test for HIV, unless the patient opts out.*

*-Prohibits a health benefit plan from excluding or denying coverage for such a test.*

**Last Action:** *1-31-11 S Introduced and referred to committee on Senate Health and Human Services*

[SB 242](#)

[Davis, Wendy](#)

*Relating to bullying, including cyberbullying, in public schools.*

**Companions:** [HB 224](#) *Strama (Identical)*  
*2-14-11 H Introduced and referred to committee on House Public Education*

**Remarks:** *MJV-Expands the definition of "bullying" to include "cyberbullying". Allows a board of trustees, at the request of a parent, to reassign a student who engaged in bullying to another classroom or to another campus.*

**Last Action:** *1-31-11 S Introduced and referred to committee on Senate Education*

[SB 244](#)

[Patrick, Dan](#)

*Relating to the continuing education requirements for certain peace officers.*

**Companions:** [HB 480](#) *Fletcher (Identical)*  
*1- 3-11 H Filed*

**Remarks:** *MJV-Allows the Bill Blackwood Law Enforcement Management Institute to provide continuing education specific to command staff who are second in command to police chiefs.*

**Last Action:** *1-31-11 S Introduced and referred to committee on Senate*

Criminal Justice

[SB 245](#)

[Davis, Wendy](#) *Relating to bullying, including cyberbullying, in public schools.*

**Remarks:** MJV-Expands the definition of "bullying" to include "cyberbullying". Allows a board of trustees, at the request of a parent, to reassign a student who engaged in bullying to another classroom or to another campus. Includes several requirements for school districts to implement the policy.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Education

[SB 246](#)

[Shapiro](#) *Relating to financial security required of regional tollway authorities in connection with the provision of toll collection services.*

**Remarks:** 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.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Transportation and Homeland Security

[SB 249](#)

[Estes](#) *Relating to the composition of the Finance Commission of Texas.*

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

**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:** 1-31-11 S Introduced and referred to committee on Senate Business and Commerce

[SB 250](#)

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

**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:** 1-31-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 255](#)

[Nelson](#) *Relating to the jurisdiction of constitutional county courts over truancy cases and the appointment of magistrates to hear truancy cases in certain counties.*

**Companions:** [HB 734](#) Patrick, Diane (Identical)  
1-19-11 H Filed

**Remarks:** CEB-Reduces the population bracket on a statute allowing an attendance officer or other school official to file a truancy complaint in the constitutional county court from 2 million or more to 1.4 million or more.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate

Jurisprudence

[SB 259](#)

[Harris](#)

Relating to the duty of a peace officer to inquire into the immigration status of persons arrested on other grounds.

**Companions:** [HB 311](#) Geren (Identical)  
11-17-10 H Filed

**Remarks:** CEB- Requires a peace officer to ask about the immigration status of a person under arrest and report anyone who is an illegal alien to Immigration and Customs Enforcement.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Transportation and Homeland Security

[SB 267](#)

[Williams](#)

Relating to a joint statement regarding the transfer of a motor vehicle as the result of a gift.

**Remarks:** CEB- Requires that joint statements of a gift or even exchange of a motor vehicle filed with the tax-assessor collector be presented by one of the principal parties bearing a photo ID.

**Last Action:** 2-14-11 S Rereferred to Committee on Senate Transportation and Homeland Security

[SB 273](#)

[Uresti](#)

Relating to the powers and duties of certain public improvement districts.

**Remarks:** MJV - Adjusts a Bexar County only bracket for population change on a provision regarding PIDs. Requires the district to get approval from the county or city (if created by the city) before adding or excluding land from the district.

**Last Action:** 12-17-10 S Filed

[SB 283](#)

[Harris](#)

Relating to the appointment of associate judges in child protective services cases.

**Remarks:** MJV-Allows a presiding administrative judge to appoint an associate judge to hear any child protective services cases involving the protection of the child (currently only if the case involves removal of the child from custody of the parent).

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Jurisprudence

[SB 284](#)

[Harris](#)

Relating to certain hearings in a suit affecting the parent-child relationship.

**Remarks:** MJV-Allows a judge conducting a de novo hearing in a suit affecting the parent-child relationship to consider evidence from previous proceedings that was recorded by means other than a court reporter provided the proceedings were not required to be recorded by a court reporter and the means of recording was approved by the referring judge.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Jurisprudence

[SB 285](#)

[Harris](#)

Relating to exempting certain judicial officers from certain requirements for obtaining or renewing a concealed handgun license

and to the authority of certain judicial officers to carry certain weapons.

**Companions:** [HB 857](#) Hughes (Identical)  
1-25-11 H Filed

**Remarks:** MJV-Expands a provision allowing the possession of concealed weapons by judges to include a person appointed as a family court associate judge.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Jurisprudence

[SB 286](#)

[Harris](#)

Relating to attorney's fees and other amounts taxes as costs in guardianship proceedings.

**Remarks:** MJV-Allows a court in guardianship proceedings to apportion costs (attorney, health professionals, and interpreters) to all parties in the proceeding. If the ward's estate cannot pay the ward's costs, the responsibility falls to the county (currently all costs fall on the county).

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Jurisprudence

[SB 295](#)

[Watson](#)

Relating to the definition of emergency services personnel for purposes of the enhanced penalty prescribed for an assault committed against a person providing services in that capacity.

**Remarks:** MJV-Adds Emergency Room Personnel to the list of public servants against whom a Class A assault charge is upgraded to a third degree felony.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Transportation and Homeland Security

[SB 296](#)

[Wentworth](#)

Relating to the mitigation of the impact of residential development in public school districts.

**Remarks:** KCT - Prohibits a county or municipality from granting final approval to a plat or replat of a residential development unless the developer presents evidence of having transferred the school district land or received a waiver from the school district waiving its right to purchase the property- **Requires the developer of a proposed residential development containing 1,000 or more residential units including single-family homes and multifamily dwellings, who submits a plat or replat of the development for approval,**

- **to provide advance notice to the school district in which the development is located.**

**- The district is entitled to purchase a percentage of the acreage within the development if it is necessary to accommodate the increased school population.**

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Education

[SB 299](#)

[Wentworth](#)

Relating to mandatory sales price disclosure in real property sales.

**Remarks:** CEB - Requires that the sale price of real property be disclosed on instruments filed with the county clerk.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Intergovernmental Relations

[SB 300](#)

[Wentworth](#)

Relating to changing the name of the Railroad Commission of Texas to the Texas Energy Commission.

**Remarks:** MJV-Renames the Railroad Commission to Texas Energy Commission; does not propose any structural changes.

**Last Action:** 1-31-11 S Introduced and referred to committee on Senate Government Organization

[SB 303](#)

[Nichols](#)

Relating to health care services provided or paid by a hospital district or public hospital.

**Remarks:** CEB-Permits a hospital district or public hospital to recover an amount equal to the value of any services obtained by fraud. Creates subrogation provisions for recovery. Requires a person who applies for health care service to disclose at the time of application any unsettled tort claims, insurance coverage and if an injury was caused by acts of another person. Allows a hospital district or public hospital to deny service to a person who knowingly commits fraud.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate State Affairs

[SB 304](#)

[Nichols](#)

Relating to employment services programs for certain residents receiving services from public hospitals or hospital districts.

**Remarks:** WLJ: Allows hospital districts and public hospitals to require unemployed, non-disabled applicants to apply for services from the Texas Work Source. Chapter 61 currently requires this of counties.

**Last Action:** 2-15-11 S Meeting set for 11:00 A.M. or Adj., 2E.20, Senate Health and Human Services

[SB 305](#)

[Huffman](#)

Relating to the punishment prescribed for burglary of a vehicle and to grants of community supervision to persons who commit that offense.

**Companions:** [HB 20](#) Riddle (Identical)  
2- 9-11 H Introduced and referred to committee on House Criminal Jurisprudence

**Remarks:** MJV - Increases the penalty for burglary of a vehicle from a Class A misdemeanor to a state jail felony. Makes conforming repeals.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 309](#)

[Harris](#)

Relating to the events eligible to receive funding through a major events trust fund.

**Companions:** [HB 735](#) Patrick, Diane (Identical)  
1-19-11 H Filed

**Remarks:** CEB-Expands events eligible to receive funds from a major events trust fund to include the Academy of Country Music Awards and conventions of the Republican or Democratic National Committees.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Economic Development

[SB 312](#)

[Seliger](#)

Relating to the exemption of certain electric cooperatives from certain regulations.

**Companions:** [HB 1165](#) Keffer (Identical)  
2- 7-11 H Filed

**Remarks:** CEB-Creates an exemption (from regulation as a gas utility) for electric cooperatives that operate gas storage facilities no larger than five billion cubic feet and that support the integration of renewable resources.

No impact on P3 members.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Natural Resources

[SB 313](#)

[Seliger](#)

Relating to priority groundwater management areas.

**Remarks:** CEB-Expands the time frame that is used to project critical conditions that qualify an area to be designated a priority groundwater management area from 25 years to 50 years. Allows TCEQ to adopt rules to create a water district over all or part of the land in existing critical areas.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Natural Resources

[SB 315](#)

[Carona](#)

Relating to the agencies and entities responsible for compiling and maintaining information pertaining to criminal combinations and criminal street gangs.

**Remarks:** CEB-Requires a juvenile justice agency (an entity with control over juveniles) to compile an intelligence database on criminal gang activity. Adds additional local law enforcement or probation representatives to the Texas Violent Gang Task Force.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Transportation and Homeland Security

[SB 316](#)

[Whitmire](#)

Relating to criminal asset forfeiture, the disposition of proceeds and property from criminal asset forfeiture, and accountability for that disposition.

**Remarks:** CEB-Amends provisions for seizing and forfeiting contraband by expanding the prohibition to induce a person to waive property rights to any peace officer, including the state attorney. Requires interest earned in forfeiture fund accounts be used for the same purpose as the principal. Restricts the head of a law enforcement agency from using funds for political purposes, to pay training expenses for any judge, travel expense for training seminars if the expense violates policy of commissioners court, or to buy alcohol. Prohibits using the funds to increase salaries or make any

expenditure not approved by commissioners court if the head of the law enforcement agency or attorney representing the state is retiring or has been defeated in an election. Funds may be donated to entities that assist in criminal prosecution or provide mental health, drug rehabilitation or victim services. Creates a requirement to disclose how funds are spent to the attorney general. Allows the state auditor to audit a fund at any time. Provides civil penalties for misuse of funds.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 319](#)

[Carona](#)

Relating to financing programs for low-income electric customers and certain other electric customers.

**Remarks:** CEB-Reworks the system benefit fund (provides assistance with electric utility bills for low income Texans) by reducing the statutory fee from 65 cents to 2 cents and allowing the PUC to adjust the nonbypassible fee used to fund the program.

Stipulates that a municipally owned utility or electric cooperative may not reduce existing programs until it implements customer choice and that retail providers may not reduce programs after September 11, 2013.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Finance

[SB 321](#)

[Hegar](#)

Relating to an employee's transportation and storage of certain firearms or ammunition while on certain property owned or controlled by the employee's employer.

**Companions:** [HB 681](#) Kleinschmidt (Identical)  
1-18-11 H Filed

**Remarks:** CEB-Allows an employee who has a concealed handgun license to store a gun or ammunition in a locked, privately owned vehicle in a parking area provided by the employer.

Prohibits possession of a gun or ammunition by an employee on any property where it is illegal, in a vehicle owned by an employer (unless it is part of the job duty), in schools, or on property owned by someone other than an employer that has a valid oil and mineral lease issued before September 1, 2011 that prohibits the possession of firearms.

Allows an employer to prohibit an employee with a concealed handgun license to bring a gun on its premises.

Creates immunity from civil liability for an employer if an injury or death occurs from the act of an employee who stores a weapon in their vehicle as provided by this statute.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 326](#)

[Duncan](#)

Relating to the exemption from ad valorem taxation of certain

tangible personal property stored temporarily at a location in this state.

**Remarks:** MJV-Makes changes to the freeport exemption, apparently narrowing it to apply just to goods "stored" temporarily in the state (strikes "assembled, manufactured, processed or fabricated"). Prohibits taxing goods-in-transit unless the taxing unit takes action to provide for taxation.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Finance

[SB 328](#)

[Carona](#)

Relating to notice of a hospital lien.

**Remarks:** KCT - Requires that a hospital or EMS provider give notice to injured individuals by certified mail prior to filing notice of a lien with the county clerk. Notice by mail is not required if it is given at the time EMS services are provided or of the individuals admission to the hospital.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate State Affairs

[SB 330](#)

[Watson](#)

Relating to renewable energy capacity, jobs, and trading credits.

**Companions:** [HB 774](#) Anchia (Identical)  
1-20-11 H Filed

**Remarks:** MJV-Reconfigures the goals for electric utilities to provide more of their energy production from renewable sources by breaking them into tier 1 goals (solar, wind, water, etc.) and tier 2 goals (same as tier 1, but producing more than 150 kilowatts). Allows a utility to pay an alternative payment set by PUC instead of meeting the goals.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Natural Resources

[SB 335](#)

[Fraser](#)

Relating to an exemption from regulation as health spas for certain governmental hospitals and clinics.

**Companions:** [HB 760](#) Eiland (Identical)  
1-20-11 H Filed

**Remarks:** CEB-Clarifies that a hospital or clinic that is owned or operated by a county is not subject to regulation as a health spa.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Health and Human Services

[SB 336](#)

[Gallegos](#)

Relating to the composition of certain regional planning commissions.

**Remarks:** CEB-Provides that Harris County may create a regional planning commission only with cities located wholly or partly in the county and not with another county.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Intergovernmental Relations

<a href="#">SB 337</a> ■	<a href="#">Gallegos</a>	Relating to the authority of certain counties to enact noise regulations, providing a criminal penalty.
	<b>Remarks:</b>	CEB-Authorizes Harris County to enact noise regulations in unincorporated areas.
	<b>Last Action:</b>	2- 2-11 S Introduced and referred to committee on Senate Intergovernmental Relations
<a href="#">SB 338</a> ■	<a href="#">Gallegos</a>	Relating to penalty assessment for violations of the Texas Clean Air Act committed by major sources.
	<b>Remarks:</b>	CEB-Requires the calculation of a penalties assessed for hazardous air violations from a major source to include the economic impact of the violation and an amount determined to deter future violations.
	<b>Last Action:</b>	2- 2-11 S Introduced and referred to committee on Senate Natural Resources
<a href="#">SB 339</a> ■	<a href="#">Gallegos</a>	Relating to disclosure by the Texas Commission on Environmental Quality of information related to emissions events.
	<b>Remarks:</b>	CEB-Requires TCEQ to report air emission events to each state senator, state representative, commissioners court and mayor of the affected area.
		Requires TCEQ to post notice of the preceeding 12 weeks of all emissions events on its website.
	<b>Last Action:</b>	2- 2-11 S Introduced and referred to committee on Senate Natural Resources
<a href="#">SB 342</a> ■	<a href="#">Carona</a>	Relating to the power of the office of the attorney general to make certain examinations and inquiries.
	<b>Remarks:</b>	CEB-Allows the attorney general to investigate any entity or non-profit agency suspected of planning or executing illegal activities.
	<b>Last Action:</b>	2- 2-11 S Introduced and referred to committee on Senate Business and Commerce
<a href="#">SB 343</a> ■	<a href="#">Davis, Wendy</a>	Relating to the administrative fee charged for the collection of an unpaid toll.
	<b>Remarks:</b>	CEB-Reduces the administrative fee that Toll Road Authority in Harris county and adjacent counties can charge for collecting an unpaid toll from \$100 to \$50.
	<b>Last Action:</b>	2- 2-11 S Introduced and referred to committee on Senate Transportation and Homeland Security
<a href="#">SB 349</a> ■	<a href="#">Eltife</a>	Relating to the hotel occupancy tax rate in certain municipalities.
	<b>Companions:</b>	<a href="#">HB 1004</a> Hopson (Identical) 1-31-11 H Filed
	<b>Remarks:</b>	CEB-Caps the hotel occupancy tax rate at nine percent in a city larger than 95,000 located within a county larger than 200,000 that borders Lake Palestine.

<a href="#">SB 355</a> ■	<p><b>Last Action:</b> 2- 2-11 S Introduced and referred to committee on Senate Finance</p> <p><a href="#">Ellis</a> Relating to the elimination of smoking in certain workplaces and public places.</p>
	<p><b>Remarks:</b> WLJ: Prohibits smoking in all places of employment and public spaces. Including a facility or vehicle of a local government.</p>
	<p><b>Last Action:</b> 2- 2-11 S Introduced and referred to committee on Senate Health and Human Services</p>
<a href="#">SB 357</a> ■	<p><a href="#">Van de Putte</a> Relating to an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran or the principal residence of the surviving minor children.</p>
	<p><b>Companions:</b> <a href="#">HB 833</a> Lozano (Identical) 1-24-11 H Filed</p>
	<p><b>Remarks:</b> MJV-Allows the homestead exemption of a disabled veteran to pass to a surviving unremarried spouse. If the disabled veteran is unmarried, the owner of the property is entitled to the exemption if a minor child lived in the home and continues to remain in the residence while under age 18 and unmarried.</p>
	<p><b>Last Action:</b> 2- 2-11 S Introduced and referred to committee on Senate Finance</p>
<a href="#">SB 358</a> ■	<p><a href="#">Wentworth</a> Relating to the waiver of sovereign and governmental immunity in this state.</p>
	<p><b>Remarks:</b> MJV-Waives sovereign and governmental immunity for all governmental units.</p>
	<p><b>Last Action:</b> 2- 2-11 S Introduced and referred to committee on Senate State Affairs</p>
<a href="#">SB 359</a> ■	<p><a href="#">Wentworth</a> Relating to the powers and duties of certain emergency services districts.</p>
	<p><b>Companions:</b> <a href="#">HB 1030</a> Miller, Doug (Identical) 1-31-11 H Filed</p>
	<p><b>Remarks:</b> MJV-Repeals language permitting the creation of Emergency Services Districts in counties of less than 125,000.</p>
	<p><b>Last Action:</b> 2- 2-11 S Introduced and referred to committee on Senate Intergovernmental Relations</p>
<a href="#">SB 361</a> ■	<p><a href="#">Duncan</a> Relating to indemnification provisions in construction contracts.</p>
	<p><b>Remarks:</b> KCT- Repeals an indemnity provision in the government code applying to construction contracts with a state governmental entity, contractor, construction manager, subcontractor, supplier, or equipment lessor, concerning the construction, alteration, or repair, of a state public building or carrying out or completing any state public work.</p> <p>Creates an indemnity provision in construction contracts that is permissible.</p>

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate State Affairs

[SB 363](#)

[Ogden](#)

Relating to the cessation of tolls by toll project entities in certain circumstances.

**Remarks:** KCT- The principal of, interest on and any redemption premium, on bonds issued by an authority are payable from money derived from a turnpike project.

*Requires that the transportation commission maintain toll roads that become part of the state highway system without tolls once the road has been paid for and all the bonds and interest from bonds are payable from secured revenue or a trust holding a sufficient amount for the payment of all bonds and interest.*

*Strikes language requiring a regional mobility authority to commit to using surplus revenue to reduce tolls, spend the surplus revenue on other transportation projects in the counties of the authority or deposit the surplus revenue to the credit of the Texas Mobility Fund*

*Repeals a requirement that the transportation commission shall authorize the use of surplus revenue of a toll project or system to pay the costs of a transportation project, highway project, or air quality project within a department district in which any part of the toll project is located.*

*Repeals surplus revenue may be used for a transportation or air quality project as authorized*

*Repeals that a transportation project becomes a part of the state highway system and maintained, without tolls, by the transportation commission when the projects bonds and interest on the bonds have been pay or are secured by revenues of the project or an amount sufficient for payment is held in a trust.*

*Repeals that a county may request that the commission adopt an order stating that a project will not become part of the state highway system. If the commission adopts the order the project must be maintained by the county and will not become part of the state highway system unless the county transfers the project.*

*Repeals the definition of "Surplus revenue."*

*Repeals the authorization of the use of surplus revenue of a turnpike project for the study, design, construction, maintenance, repair, and operation of a highway that is not a turnpike.*

*Repeals the authorization the use of surplus revenue of a turnpike, by a board of authority, to pay the costs of another turnpike project.*

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Transportation and Homeland Security

[SB 364](#)

[Ogden](#)

Relating to statistical information on the prosecution of certain offenses relating to the operating of a motor vehicle while

intoxicated.

**Remarks:** CEB-Requires law enforcement agencies, prosecutors and courts to report DWI statistics regarding all arrests and disposition of those arrests to DPS.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 365](#)

[Ogden](#)

Relating to distributed generation of electric power.

**Companions:** [HB 225](#) Strama (Identical)  
2-14-11 H Introduced and referred to committee on House State Affairs

**Remarks:** MJV-Requires electricity providers to purchase electricity generated by natural gas powered generation facilities using recaptured gas.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Business and Commerce

[SB 366](#)

[Ogden](#)

Relating to the repeal of information disclosure exemptions for public power utilities.

**Remarks:** DQ-Revokes confidentiality of certain information for city-owned public power utilities.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Business and Commerce

[SB 371](#)

[Seliger](#)

Relating to the eligibility for service retirement annuities of certain elected officials convicted of certain crimes.

**Companions:** [HB 246](#) Johnson (Identical)  
11-12-10 H Filed

**Remarks:** MJV- Makes statewide elected officials and legislators ineligible for retirement benefits if they commit or attempt to commit felony bribery, embezzlement, extortion, theft of public money, Perjury, or conspiracy while in office. Repeals a provision prohibiting a civil war pensioner from receiving benefits while in the care or custody of the state.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate State Affairs

[SB 373](#)

[Duncan](#)

Relating to the offices of county treasurer and county auditor.

**Companions:** [HB 424](#) Darby (Identical)  
12-13-10 H Filed

**Remarks:** CEB-Changes the deadline for a county officer to deposit money into the county treasury after collecting it from 3 days to 5 days. Repeals a provision allowing commissioners court to extend that deadline to up to 7 days. Requires officials to provide monthly reconciliations for money sent to special accounts. If they fail to do so, the duty transfers to the treasurer.

*Allows a county treasurer to appoint and provide a bond for an assistant or deputy. Allows the county to self-insure against losses instead of requiring a blanket bond for assistants and deputies.*

*Allows a county treasurer to collect CSCD fees (with approval of the court clerk or fee officer) and to perform the duties of the county clerk relating to managing accounts for officers, with approval from the clerk and commissioners court.*

*Exempts a county auditor who provides monthly financial reports (required in a county of more than 225,000) that are published on the county's website from a requirement that they publish an annual financial exhibit.*

*Makes changes to allow for the use of and auditing of electronic transfers. Makes conforming appeals.*

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Intergovernmental Relations

[SB 374](#)

[Wentworth](#)

*Relating to the amount of the fee paid by a defendant for a peace officer's services in executing or processing an arrest warrant, capias, or capias pro fine.*

**Companions:** [HB 443](#) Fletcher (Identical)  
12-17-10 H Filed

**Remarks:** CEB - Increases fee paid by defendants for a peace officer's services in processing an arrest warrant, capias or capias pro fine from \$50 to \$75.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 375](#)

[Wentworth](#)

*Relating to categories of information presumed to be public under the public information law.*

**Companions:** [HB 1044](#) Solomons (Identical)  
2- 1-11 H Filed

**Remarks:** CEB-Clarifies that information made confidential under the public information act is exempt from disclosure.

**Last Action:** 1-19-11 S Filed

[SB 376](#)

[Wentworth](#)

*Relating to a fee collected for a jury trial in a civil case.*

**Remarks:** MJV-Clarifies conflicting provisions of law to allow county courts, probate courts, and district courts to collect filing fees for a jury trial in civil cases. Makes conforming repeals.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Jurisprudence

[SB 382](#)

[Harris](#)

*Relating to an administrative fee for defendants required by a court to perform community service in lieu of serving a term of confinement in county jail.*

**Companions:** [HB 934](#) Smith, Todd (Identical)  
1-26-11 H Filed

**Remarks:** MJV-Allows a court that requires a defendant to perform community service, including service as an alternative to jail time, to impose an administrative fee of up to \$50.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 383](#)

[Harris](#)

Relating to the imposition and use of certain court costs for breath alcohol testing programs.

**Companions:** [HB 933](#) Smith, Todd (Identical)  
1-26-11 H Filed

**Remarks:** CEB-Increases from \$22.50 to \$45.00, the fee for court costs a county may collect from defendants convicted of alcohol related offense in District Court, Statutory County Court or County Court to defray cost of maintaining an alcohol testing program.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 384](#)

[Harris](#)

Relating to the cancellation of the voter registrations of persons who are not United States citizens.

**Remarks:** MJV-Requires the secretary of state to cancel the voter registration of anyone who claims an exemption from jury duty due to non-citizen status.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate State Affairs

[SB 385](#)

[Williams](#)

Relating to the creation of an alternative fuel program to be funded by the Texas emissions reduction plan fund.

**Companions:** [HB 1037](#) Otto (Identical)  
1-31-11 H Filed

**Remarks:** MJV-Requires 5% of the TERP funds to be used for the clean fleet program and allows 2% to be used for the alternative fuel facilities program. The alternative fuel facilities program provides grant funding for facilities in nonattainment counties that provide fuel other than gasoline or diesel (biodiesel, electric, CNG, natural gas, hydrogen, propane, etc.).

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Natural Resources

[SB 394](#)

[Patrick, Dan](#)

Relating to the creation of the offense of unlawful transport of an undocumented person.

**Remarks:** CEB-Makes it a criminal offense to transport a person who is in the state illegally and is not a citizen of the United States and conceal the person from law enforcement.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Transportation and Homeland Security

[SB 395](#)

[Patrick, Dan](#) Relating to the punishment for certain intoxication offenses.

**Companions:** [HB 189](#) Smith, Todd (Identical)  
2-11-11 H Introduced and referred to committee on House Criminal Jurisprudence  
[SB 634](#) Hinojosa (Identical)  
2-14-11 S Filed

**Remarks:** MJV-Prohibits a judge from granting deferred adjudication for specific DWI type offenses if the defendant held a commercial driver's license at the time. Requires DWI (including flying, boating and operating amusement rides while intoxicated) defendants who are granted deferred adjudication to install and ignition interlock device in their vehicle.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 398](#)

[Duncan](#) Relating to the board of hospital managers of the Lubbock County Hospital District.

**Companions:** [HB 923](#) Frullo (Identical)  
1-26-11 H Filed

**Remarks:** MJV-Increases the size of the board of hospital managers of the Lubbock County Hospital District from an allowed range of 5 to 7 members to 6 to 8 members. Lubbock is already doing this, this is a clean up bill.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Intergovernmental Relations

[SB 399](#)

[Carona](#) Relating to a diesel vehicle emissions inspection and maintenance program and low-income vehicle repair assistance for diesel vehicles.

**Remarks:** MJV-Allows Diesel motor vehicles to qualify for the Low Income repair and Replacement Assistance Program (LIRAP).

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Natural Resources

[SB 400](#)

[Shapiro](#) Relating to the entities eligible to make purchases using the cooperative purchasing program administered by the comptroller.

**Remarks:** CEB-Adds child care providers to entities able to make purchases through the comptroller's cooperative purchasing program.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Government Organization

[SB 402](#)

[West](#) Relating to community land trusts.

**Remarks:** KCT - Allows a city or county to create or designate one or more community land trusts, organized as a nonprofit, to provide affordable housing.

- **Prohibits the trust from selling more than 20% of the**

**housing units to families with a yearly incomes at or below 120% of the area median family income if the units are located on tracts of land owned by the trust that constitute a contiguous geographic area.**

- **A community land trust is entitled to exemption from taxation by a taxing unit of land owned by the trust, and of any building or tangible personal property owned by the trust.**
  - **To qualify for the exemption it must meet the requirements of a charitable trust, adopt the exemption by July 1, and have an audit prepared annually by an independent auditor.**

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Intergovernmental Relations

[SB 409](#)

[Estes](#)

relating to the appraisal for ad valorem tax purposes of open-space land devoted to water stewardship purposes on the basis of its productive capacity.

**Remarks:** MJV-Allows open-space land that is devoted to water stewardship (conservation of water resources) to be appraised based on its productive capacity.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Finance

[SB 412](#)

[West](#)

Relating to payment of costs of improvements of a public improvement district designated by a municipality or county.

**Remarks:** MJV-Allows costs of improvements in a public improvement district to be paid using options other than the issuance of general obligation bonds to pay assessments, such as reimbursement agreements, temporary notes, or time warrants.

-Allows a governing body to enter into an agreement with a local government created corporation that provides for payment of amounts pledged to finance improvements.

-Repeals authority for a city or county to issue revenue or general obligation bonds to pay obligations related to a PID.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Intergovernmental Relations

[SB 413](#)

[West](#)

Relating to the purchasing and contracting authority of counties.

**Remarks:** MJV-Allows a county to purchase an item through a cooperative purchasing program that uses a competitive bidding procedure; through a competitive bidding procedure promulgated by an authorized state agency; or through in interlocal agreement that requires competitive bidding.

-Allows a purchasing agent to make payment by electronic transfer or check in addition to a warrant for purchase.

*-Removes the jail time component for a violation of the purchasing act.*

*-Requires a purchasing notice to be published in a newspaper for two weeks (currently one). The notice is only required for one week if notice is provided on the county website for two weeks.*

*-Removes a population bracket (2.8m or more) to allow any county to require prospective bidders to attend a pre-bid conference.*

*-Allows opened bids to be disposed of after 1 year.*

*-Allows commissioners court to re-award a bid if the chosen bidder is unable to obtain bonds or is otherwise unable to meet the requirements of the award.*

*-Clarifies that a commissioners court may adopt rules allowing the county to refuse to contract with someone who owes a debt to the county, such as delinquent taxes, fines, fees, and other amounts owed.*

*-Strikes a population bracket (800,000 or more) to allow any county to hire an insurance broker.*

*-Repeals a bracket (125,000 or more) to allow any county to use the alternative multistep competitive proposal procedure.*

*-Repeals several penalty provisions (removal from office, level of penalty) regarding actions to evade competitive bidding requirements.*

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Intergovernmental Relations

[SB 414](#)

[West](#)

Relating to the liability of county officers.

**Remarks:** *CEB-Creates a procedure to relieve commissioners court from providing legal defense for an elected official or officer who takes action beyond the scope of their official duties.*

*The process requires that the court consider the issue in a closed session that also allows the officer to participate. Following the closed session the court may ask the DA or county attorney to issue a confidential written opinion on the matter to the court and the officer.*

*If the DA determines that the action is inappropriate the court must hold a public hearing and allow the officer to appear and respond to the issue.*

*If after the public hearing commissioners court votes unanimously that the activity is inappropriate, the officer becomes financially liable for any continued actions and the county is not responsible for providing legal defense or for paying court costs or judgments*

resulting from the activity.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Intergovernmental Relations

[SB 415](#)

[Zaffirini](#)

Relating to individuals with intellectual disabilities committed to state supported living centers.

**Remarks:** CEB-Limits the length of time a court can order a person with intellectual disabilities into a state school for no more than one year. Requires a state school to notify the appropriate mental retardation authority 30 days before the commitment order expires and request that the MRA either create a transition plan for placing the resident in the community or file with the court to renew the commitment order.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Health and Human Services

[SB 417](#)

[West](#)

Relating to the disclosure by a court of criminal history record information that is the subject of an order of nondisclosure.

**Remarks:** MJV-Prohibits a court from publicly disclosing court records that are the subject of an order of nondisclosure. Makes some exceptions for disclosures to criminal justice agencies or to the person who is the subject of the order.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 420](#)

[Deuell](#)

Relating to determining eligibility for indigent health care.

**Companions:** [HB 655](#) Taylor, Van (Identical)  
1-13-11 H Filed

**Remarks:** CEB-Requires the income information of a sponsor of a resident alien to be included in determining eligibility for indigent health care.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Health and Human Services

[SB 421](#)

[West](#)

Relating to the computation of the state debt limit.

**Companions:** [HB 967](#) Otto (Identical)  
1-27-11 H Filed

**Remarks:** MJV-Requires the Bond Review Board to issue an annual report on the state's level of debt payable from the General Revenue Fund. The report will show the maximum amount of additional state debt that may be authorized without exceeding the limit provided in the state constitution.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Finance

[SB 422](#)

[Duncan](#)

Relating to the authority of a municipality or county to contract with another entity to collect certain assessments levied by the municipality or county.

**Companions:** [HB 1058](#) Frullo (Identical)  
2- 1-11 H Filed

**Remarks:** CEB-Allows a county or city to contract with another taxing unit or appraisal district to collect assessments levied by a public improvement district.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Intergovernmental Relations

[SB 423](#)

[Lucio](#)

Relating to health insurance coverage for eligible survivors of certain public servants killed in the line of duty.

**Companions:** [HB 983](#) Menendez (Identical)  
1-28-11 H Filed

**Remarks:** MJV-Expands a provision allowing the surviving spouse of an individual who is killed in the line of duty to continue to purchase insurance coverage from the public entity that employed them to allow "continued" coverage even if the individual was covered under another policy.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate State Affairs

[SB 426](#)

[Duncan](#)

Relating to the liability of and payment of legal fees for court-appointed trustees of certain facilities.

**Remarks:** CEB-Creates immunity from civil liability for a trustee appointed to operate a nursing home or assisted living center for an act or omission committed in good faith. Also allows the trustee to have legal fees paid by the Department of Aging and Disability Services.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate State Affairs

[SB 432](#)

[Jackson, Mike](#)

Relating to the penalty for failure to make a timely installment payment of ad valorem taxes on property in a disaster area.

**Companions:** [HB 803](#) Bonnen (Identical)  
1-21-11 H Filed

**Remarks:** MJV-Reduces the delinquent penalty interest rate for failing to make a timely installment on property taxes in a disaster area from 12% to 6%.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Finance

[SB 435](#)

[Nelson](#)

Relating to the consolidation of the regional poison control centers into the Texas Poison Control Center.

**Companions:** [HB 1015](#) Harper-Brown (Identical)  
1-31-11 H Filed

**Remarks:** CEB-Consolidates poison control centers from regional entities into the Texas Poison Control Center by abolishing regional centers at: UTMB; Dallas County Hospital District/North Texas; UT Health Science Center at San Antonio; University Medical Center of El Paso; El Paso County Hospital District; Texas Tech University

Health Sciences Center at Amarillo; and Scott and White Memorial Hospital in Temple. Removes an option for the Commission on State Emergency Communications to designate a satellite poison control center in Harris County.

Allows a coordinating committee to designate one or more medical facilities in the state to be affiliated with the center.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Health and Human Services

[SB 436](#)

[Nelson](#)

Relating to the authority of a county to inspect day-care centers and group day-care homes.

**Remarks:** CEB-Allows a county with a population of 700,000 or more to contract with a city for the county to conduct inspections of a day-care center or group day-care home located in the city.

**Last Action:** 2-15-11 S Meeting set for 11:00 A.M. or Adj., 2E.20, Senate Health and Human Services

[SB 442](#)

[Wentworth](#)

Relating to notice by a governmental entity regarding certain geospatial data products.

**Remarks:** CEB-Requires a county to identify any geospatial data product(notice, service or map)that represents property boundaries as 'informational only' if the product was developed without a suvey conducted by a registered land surveyor.

**Last Action:** 1-28-11 S Filed

[SB 445](#)

[Eltife](#)

Relating to the creation, purpose, implementation, and funding of the County Park Beautification and Improvement Program.

**Remarks:** MJV - Blocker Bill (traditional blocker that prevents considering other legislation without 2/3 approval).

**Last Action:** 2- 2-11 S Reported favorably from committee on Senate Committee on Administration

[SB 449](#)

[Watson](#)

Relating to the appraisal for ad valorem tax purposes of open-space land devoted to water stewardship purposes on the basis of its productive capacity.

**Remarks:** KCT - Allows open-space land that is devoted to water stewardship (conservation of water resources) to be appraised based on its productive capacity.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Finance

[SB 462](#)

[West](#)

Relating to the right to an expunction of records and files relating to a person's arrest.

**Remarks:** MJV-Entitles a person to expunction of their records related to an arrest if they were not prosecuted or have successfully completed deferred adjudication. Makes a conforming repeal.

**Last Action:** 2-14-11 S Introduced and referred to committee on Senate Criminal Justice

[SB 469](#)

[Nelson](#)

Relating to the collection of unpaid tolls by a regional tollway

authority.

**Remarks:** MJV-Reduces the maximum fee for collecting unpaid tolls for a regional tollway authority from \$100 to \$25. Prohibits collecting more than one fee for separate toll violations that occurred within a 30 day period. Makes the maximum fee for failing to pay tolls after notice is provided \$250, including the administrative fee. Makes a conforming repeal.

**Last Action:** 2-14-11 S Introduced and referred to committee on Senate Transportation and Homeland Security

[SB 470](#)

[Carona](#)

Relating to an exception to disclosure under the public information law concerning officers and employees of a hospital district.

**Remarks:** KCT - repeals an exception that protects information that could compromise the safety of an officer or employee of a hospital district.

**Last Action:** 2- 1-11 S Filed

[SB 474](#)

[Patrick, Dan](#)

Relating to a limitation on increases in the appraised value for ad valorem tax purposes of commercial or industrial real property.

**Companions:** [HB 1079](#) King, Phil (Identical)  
2- 2-11 H Filed

**Remarks:** KCT - Appraisal cap of 10% of the previous year's value plus any new improvements on industrial and commercial real property.

**Last Action:** 2-14-11 S Introduced and referred to committee on Senate Finance

[SB 476](#)

[Patrick, Dan](#)

Relating to the classification of automotive repair shops as primarily engaged in retail trade for purposes of the franchise tax.

**Companions:** [HB 429](#) Fletcher (Identical)  
12-14-10 H Filed

**Remarks:** KCT - defines automotive repair shops primarily engaged in retail trade for purposes of the franchise tax.

**Last Action:** 2-14-11 S Introduced and referred to committee on Senate Finance

[SB 477](#)

[Patrick, Dan](#)

Relating to the allocation to a school district of the expenses of a joint election.

**Remarks:** KCT - Requires that in a joint election agreement an ISD is responsible only for the portion of election expenses which corresponds to the number of registered voters in the school district.

**Last Action:** 2-14-11 S Introduced and referred to committee on Senate State Affairs

[SB 483](#)

[Harris](#)

Relating to the powers and duties of criminal law magistrates in Tarrant County.

**Companions:** [HB 1252](#) Smith, Todd (Identical)  
2-10-11 H Filed

**Remarks:** MJV-Expands a specific provision regarding criminal law magistrates in Tarrant County to allow a judge to refer to the magistrate: an agreed order of expunction; an asset forfeiture; and agreed order of nondisclosure; and a motion to revoke probation.

-Repeals a general provision allowing a magistrate who is a licensed attorney to issue a warrant for a blood test in a DWI case if the defendant refuses to take a breath test.

**Last Action:** 2-14-11 S Introduced and referred to committee on Senate Jurisprudence

[SB 492](#)

[Fraser](#)

Relating to the creation of a distributed solar generation incentive program.

**Remarks:** SB 492 by Troy "I'm not the Secretary of State" Fraser is a more fully-developed bill he filed last session that advertized his interest in a solar incentive program. (The political will by the author was sadly lacking last time around... in the end Watson's bill was the one that moved.) That said, this is taking shape as an omnibus bill and includes loan assistance and property association controls in other bills being filed.

Many AP and P3 members would be interested in seeing a solar incentive bill passed and would support. The bill as filed provides some incentives for consumers (residential and commercial) and establish a "fair market price" definition to ensure the consumer is reimbursed. Bill also provides additional incentives for Texas-made solar technology and establishes standards which the PUC can apply to solar technology, including the methodology to be used to establish "fair market value". Of potential concern to P3s schools is this provision 39.916 (m) (2) (C).

(m) AA In areas in which customer choice has been introduced, a distributed renewable generation owner is qualified to be paid for

surplus electricity under Subsection (h), (j), (k), or (l) only if:

(1) AA the owner ' s distributed renewable generation is:

(A) AA rated to produce an amount of electricity that is less than or equal to the amount of electricity the retail electric customer for whom the distributed renewable generation is installed is reasonably expected to consume; and

(B) AA installed on the customer ' s side of the meter for a residential retail electric customer or a retail electric

customer who is a public school or a church; and

(2) AA the generating capacity of the distributed renewable generation does not exceed:

(A) AA 10 kilowatts for a residential retail electric customer;

*(B) AA 150 kilowatts for a church retail electric customer; or*

***(C) AA 250 kilowatts for a public school retail electric customer.***

*(n) AA A distributed renewable generation owner who does not meet the qualifications prescribed by Subsection (m) will be paid for the owner's surplus electricity or will have the owner's surplus electricity exchanged for a credit to the owner's electric service account at a value to which the owner and the provider that serves the owner's load agree.*

*Also of interest to P3's schools:*

*Sec. A 2305.0321. AA PILOT REVOLVING LOAN PROGRAM FOR SOLAR ENERGY FOR SCHOOL BUILDINGS. (a) The energy office shall establish a pilot program under the loanstar revolving loan program to provide loans to pay the cost of installing photovoltaic solar panels on public school buildings and the cost of associated energy efficiency improvements to the buildings. The energy office shall allocate to the pilot program at least \$4 million from the funds available to the loanstar revolving loan program.*

*(b) AA The energy office by rule shall establish the terms under which a loan may be made under the pilot program, including the interest rate for repayment of pilot program loans.*

*(c) AA Through the pilot program, the energy office shall offer to each school district the opportunity to apply for a loan to pay the cost of installing photovoltaic solar panels on at least one school building of the school district's choice and the cost of associated energy efficiency improvements to that building. The energy office by rule shall establish a procedure for determining which school districts qualify for a loan under the pilot program,*

*including rules for selecting the school districts that will receive a loan if there is not sufficient money set aside for pilot program improvements at all school districts.*

*(d) AA Each school district that receives a loan shall pay for the principal of and interest on the loan for each school building improvement primarily from the amount budgeted for the energy costs of the school at which the solar panels are installed. The school district may make additional payments of the principal of or interest on a loan from money rebated to it as compensation for electric energy generated by the solar panels or money received as a*

*gift or grant for the purpose of paying the loan.*

[SB 493](#)



**Last Action:** 2- 1-11 S Filed

[Fraser](#)

Relating to the idling of motor vehicles.

**Remarks:** MJV-Prohibits TCEQ from limiting or prohibiting the idling of a motor vehicle of more than 8,500 pounds that is equipped with a 2008 or later model year heavy-duty diesel engine that is certified low emissions by the EPA.

-Adds a provision to the overweight vehicles statute stating that the maximum gross vehicle weight limit and axle weight limit of a vehicle equipped with an idle reduction system is increased by weight of that system.

**Last Action:** 2-14-11 S Introduced and referred to committee on Senate Natural Resources

[SB 494](#)



[Fraser](#)

Relating to the authority of certain local governmental entities to borrow money for a public hospital.

**Companions:** [HB 831](#) Craddick (Identical)  
1-24-11 H Filed

**Remarks:** MJV-Allows a local government entity that owns or operates a public hospital to obtain funds for the hospital by securing a 1 year loan based on tax revenue or a 5 year loan based on hospital revenue.

**Last Action:** 2-14-11 S Introduced and referred to committee on Senate Intergovernmental Relations

[SB 497](#)



[Jackson, Mike](#)

Relating to notice of the construction or expansion of a wind-powered electric generation facility located near a federally owned or operated radar installation or military installation.

**Remarks:** MJV-Requires a person who intends to build or significantly expand a wind farm that is located within 25 miles of a military facility to notify TCEQ. TCEQ must provide a copy of the notice to any affected military facility; nearby counties and cities, the governor, Military Preparedness Commission, the Comptroller's office and the state energy conservation office.

**Last Action:** 2-14-11 S Introduced and referred to committee on Senate Natural Resources

[SB 500](#)



[Jackson, Mike](#)

Relating to the authority of the governing body of a local authority to impose a civil penalty for certain violations recorded by an automated traffic control system or a photographic traffic signal enforcement system.

**Remarks:** MJV-Repeals the authority to enforce traffic laws (red light cameras). Repeals the Regional Trauma Account, which was funded by 50% of redlight camera revenues.

**Last Action:** 2-14-11 S Introduced and referred to committee on Senate Transportation and Homeland Security

[SB 504](#)

[Davis, Wendy](#)

Relating to discounted utility rates for school districts.

**Remarks:** *KCT - Extends discounted utility rates granted to institutions of higher learning to school districts, and open- enrollment charter schools.*

*DQ: this is a good bill and would be supported by ISDs in P3. It would extend current discounted utility rates currently available to higher ed facilities to public schools as well. The current discount is defined as:*

*"a 20-percent reduction of the utility's base rates that would otherwise be paid under the applicable tariffed rate."*

*I have passed this along to both member ISDs: they are checking with legal counsel to determine whether this is something they want to actively support.*

*A question remains though about whether this might undermine existing inter-local agreements that school districts might have with REPs; for example, some might already have negotiated reduced rates for school districts. I will check with Davis' office to see if there is any concern about this.*

**Last Action:** 2- 2-11 S Filed

[SB 505](#)

[Williams](#)

Relating to state financing of public transportation.

**Companions:** [HB 578](#) Guillen (Identical)  
1-10-11 H Filed

**Remarks:** *MJV-Makes adjustments to population brackets regarding formula funding for public transportation provided transit authorities to account for bracket creep with the new census. Also defines as eligible for funding an urban transit district with a population below 50,000 that has lost population due to a natural disaster.*

**Last Action:** 2- 2-11 S Filed

[SB 513](#)

[Ellis](#)

Relating to the adoption and implementation of a policy by the Texas Transportation Commission providing for the accommodation of pedestrians, bicyclists, persons with disabilities, children, and users of public transportation.

**Companions:** [HB 1105](#) Harper-Brown (Identical)  
2- 3-11 H Filed

**Remarks:** *MJV-Requires the Transportation Commission to develop a complete streets policy that provides guidelines for safety, accessibility and mobility of all transportation users (includes bicycles, pedestrians, disabled persons, etc.). Requires the state and local road building or maintaining entities to ensure that all projects comply with the policy if federal or state funds are used. Provides some limited exceptions if the costs would be excessively disproportionate to the present or future need or probable use of the street or highway or if lack of population indicates an absence*

of future need. Requires an exception to be approved by the governing body of the local authority and publicly documented.

**Last Action:** 2- 3-11 S Filed

[SB 516](#)

[Patrick, Dan](#)

Relating to an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran.

**Companions:** [HB 95](#) Fletcher (Identical)  
2- 9-11 H Introduced and referred to committee on House Ways and Means  
[HB 313](#) Pickett (Identical)  
11-17-10 H Filed  
[HB 781](#) King, Phil (Identical)  
1-20-11 H Filed

**Remarks:** MJV-Allows a surviving spouse of a 100% disabled veteran who qualified for a total property tax exemption to continue to receive the benefit if they do not remarry.

**Last Action:** 2- 3-11 S Filed

[SB 519](#)

[Hegar](#)

Relating to the period during which a motion for a new trial in a criminal proceeding in a justice or municipal court must be made.

**Remarks:** CEB-Extends the time frame in which motion for a new trial can be made on a criminal case heard in a justice or municipal court from one day to five days.

**Last Action:** 2- 3-11 S Filed

[SB 520](#)

[Hegar](#)

Relating to the creation, administration, powers, and duties of a county assistance district.

**Companions:** [HB 1107](#) Zerwas (Identical)  
2- 3-11 H Filed

**Remarks:** MJV-Allows more than one county assistance district to be created in a county. Removes the prohibition that a district election may not be held within a year if it failed to pass. Allows areas to be included in the district upon petition by the majority of landowners in the area. Allows the commissioners court to appoint a governing board for the district. Makes a conforming repeal.

**Last Action:** 2- 3-11 S Filed

[SB 523](#)

[Nichols](#)

Relating to the allocation of certain motor vehicle sales tax revenue to the state highway fund and to the uses of that revenue.

**Remarks:** MJV-Requires the net revenue from the motor vehicle sales tax (minus the education diversion (1/4) and the state property tax reduction) to be deposited in the state highway fund in increasing increments of 10% each year starting in 2013. Dedicates the funding to highway projects.

**Last Action:** 2- 7-11 S Filed

[SB 524](#)

[Hegar](#)

Relating to the issuance of certain permits for the movement of oversize or overweight vehicles.

**Companions:** [HB 1169](#) Morrison (Identical)  
2- 8-11 H Filed

**Remarks:** MJV-Victoria County Navigation District statute. Allows permits to be issued by the district for oversize or overweight vehicles on specific highways and roads in the county (currently restricted to highways). Increases the \$80 fee per trip to \$100. Increases the allowable weight from 125,000 pounds to 140,000 pounds.

**Last Action:** 2- 7-11 S Filed

[SB 527](#)

[Fraser](#) Relating to air monitors in Texas Commission on Environmental Quality Regions 3 and 4 to be funded through the Texas emissions reduction plan.

**Companions:** [HB 1145](#) Geren (Identical)  
2- 7-11 H Filed

**Remarks:** MJV-Dedicates five percent of TERP funds for the clean fleet program. Requires \$3m to \$7m of the new technology research and development program fund (9% of TERP) to be dedicated to a regional nonprofit entity in North Texas to conduct regional air monitoring in the Amarillo Region and DFW in 2012 and 2013 to fund. Requires \$1m-\$3m to be dedicated to that purpose in subsequent years.

**Last Action:** 2- 7-11 S Filed

[SB 531](#)

[Davis, Wendy](#) Relating to the authority of the Department of Public Safety of the State of Texas and certain local law enforcement agencies to establish a checkpoint on a highway or street to determine persons driving while intoxicated.

**Companions:** [HB 439](#) Smith, Todd (Identical)  
12-16-10 H Filed

**Remarks:** CEB - Allows the sheriff in a county of 250,000 or more to operate sobriety checkpoints. Video and audio records must be kept for two years and the sheriff must file an annual report with TxDOT.

**Last Action:** 2- 7-11 S Filed

[SB 532](#)

[Davis, Wendy](#) Relating to the consequences of an arrest for or conviction of certain intoxication offenses.

**Companions:** [HB 473](#) Smith, Todd (Identical)  
12-28-10 H Filed

**Remarks:** MJV-Requires a court, if it places a person convicted of first time DWI on community supervision, to require the person to install an ignition interlock device in their car (currently only required for heavy blood alcohol levels or for certain types of DWI or subsequent offenses). Stipulates that someone whose drivers license is suspended for DWI may not get an occupational license for 45 days after the suspension if they are a repeat offender.

**Last Action:** 2- 7-11 S Filed

[SB 538](#)

[Nichols](#) Relating to transportation reinvestment zones.

**Remarks:** MJV-Allows a county to designate an area in the county as a Transportation Reinvestment Zone (TRZ) to promote a transportation project and to abate ad valorem or other taxes. The county may enter into agreement with an owner of a property in the TRZ to abate all or a portion of the property taxes or to grant other relief from taxes. The county may assess all or part of the costs of the transportation project against property in the TRZ. The county may adopt and apply the PID assessment provisions relating to the assessment of costs and issuance of bonds to fund the transportation project.

-Allows the county to amend the boundaries at any time.

-Allows TxDOT, at the option of a city or county to delegate full responsibility for a transportation project. Prohibits a reduction in state transportation funding due to a county or city having a TRZ. Allows a city or county that has sales tax to use the revenue for a transportation project in a TRZ.

**Last Action:** 2- 7-11 S Filed

[SB 540](#)

[Van de Putte](#)

Relating to a study of the fiscal impact of adjusting the amount of the ad valorem tax exemption to which disabled veterans and the surviving spouses and children of disabled veterans are entitled.

**Remarks:** CEB-Authorizes the comptroller to study the fiscal impact of adjusting the amount of property tax exemption to which disabled veterans and the surviving spouses and children of disabled veterans and certain members of the armed forces are entitled.

**Last Action:** 2- 7-11 S Filed

[SB 542](#)

[Hegar](#)

Relating to the regulation of law enforcement officers by the Commission on Law Enforcement Officer Standards and Education.

**Companions:** [HB 621](#) Fletcher (Identical)  
1-12-11 H Filed

**Remarks:** MJV - Requires counties to provide continuing education for county jailers. TCLEOSE may suspend the license of a county jailer who fails to comply with this requirement. Repeals a restriction that ex officio members of TCLEOSE do not vote on commission matters.

**Last Action:** 2- 7-11 S Filed

[SB 544](#)

[Seliger](#)

Relating to unlawful acts against and criminal offenses involving the Medicaid program.

**Companions:** [HB 1034](#) Shelton (Identical)  
1-31-11 H Filed

**Remarks:** CEB-Expands criminal offenses involving Medicaid to persons who cause unlawful claims.

**Last Action:** 2- 7-11 S Filed

[SB 545](#)

[Seliger](#)

Relating to employment records for law enforcement officers, including procedures to correct employment termination reports.

**Companions:** [HB 520](#) Driver (Identical)  
1- 5-11 H Filed

**Last Action:** 2- 7-11 S Filed

[SB 548](#)

[Nichols](#)

Relating to the Texas Department of Transportation's environmental review process.

**Remarks:** MJV-Authorizes TxDOT to enter into an agreement to provide funds to a state or federal agency to expedite the agency's performance of its duties related to the environmental review process for the department's transportation projects. Requires TxDOT to establish a process to certify district environmental specialists to work on expedited environmental reviews (available to department employees, local government employees, and private contractors). Sets a 45 day deadline for state agencies (TCEQ, PWD, etc.) to respond to a TxDOT request for comments on a proposed project.

**Last Action:** 2- 8-11 S Filed

[SB 549](#)

[Ellis](#)

Relating to applications for permits issued by the Texas Commission on Environmental Quality for certain new or expanded facilities in certain low-income and minority communities.

**Remarks:** MJV-Requires an applicant for an industrial permit to submit to TCEQ information on whether the facility or facility expansion is located in an environmental justice community (low income or minority area). Requires the applicant to consult with the chief elected official of the city or county in which the facility is located to determine the need for a community environmental benefit agreement. An agreement may require on-site and off-site improvements, activities, and programs to mitigate the environmental impact. TCEQ must hold a public hearing on the permit, with notice published by the applicant.

**Last Action:** 2- 8-11 S Filed

[SB 551](#)

[Williams](#)

Relating to liability for interest on ad valorem taxes on improvements that escaped taxation in a previous year.

**Companions:** [HB 234](#) Otto (Identical)  
11- 9-10 H Filed

**Remarks:** MJV-Stipulates that back taxes on an improvement to real property does not incur interest if the property itself did not escape taxation; the appraisal district had actual or constructive notice of the improvement; and the owner pays the back taxes within 120 days. An appraisal district has constructive notice of an improvement if a building permit for the improvement has been issued by a governmental entity.

**Last Action:** 2- 8-11 S Filed

[SB 556](#)

[Davis, Wendy](#)

Relating to a highway maintenance fee imposed in connection with the operation of overweight vehicles or vehicle combinations.

**Remarks:** MJV-Requires TxDOT to establish a new highway maintenance fee, based on miles travelled, that provides for graduated rates based on the weight of the vehicle and the amount of damage done to roads and bridges. Fees are deposited into the state highway fund.

		<i>Repeals the existing "weight-based only" highway fee.</i>
	<b>Last Action:</b>	2- 8-11 S Filed
<a href="#">SB 562</a>	<a href="#">Wentworth</a>	<i>Relating to the waiver of sovereign immunity for certain claims arising under written contracts with state agencies.</i>
	<b>Companions:</b>	<a href="#">HB 1041</a> Workman (Identical) 1-31-11 H Filed
	<b>Remarks:</b>	<i>KCT - As filed does not apply to counties. Waives sovereign immunity in certain cases relating to breach of contract for state agencies.</i>
	<b>Last Action:</b>	2- 8-11 S Filed
<a href="#">SB 565</a>	<a href="#">Hegar</a>	<i>Relating to repeal of authority for the establishment and operation of the Trans-Texas Corridor.</i>
	<b>Companions:</b>	<a href="#">HB 1201</a> Kolkhorst (Identical) 2- 8-11 H Filed
	<b>Remarks:</b>	<i>MJV-Strikes all references to the trans-Texas Corridor. Makes conforming repeals.</i>
	<b>Last Action:</b>	2- 8-11 S Filed
<a href="#">SB 571</a>	<a href="#">Nelson</a>	<i>Relating to efficiencies and cost-savings in the health and human services agencies and other related regulatory agencies.</i>
	<b>Remarks:</b>	<i>CEB-Provides direction to all health and human service state agencies to identify efficiencies and reduce expenditures.</i>
	<b>Last Action:</b>	2- 9-11 S Introduced and referred to committee on Senate Finance
<a href="#">SB 581</a>	<a href="#">Nichols</a>	<i>Relating to the authority and powers of regional mobility authorities.</i>
	<b>Companions:</b>	<a href="#">HB 1112</a> Phillips (Identical) 2- 3-11 H Filed
	<b>Remarks:</b>	<i>MJV -Allows a Regional Mobility Authority to fund a parking area and improvements to a transportation reinvestment zone.</i>  <i>-Allows an RMA to borrow money from or enter into a loan agreement or other arrangement with the TxDOT, the Texas Transportation Commission or any other public or private entity.</i>  <i>-Gives an RMA the same powers and duties regarding toll collection and enforcement powers for its turnpike projects or other toll projects operated under an agreement as the powers and duties of TxDOT, a county with toll authority or a regional tollway authority.</i>  <i>-Authorizes a governmental entity to agree with an authority to a transportation reinvestment zone and to collect and remit to an authority, taxes, fees or assessments collected for purposes of developing transportation projects.</i>
	<b>Last Action:</b>	2- 9-11 S Filed

[SB 589](#)

[Uresti](#)

Relating to appraisal review board members.

**Companions:** [HB 1088](#) Howard, Charlie (Identical)  
2- 2-11 H Filed

**Remarks:** KCT - Strikes the Harris County and Ft. Bend County bracket to allow the local administrative district judge, of the county in which the appraisal district is established, to appoint the appraisal review board

- Requires that members of an appraisal review board be both residents of the district, having lived there for 2 years and a US citizen.
- Members of an appraisal review board are appointed by the local administrative district judge of the county in which the appraisal district is established.
- Consolidated appraisal review boards are appointed jointly by the local administrative district judges in the counties in which the appraisal districts are parties to an interlocal contract.
- Strikes language allowing for a majority vote of the board to remove board member.

**Last Action:** 2-10-11 S Filed

[SB 592](#)

[Williams](#)

Relating to the powers and duties of the state auditor's office.

**Companions:** [HB 593](#) Pitts (Identical)  
1-11-11 H Filed

**Remarks:** MJV-Makes all political subdivisions and other entities that received money from the American Recovery and Reinvestment Act subject to audit by the state just as if they were a state agency. Allows the state auditor to enter into an agreement with local entities to provide assistance in conducting the audit. Also makes a comprehensive development agreement entered into by a toll authority subject to audit by the state auditor, with reimbursement of costs by the toll authority.

-Makes conforming repeals.

**Last Action:** 2-10-11 S Filed

[SB 600](#)

[Rodriguez](#)

Relating to a prohibition on law enforcement inquiries regarding the nationality or immigration status of a victim of or witness to a criminal offense.

**Companions:** [HB 603](#) Farrar (Identical)  
1-12-11 H Filed

**Remarks:** CEB - A peace officer may not inquire as to the nationality or

immigration status of a victim of or witness to a criminal offense, except to investigate the offense.

**Last Action:** 2-11-11 S Filed

[SB 601](#)

[Rodriguez](#)

Relating to the authority of the El Paso County Hospital District to employ and commission peace officers.

**Companions:** [HB 858](#) Gonzalez, Naomi (Identical)  
1-25-11 H Filed

**Last Action:** 2-11-11 S Filed

[SB 602](#)

[Rodriguez](#)

Relating to allowing a governmental body to redact certain personal information under the public information law without the necessity of requesting a decision from the attorney general and the calculation of certain deadlines.

**Last Action:** 2-11-11 S Filed

[SB 603](#)

[Rodriguez](#)

Relating to the filing and posting on the Internet of reports of political contributions and expenditures required in connection with the office of member of the board of trustees of certain school districts.

**Companions:** [HB 336](#) Marquez (Identical)  
11-22-10 H Filed

**Remarks:** kct

**Last Action:** 2-11-11 S Filed

[SB 604](#)

[Rodriguez](#)

Relating to the execution of lawful process by county jailers.

**Companions:** [HB 778](#) Gonzalez, Naomi (Identical)  
1-20-11 H Filed

**Last Action:** 2-11-11 S Filed

[SB 606](#)

[Rodriguez](#)

Relating to court costs imposed on conviction and deposited to the courthouse security fund.

**Companions:** [HB 777](#) Gonzalez, Naomi (Identical)  
1-20-11 H Filed

**Remarks:** CEB - Increases the court security fees paid by a defendant. A felony offense in district court is raised from \$5 to \$10. A misdemeanor offense in a county court, county court at law, or district court is raised from \$3 to \$8. A misdemeanor offense in a justice court is raised from \$4 to \$9

**Last Action:** 2-11-11 S Filed

[SB 607](#)

[Rodriguez](#)

Relating to the assessment of court costs on conviction of a Class C misdemeanor in certain justice courts.

**Remarks:** CEB-Changes the population bracket from 3.3 million to counties

with a population of 100,000 or more in which commissioners court may set court costs for persons convicted of a Class C misdemeanor in justice court.

**Last Action:** 2-11-11 S Filed

[SB 608](#)

[Rodriguez](#)

Relating to the regulation of fireworks by counties; imposing a criminal penalty.

**Remarks:** CEB- Allows a county to impose a fee on firework businesses in unincorporated areas of the county to offset costs of providing additional services resulting from fireworks sales (firefighting services, litter abatement and traffic management).

Creates an offense of disorderly conduct for igniting fireworks in public or near a private residence.

**Last Action:** 2-11-11 S Filed

[SB 610](#)

[Rodriguez](#)

Relating to the period of continuous eligibility for the medical assistance program.

**Companions:** [HB 58](#) Martinez (Identical)  
2- 9-11 H Introduced and referred to committee on House Public Health

**Last Action:** 2-11-11 S Filed

[SB 614](#)

[Rodriguez](#)

Relating to the creation of the State Supported Living Center Realignment Commission and the residential placement of individuals with intellectual and developmental disabilities.

**Last Action:** 2-11-11 S Filed

[SB 618](#)

[Rodriguez](#)

Relating to an exemption from the sales tax for certain solar energy devices.

**Last Action:** 2-11-11 S Filed

[SB 619](#)

[Rodriguez](#)

Relating to requiring solar panels to be offered by certain builders of new homes.

**Last Action:** 2-11-11 S Filed

[SB 623](#)

[Whitmire](#)

Relating to the disqualification of a district or county attorney who is the subject of a criminal investigation.

**Remarks:** CEB-Requires a judge to disqualify a district or county attorney under criminal investigation for an offense that is within the attorney's authority to prosecute.

**Last Action:** 2-11-11 S Filed

[SB 625](#)

[Wentworth](#)

Relating to authorizing the county clerk in certain counties to conduct a marriage ceremony and collect a related fee.

**Remarks:** CEB-Authorizes the county clerk and their appointees in a county with a population of 1.3 million or more to conduct a marriage ceremony.

Assesses a \$25 fee to be deposited to the county treasurer and

earmarked only to fund non-profit organizations that provide victim assistance for family violence, child abuse/neglect, or family violence prevention services.

**Last Action:** 2-11-11 S Filed

[SB 627](#)

[Davis, Wendy](#) Relating to the participation by certain taxing units in tax increment financing and the payment of tax increments into the tax increment fund for a reinvestment zone.

**Last Action:** 2-11-11 S Filed

[SB 631](#)

[Hinojosa](#) Relating to statutory references to the common electronic infrastructure project formerly known as TexasOnline.

**Last Action:** 2-11-11 S Filed

[SJR 7](#)

[Patrick, Dan](#) Proposing a constitutional amendment to authorize the legislature to set a lower limit on the maximum appraised value of a residence homestead for ad valorem taxation.

**Companions:** [HJR 39](#) Callegari (Identical)  
11-17-10 H Filed

**Remarks:** MJV-Lowers the appraisal cap to 5%.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Finance

[SJR 8](#)

[Wentworth](#) Proposing a constitutional amendment to limit the purposes for which revenues from motor vehicle registration fees, taxes on motor fuels and lubricants, and certain revenues received from the federal government may be used.

**Companions:** [HJR 84](#) Larson (Identical)  
2- 3-11 H Filed

**Remarks:** MJV-Constitutional Amendment to remove "policing" from the allowable uses of the transportation fund (fund 6).

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Finance

[SJR 11](#)

[Nichols](#) Proposing a constitutional amendment to authorize the legislature to limit the maximum appraised value of a residence homestead for ad valorem tax purposes to 105 percent or less of the appraised value of the property.

**Remarks:** MJV-Constitutional Amendment to allow the legislature to lower the appraisal cap to 105% or less. Allows commissioners court to call a local election to determine by majority vote whether to increase the cap (up to a limit of 110%). Allows the limitation to be changed in a subsequent election.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Finance

[SJR 12](#)

[Patrick, Dan](#) Proposing a constitutional amendment requiring certain tax bills to be approved by two-thirds of all the members elected to each house of the legislature.

**Companions:** [HJR 29](#) Callegari (Identical)  
11- 8-10 H Filed  
[HJR 37](#) Hughes (Identical)

[HJR 59](#) 11- 8-10 H Filed  
Hancock (Identical)  
1-11-11 H Filed

**Remarks:** MJV-Constitutional Amendment to require a 2/3 vote in each house for creating a new state tax or increasing an existing one. Excludes changes in how a tax is computed, administered or its applicability. State tax does not include local taxes, fines, fees, penalties or a charge for service.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Finance

[SJR 13](#)

[Harris](#)

Requiring certain revenue collected by a public entity from tolled highway projects in this state to be used only for transportation projects.

**Remarks:** CEB- A constitutional amendment requiring revenue collected from Texas tollways, other than an international bridge, be used only for transportation projects, unless the money is dedicated to repay debt for the project.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Transportation and Homeland Security

[SJR 14](#)

[Van de Putte](#)

Proposing a constitutional amendment authorizing an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a totally disabled veteran or the principal residence of the surviving minor children.

**Companions:** [HJR 76](#) Lozano (Identical)  
1-24-11 H Filed

**Remarks:** CEB-Proposes a constitutional amendment allowing the legislature to allow the homestead exemption of a disabled veteran to pass to a surviving unremarried spouse. If the disabled veteran is unmarried, the owner of the property is entitled to the exemption if a minor child lived in the home and continues to remain in the residence while under age 18 and unmarried.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Finance

[SJR 16](#)

[Estes](#)

Proposing a constitutional amendment providing for the appraisal for ad valorem tax purposes of open-space land devoted to water stewardship purposes on the basis of its productive capacity.

**Remarks:** MJV-Constitutional Amendment to require open-space land devoted to water stewardship purposes to be appraised based on its productive capacity.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate Finance

[SJR 17](#)

[Carona](#)

Proposing a constitutional amendment to restrict the power of the legislature to mandate requirements upon certain local governments.

**Remarks:** MJV-Prohibits a bill from taking effect unless it appropriates or makes payment or reimbursement of costs incurred by a local government to implement the provisions of the bill.

**Last Action:** 2- 2-11 S Introduced and referred to committee on Senate State

Affairs

[SJR 18](#)



[Eltife](#)

Proposing a constitutional amendment relating to appropriations for the preservation and perpetuation of certain items of historical value.

**Remarks:** MJV - Blocker Bill (traditional blocker that prevents considering other legislation without 2/3 approval).

**Last Action:** 2- 2-11 S Reported favorably from committee on Senate Committee on Administration

[SJR 20](#)



[Patrick, Dan](#)

Amendment to authorize the legislature to limit the maximum appraised value of commercial or industrial real property for ad valorem tax purposes to 110 percent or more of the value of the property for the preceding tax year.

**Companions:** [HJR 82](#) King, Phil (Identical)  
2- 2-11 H Filed

**Remarks:** MJV-Constitutional Amendment to limit the appraisal increase for commercial or industrial real property to 110% more than the previous tax year.

**Last Action:** 2-14-11 S Introduced and referred to committee on Senate Finance

[SJR 21](#)



[Patrick, Dan](#)

Amendment authorizing the legislature to provide for an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran in an amount equal to the homestead exemption.

**Companions:** [HJR 23](#) Fletcher (Identical)  
2- 9-11 H Introduced and referred to committee on House Ways and Means  
[HJR 40](#) Pickett (Identical)  
11-17-10 H Filed  
[HJR 72](#) King, Phil (Identical)  
1-20-11 H Filed

**Remarks:** MJV-Constitutional Amendment to allow a surviving spouse of a 100% disabled veteran who qualified for a total property tax exemption to continue to receive the benefit if they do not remarry.

**Last Action:** 2-14-11 S Introduced and referred to committee on Senate Finance

[SJR 22](#)

[Nichols](#)

Proposing a constitutional amendment dedicating certain revenue derived from the tax imposed on the sale of motor vehicles to the state highway fund.

**Remarks:** MJV-Constitutinal amendment requiring the net state sales tax on motor vehicle sales to be deposited to the state higway fund (currently state GR) and restricts its use to road projects. Part of the gross sales tax goes to schools (1/4) and part is allocated to the state property tax reduction.

**Last Action:** 2- 7-11 S Filed

[SJR 23](#)

[Wentworth](#)

Amendment increasing the rates of taxes imposed on gasoline and diesel fuel, adjusting those rates annually for inflation, and dedicating certain revenue from those taxes to the design and

*maintenance of public roadways.*

**Remarks:** *MJV-Increases the tax on gas and diesel fuel by an unspecified amount. Indexes the gas tax to the consumer price index. Requires the increased revenue to be dedicated to designing, constructing and maintaining public roads.*

**Last Action:** 2-10-11 S Filed

	<i>All</i>	<i>Track</i>
<b>Total Bills:</b>	774	0

**- End of Report -**