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INTRODUCTION

When the 85th Legislature convened in early January 2017, much of the stage had already been set for the 140 days of the regular session. The Senate, the House, and the governor had identified their respective priorities in the weeks and months leading up to the session.

The lieutenant governor, Dan Patrick, appointed the Senate Select Committee on Property Tax Reform and Relief that spent the interim traveling across the state, gathering extensive testimony from members of the public frustrated by rising property taxes. Local government officials provided testimony as well, with a handful invited by the committee to testify and others offering public testimony.

The conclusions of the committee were pre-ordained, with the exclusive focus of reform on city, county, and special district property taxes. School property taxes, the biggest percentage of the average property tax bill (and growing, as the state’s share of public school funding declines precipitously), received scant attention from the committee.

Senate Bill 2 by Sen. Paul Bettencourt (R-Houston) flew through the Senate but failed in the House. The House passed a bill supporting increased transparency and giving taxpayers a clearer understanding of which local entities were raising taxes; the Senate refused to concur with the House version of Senate Bill 669 by Sen. Jane Nelson (R-Flower Mound), killing the bill.

Other Senate priorities included school vouchers, sanctuary cities, transgender bathrooms, a constitutional limit on state spending, and ending payroll deductions for public employee unions.

The House, led by Speaker of the House Joe Straus, identified different priorities: mental health reform and funding, school finance reform, restoring funding for disabled children’s therapy services, and prioritizing funding for foster care and the state’s Child Protective Services (CPS) system. (The governor, Senate, and House all agreed this last item should be a priority).

Gov. Greg Abbott identified his priorities and identifying priorities as emergency items gives the governor special power, allowing the Legislature to take up emergency items earlier in the legislative process. He identified the following as emergency items: CPS reform, sanctuary cities, ethics reform, a convention of the states, and voter ID. He also identified property tax reform as one of his priorities, but not as an emergency item.

County officials and their associations strongly supported efforts by the House to address mental health reforms. During the interim, the speaker appointed a House select committee, chaired by Rep. Four Price (R-Amarillo), to study the issue and make recommendations. Many of these recommendations made it into law and will improve how we treat the mentally ill, both inside and out of the criminal justice system and county jails.

County officials also devoted enormous time and effort to reforming the failing Driver Responsibility Program (DRP). House Bill 2068 would have reduced the number of drivers caught up in the criminal justice system due to the DRP while also ensuring that the state’s trauma centers continued to be adequately funded to carry out their critical mission. The House approved the bill overwhelmingly. It passed out of its Senate committee unanimously, but never made it onto the Senate floor.

Commissioners courts joined county and district clerks in seeking to limit the scope of a state-run e-filing database. Concerns centered on redaction and related liability and the matter of the clerks’ duties and responsibilities as official custodians of these records. These efforts ultimately failed but the questions raised by the bill and the county officials supporting it remain.

There was a coordinated county effort to secure more state appropriations for indigent defense – one of the most significant unfunded mandates counties must fund. County officials conveyed the impact of the rising and uncontrollable costs of providing court-appointed attorneys on local budgets and local property taxpayers. However, the Legislature failed to provide any relief. No additional funds were appropriated to address the issue.

And then there was the intense focus on property taxes this session. But only the House took up the two most important drivers of increasing property tax burdens: decreased state funding to public schools and increased reliance on local property taxes to fund public schools, and unfunded mandates on counties.

County officials and their allies in the House supported a constitutional amendment to prohibit the state from placing unfunded mandates on counties and cities unless they sent along the funds to pay for these mandates. House Joint Resolution 73 by Rep. Dewayne Burns (R-Cleburne) passed out of the House overwhelmingly but received a frigid welcome in the Senate and never received a committee hearing. This resolution’s progress was historic: this is the furthest an unfunded mandate bill has made it through the process. County officials should take pride in the progress made and continue to advocate for real property tax relief, constitutional protection against unfunded mandates.

This session was an especially difficult one for local governments. Many in state government, including certain state-wide officials, actively advocated centralizing power in Austin and limiting the ability of local representative government to serve their citizens, arguing the state is better suited to protect the rights of individuals. This disturbing trend flies in the face of our state’s structures, traditions, and history.

Since the days of the Republic, Texans have opposed centralizing political power at the state level and have always trusted locally elected officials to best serve the friends and neighbors who elect them. These assaults on our structures and traditions will continue because it is politically expedient and politically productive for the supporters of these misguided efforts. It has never been more important for county officials to stand united for responsive, responsible, local representative government.
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ANALYSIS OF BILLS BY SUBJECT

85th Legislature, Regular Session
ANALYSIS OF BILLS BY SUBJECT (Regular Session)

**ADULT PROBATION**

**HB 1507 by Giddings.** Relating to the rights of certain defendants who successfully complete a term of community supervision. Requires a court, prior to accepting a plea of guilty or nolo contendere, to admonish a defendant placed on probation that the court is authorized by law to set aside the verdict and release the defendant from the penalties and disabilities resulting from the offense after the defendant satisfactorily fulfills the conditions of probation. The bill also requires a judge placing a defendant on probation to inform the defendant in writing, and on a form prescribed by the Office of Court Administration, of the court’s discretion to release the defendant from the penalties and disabilities resulting from the offense. Effective 9/1/2017.

**SB 1584 by Garcia.** Relating to the conditions of community supervision. Requires a risk and needs assessment to be conducted and provided to a judge prior to determining conditions of probation. Additionally, a judge must consider the impact that conditions of probation may have on a defendant’s work or education obligations, including ability to pay. Effective 9/1/2017.

**APPRAISAL PROCESS**

**HB 2228 by Murphy.** Relating to deadlines for performing various functions in connection with the ad valorem tax system. Changes the deadlines for multiple property tax related issues. Requires chief appraisers to accept late applications for Freeport exemptions if they are received by June 15. Changes the due dates for accepting application forms from persons claiming interstate allocation of certain types of property. Deadlines for rendition statements and property reports submitted for taxing units that offer Freeport exemptions are changed to April 1, and the deadlines may be extended in certain circumstances. Finally, the bill makes changes to the appraisal protest deadlines. Effective 1/1/2018.

**SB 731 by Bettencourt.** Relating to the appeal through binding arbitration of certain appraisal review board orders. Revises the maximum value of a property, for which an appeal through binding arbitration of certain appraisal review board orders may be made, from $3 million to $5 million. A completed request for binding arbitration must include a deposit made payable to the comptroller of $1,550 for properties between $3 million and $5 million. Effective 9/1/2017.

**SB 945 by Bettencourt.** Relating to the authority of the chief appraiser of an appraisal district to correct an ad valorem tax appraisal roll. Expands the list of instances when the chief appraiser may change the appraisal roll at any time to include: to correct an erroneous denial or cancellation of any residence homestead exemption if the applicant or recipient is disabled or is at least 65, or to make such a correction for other specified exemptions relating to certain surviving spouses and disabled veterans as authorized by the Tax Code. Effective 5/22/2017.

**BAIL BONDS**

**HB 1442 by Wu.** Relating to the release of certain defendants pending a motion for new trial or an appeal from a misdemeanor conviction. Entitles a defendant to be released after completing a sentence of confinement pending the determination
of a defendant’s motion for a new trial or the defendant’s appeal from a misdemeanor conviction. Authorizes a trial court to require the defendant to give a personal bond, but prohibits the court from requiring any condition of the personal bond, another type of bail bond, or a surety. **Effective 9/1/2017.**

**HB 3165 by Moody.** Relating to certain pretrial procedures in criminal cases. Revises several criminal pretrial procedures. Requires a magistrate in a county where a person was arrested on an out-of-county offense to release the arrested person on personal bond, instead of being discharged from custody without bond, if the county where the offense was committed does not take charge of the person before the 11th day after the date the person is committed to the jail of the arresting county. Revises information that a personal bond office must include in certain records and reports. Additionally, the bill authorizes an arrested person to be taken before a magistrate, and a court to accept a plea or waiver of rights, via videoconference. **Effective 9/1/2017.**

**COUNTY AUTHORITY**

**HB 594 by VanDeaver.** Relating to procedures for the dissolution of a county hospital authority. Allows a county to dissolve a county hospital authority once the assets and liabilities of the authority are sold or transferred to the county. **Effective 5/26/2017.**

**HB 1128 by Wray.** Relating to the date and time for the public sale of real property. Sets restrictions on the date and time for the public sale of real property required by court order or other law. **Effective 9/1/2017.**

**HB 1170 by Reynolds.** Relating to the authority of counties to advertise on personal property owned or leased by the county. Expands the types of properties on which the commissioners court of a county may lease advertising space to another entity to include personal property. **Effective 6/15/2017.**

**HB 1288 by Rose.** Relating to broker agreements for the leasing of real property owned by a county. Authorizes a commissioners court to use a broker to lease county property. **Effective 5/23/2017.**

**HB 2359 by Ortega.** Relating to common nuisances. Expands the types of activities that may constitute

### CHILD PROTECTIVE SERVICES REFORM

Child welfare reform was a priority issue for the Legislature this session. The governor declared Child Protective Services (CPS) reform an emergency item, and the Legislature passed several bills and provided additional funding aimed at addressing the state’s troubled system. Some of the most significant bills include:

**HB 4 by Burkett.** Relating to the relative or other designated caregiver placement program and to monetary assistance provided by the Department of Family and Protective Services to certain relative or designated caregivers; creating a criminal offense; creating a civil penalty. Provides more financial support based on income level to certain relatives and other designated caregivers who care for children removed from their homes. **Effective 9/1/2017.**

**HB 5 by Frank.** Relating to the powers and duties of the Department of Family and Protective Services and the transfer of certain powers and duties from the Health and Human Services Commission. Removes the Department of Family and Protective Services, which oversees Child Protective Services, from the state health and human services system and establishes the Department as a stand-alone agency. **Effective 9/1/2017, except for certain sections.**

**HB 7 by Wu.** Relating to child protective services suits, motions, and services by the Department of Family and Protective Services and to the licensing of certain facilities, homes, and agencies that provide child-care services. Revises various court procedures in Child Protective Services cases. Among many provisions, the bill specifies that an order appointing the Department of Family and Protective Services as managing conservator may provide for the continuation of the appointment of an attorney ad litem for as long as the child remains in the custody of the Department. Additionally, the Permanent Judicial Commission for Children, Youth and Families is required to study the appointment and use of attorneys ad litem in cases involving the

*continued on next page*
Department of Family and Protective Services and develop policy recommendations for improving the attorney ad litem appointment process. **Effective 9/1/2017, except for certain sections.**

**HB 1549 by Burkett.** Relating to the provision of services by the Department of Family and Protective Services, including child protective services and prevention and early intervention services. Includes numerous provisions focusing on child abuse prevention and the administration of services. The bill requires the Department of Family and Protective Services (DFPS) to develop a foster care capacity needs plan and also requires the agency to collect near fatality data and produce an aggregated report relating to child fatality and near fatality cases resulting from child abuse.

Additionally, the bill requires the Department of State Health Services to develop and make available training regarding inquests in child death cases for justices of the peace and medical examiners. It requires a commissioners court to adopt regulations relating to the timeliness for conducting an inquest into the death of a child; the adopted regulations must be as stringent as the standards issued by the National Association of Medical Examiners, unless the commissioners court determines it would be cost prohibitive to comply with those standards. It allows all counties, and not just those with populations of less than 50,000, to join adjacent counties in establishing a child fatality review team and expands the review team’s duties; and requires the medical examiner or justice of the peace to report a child’s death to the appropriate county child fatality review team in certain circumstances.

The bill also directs DFPS to develop strategies for improving the provision of prevention and early intervention services, collect and report on certain child abuse data, and develop and implement a caseload management system for caseworkers. **Effective 9/1/2017.**

**SB 11 by Schwertner.** Relating to the provision of child protective services and other health and human services by certain state agencies or under contract with a state agency, including foster care, child protective, relative and kinship caregiver support, prevention and early intervention health care, and adoption services. Reforms the state’s current administration of child welfare services. Among many provisions, the bill expands community-based care. Specifically, it requires the Department of Family and Protective Services to identify not more than eight catchment areas (geographic service areas) that are best suited to implement community-based care and contract with community-based nonprofit and governmental entities to provide child welfare services in those areas, including direct case management. Additionally, the bill requires the Department to implement a pilot program in two child protective services regions involving contracts with non-profit or governmental entities to provide family-based safety services. **Effective 9/1/2017, except for certain sections.**

**HB 3470 by Hunter.** Relating to acceptance of donations and bequests by a commissioners court. Authorizes a commissioners court to accept a donation of labor or services on behalf of the county for the purpose of performing a function conferred by law on the county or a county officer. **Effective 9/1/2017.**

**HB 4104 by Coleman.** Relating to the county budget for certain court personnel. Clarifies commissioners court authority to determine the number of court administrator positions and salaries. **Effective 9/1/2017.**
HB 4114 by Coleman. Relating to county approval for the locations at which a junkyard or automotive wrecking and salvage yard may be operated. Allows a commissioners court to delegate authority to an employee for the purposes of approving junkyard or automotive wrecking yard locations. Effective 9/1/2017.

SB 24 by Huffman. Relating to a privilege from disclosure to governmental units for certain evidence concerning sermons delivered by a religious leader. Prohibits a governmental entity from compelling the production or disclosure of a written copy or recording of a sermon delivered by a religious leader during religious worship or compelling the religious leader to testify regarding the sermon in a civil action or proceeding. Effective 5/9/2017.

SB 341 by Perry. Relating to the consequences of the possession of illegal synthetic cannabinoids on a holder of or applicant for certain alcoholic beverage licenses and liability of a person who provides, sells, or serves a synthetic cannabinoid to another person. Requires a county judge to deny an application for a retail dealer’s on-premise license under the Alcoholic Beverage Code if the judge finds that the applicant or the applicant’s spouse was convicted of an offense involving certain synthetic drugs within a prescribed time period. Effective 9/1/2017.

SB 492 by West. Relating to procedures of a county tax assessor-collector for collection of dishonored checks and invoices; authorizing a fee. Authorizes a tax assessor-collector to refer a dishonored check or credit card invoice to a private collection agency, which may charge a specified fee to the person responsible for the check or invoice. Effective 5/4/2017.


SB 1172 by Perry. Relating to the regulation of seed by a political subdivision. Prohibits a county from regulating agricultural seed, vegetable seed, weed seed or any other seed in any manner, including planting seed or cultivating plants grown from seed, with certain exceptions. Effective 9/1/2017.

HB 53 by Romero. Relating to certain limitations on settlement agreements with a governmental unit. Amends the Texas Tort Claims Act. Prohibits a governmental unit from settling a claim against the governmental unit if the settlement is equal to or greater than $30,000 and a condition of settlement requires any confidentiality. The provisions of the bill only apply if the money used to pay the settlement is: i) derived from taxes collected by a governmental unit; ii) received from the state; or iii) insurance proceeds received from an insurance policy for which the premium was paid with taxes collected by a governmental unit or money received from the state. Effective 9/1/2017.

HB 451 by Moody. Relating to waiver of immunity in certain employment discrimination actions in connection with a workers’ compensation claim. Waives governmental immunity and authorizes a first responder to sue a governmental entity that employs the first responder for certain employment discrimination actions relating to a workers’ compensation claim. The bill limits the liability of a political subdivision for such a claim to a maximum amount of $100,000 for each person aggrieved and $300,000 for each single occurrence of a violation. Effective 9/1/2017.
HB 590 by Bohac. Relating to the liability of first responders who provide roadside assistance. Provides that certain first responders are not liable in civil damages for damage to a motor vehicle caused by good faith acts or omissions that occur while providing roadside assistance, unless the acts or omissions constitute gross negligence, recklessness or intentional misconduct. Effective 9/1/2017.

HB 1704 by Kuempel. Relating to the award of court costs and attorney’s fees in actions to determine the applicability of certain local government regulations. Authorizes a court to award court costs and reasonable and necessary attorney’s fees to the prevailing party in an action under Chapter 245 of the Local Government Code relating to the issuance of local permits. Effective 5/29/2017.

HB 2654 by Stucky. Relating to the personal liability of certain elected officials under local government programs to fund water and energy savings improvements through assessments. Eliminates the personal liability of county assessor-collectors and other local government officials in the exercise of duties related to the collection of assessments imposed by a local government under the Property Assessed Clean Energy Act. Effective 9/1/2017.

COURTS

HB 431 by Metcalf. Relating to a temporary justice of the peace. Allows the county judge, on the judge’s own motion or at the request of the justice of the peace, to appoint a qualified person to serve as temporary justice for the duration of the absence of the justice of the peace from the bench. Effective 5/29/2017.

HB 2048 by Dutton. Relating to certain procedures for cases and orders relating to the Title IV-D agency. Clarifies the authority of a Title IV-D associate judge to hear and render an order on any matter necessary to be decided in connection with a Title IV-D service, including a suit affecting the parent-child relationship and a suit for modification of the parent-child relationship. The bill also provides that an agreed child support review order is considered confirmed by the court by operation of law on expiration of the third day after the filing of the order, regardless of whether the court has signed the order. Effective 9/1/2017.

HB 3069 by White. Relating to the administration of and eligibility for participation in a veterans treatment court program and the issuance of orders of nondisclosure for certain participants who successfully complete that program. Expands eligibility for veterans treatment court programs to include persons convicted of or placed on deferred adjudication for any misdemeanor or felony, and not just those persons arrested or charged with such offenses. Authorizes persons who successfully complete a veterans treatment court program to petition the court for an order of nondisclosure in certain circumstances. Effective 9/1/2017.

HB 3272 by Wray. Relating to the suspension, revocation, or cancellation of a driver’s license or personal identification certificate and to certain conduct constituting contempt of court that may result in the suspension or denial of a driver’s license. Prohibits justice courts from confining a child for the failure to appear for an offense committed by the child. The bill also allows justice courts to conduct
certain hearings relating to the suspension or revocation of a driver's license by telephone or video conference call if the affected parties are provided notice by the presiding officer. Effective 9/1/2017.

HB 3391 by Geren. Relating to the creation of a specialty court for certain public safety employees who commit a criminal offense; imposing fees for participation and testing, counseling, and treatment. Authorizes a commissioners court to establish a public safety employees treatment court program for certain persons arrested for or charged with any misdemeanor or felony offense. Provides that a defendant is eligible to participate in the program if the attorney representing the state consents and if the court finds that the defendant is a current or former public safety employee who suffers from a brain injury or mental illness, including post-traumatic stress disorder, that occurred during or resulted from the defendant’s duties and affected the defendant’s criminal conduct, or if other circumstances are met. The bill prescribes the duties of the program and authorizes the program to collect certain fees from a participant. Effective 9/1/2017.

HB 4032 by Phillips. Relating to annual limitations on the reimbursement of expenses incurred by district court reporters. Allows a district court reporter to receive more than the maximum reimbursement amount set for the reporter’s judicial district in any one year from the county for which the expenses were incurred on approval of the commissioners court of that county. Effective 9/1/2017.

HB 4147 by Kacal. Relating to a defendant’s right to appeal from a judgment or conviction in a municipal court of record. Clarifies that a constitutional county court has jurisdiction of any appeal from a judgment or conviction in a municipal court of record if a county does not have a county court at law or other specified courts with jurisdiction. Effective 9/1/2017.

SB 47 by Zaffirini. Relating to a study on the availability of information regarding convictions and deferred dispositions for certain misdemeanors punishable by fine only. Requires the Office of Court Administration to conduct a study of county management of records regarding fine-only misdemeanors, other than traffic offenses. Requires the study to address the public availability of those records; the reasons and criteria for any destruction

SB 42 by Zaffirini. Relating to the security of courts and judges in the state; establishing a fee. Addresses court security through a variety of means. Requires the sheriff, constable, or other law enforcement agency that provides court security to send the Office of Court Administration (OCA) a written report regarding a security incident not later than the third business day after the incident; the security report is confidential and not subject to disclosure under the Public Information Act.

Establishes a $5 Judicial and Court Personnel Training Fee on the filing of any civil action or proceeding in district, county, probate and justice court and requires the comptroller to deposit the funds upon receipt to the credit of the judicial and court personnel training fund. The Court of Criminal Appeals is required to grant funds from the judicial and court personnel training fund to statewide professional associations and other entities that provide training to individuals responsible for providing court security. Additionally, the bill prohibits a county from retaining a service fee on the collection of this new fee.

The bill also requires OCA to establish a judicial security division to provide guidance to state court personnel on improving court security and requires the director of that division to develop a procedure to regularly notify county registrars and certain state agencies about judicial privacy issues relating to public records. Additionally, it directs a local administrative judge to establish a court security committee to adopt security policies and procedures for the courts served by the local administrative district judge that is composed of several individuals, including representatives of the sheriff’s office, commissioners court, and county and district attorneys; it provides that the committee may make recommendations, but may not direct the assignment of resources or expenditure of funds.

The bill defines “court security officers” to include a constable, sheriff, sheriff’s deputy, municipal peace officer, or any other person assigned to provide security for an appellate, continued on next page
of records; and the retention schedule of each local agency that routinely destroys those records. Effective 9/1/2017.

**SB 257 by Taylor, Van.** Relating to judicial review of protective orders and the duration of those orders. Limits the ability of a person who is subject to a protective order to challenge a protective order issued to a family violence victim to two instances. The bill also exempts protective orders issued to child abuse and sexual assault victims from further challenge. Effective 9/1/2017.

**SB 920 by Whitmire.** Relating to access to a residence or former residence to retrieve personal property, including access based on danger of family violence. Authorizes a justice of the peace to issue a temporary ex parte writ authorizing entry to a residence and property retrieval if the current occupant poses a clear and present danger of family violence, as defined under Section 71.004 of the Family Code, to an applicant or to an applicant’s dependent, and other specified circumstances are met. In issuing this writ, the justice of the peace may waive the bond requirements and the requirement that the current occupant be given notice and an opportunity to be heard. Individuals granted this writ may only enter their residence if accompanied by a peace officer, and may only retrieve the items specifically authorized to be retrieved.

Additionally, the bill authorizes a justice of the peace to recess a hearing to issue a temporary ex parte writ authorizing entry and property retrieval in order to notify the current occupant by telephone that the occupant may attend the hearing, or bring the items sought by the applicant of the writ to court. However, the justice of the peace must reconvene the hearing before 5 p.m. the same day regardless of whether the current occupant attends the hearing, or brings the items to court. The bill also adds “copies of electronic records containing legal or financial documents” to the list of personal property that may be retrieved under a writ authorizing entry and property retrieval. Effective 9/1/2017.

**SB 1329 by Huffman.** Relating to the operation and administration of and practice in courts in the judicial branch of state government; increasing a fee. Includes numerous provisions relating to court administration. Creates new district courts and statutory county courts. Additionally, the bill revises certain powers of associate judges, including additional authority to hear suits for the adoption of a child for whom the Department of Family and Protective Services has been named a managing conservator. Effective 9/1/2017, except for certain sections.
**SB 1893 by Birdwell.** Relating to the administrative judicial regions in this state. Expands the number of administrative judicial regions from nine to eleven and transfers certain counties to new judicial regions. Effective 6/15/2017, except for certain sections.

**SB 1911 by Zaffirini.** Relating to the provision of certain self-help resources by state and county courts, including through the Internet website of a state court and in the office of the court clerk. Requires the clerk of each court to post on the court’s website, if any, a link to a self-help resources website designated by the Office of Court Administration, and display a sign in the clerk’s office with specified information on self-help resources. Authorizes a commissioners court to establish, maintain, and operate a joint free county law library in cooperation with other counties. Additionally, the bill allows the county law library fund to be used to establish and maintain a self-help center to provide resources to county residents representing themselves in legal matters. Effective 9/1/2017.

**SJR 6 by Zaffirini.** Proposing a constitutional amendment authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period before the court may enter a judgment holding the statute unconstitutional. Authorizes the Legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute. Additionally, the bill authorizes the Legislature to prescribe a waiting period of up to 45 days before the court may enter a judgment holding the statute unconstitutional. Constitutional Amendment Election Date 11/7/2017.

**CRIMINAL JUSTICE**

**HB 29 by Thompson, Senfronia.** Relating to prostitution and the trafficking of persons, civil racketeering related to trafficking, the prevention, investigation, and prosecution of and punishment for certain sexual offenses and offenses involving or related to trafficking, reimbursement of certain costs for criminal victims who are children, and the release and reporting of certain information relating to a child; increasing criminal penalties; creating criminal offenses. Implements recommendations adopted by the Texas Human Trafficking Task Force. Requires sexually oriented businesses to post certain signs directing victims of human trafficking to contact a resource center; authorizes the attorney general to initiate a civil investigative demand prior to beginning a civil proceeding for racketeering; requires certain commercial driver’s license training programs to include training on the recognition and prevention of human trafficking; revises certain sex offender registration requirements relating to human trafficking; and raises the penalty for the offense of promotion of prostitution from a Class A misdemeanor to a state jail felony, among other provisions. Effective 9/1/2017, except for certain sections.

**HB 238 by Hernandez.** Relating to the creation of records of the DNA of certain defendants for inclusion in the DNA database system. Adds individuals soliciting prostitution to the list of defendants required to provide a DNA sample for the DNA database system. Effective 9/1/2017.

**HB 281 by Howard.** Relating to establishing a statewide electronic tracking system for evidence of a sex offense. Requires the Department of Public Safety to establish a statewide electronic tracking system for evidence in sex crimes throughout the
investigation and prosecution of a case; records of evidence in the tracking system would only be accessible by the survivor from whom the evidence was collected or certain employees participating in the tracking system. Effective 9/1/2017.

**HB 1729 by Neave.** Relating to establishing and funding a grant program for testing evidence collected in relation to sexual assaults or other sex offenses; authorizing voluntary contributions. Requires the governor’s criminal justice division to establish and administer an Evidence Testing Grant Program, funded by voluntary donations of $1 or more from persons applying for an original or renewal driver’s license or personal identification card, and disburse the funds to assist law enforcement agencies or counties in testing evidence collected in relation to a sexual assault or other sex offense. Effective 9/1/2017.

**HB 1866 by Geren.** Relating to compensation and restitution to crime victims and the disposition of unclaimed restitution payments; providing for an administrative penalty; authorizing a fee. Revises the process for the payment of restitution to a crime victim and the disposition of any unclaimed restitution payments. Prescribes certain duties for probation departments and holders of unclaimed restitution payments that are presumed abandoned, including the mailing of certain notices to victims entitled to payments and the filing of property reports with the comptroller. The bill also provides the comptroller with certain enforcement authority, including potential monetary penalties, relating to the law’s requirements. Effective 9/1/2017.

**HB 2552 by Thompson, Senfronia.** Relating to measures to address and deter certain criminal or other unlawful activity, including trafficking of persons, sexual offenses, prostitution, and activity that may constitute a public nuisance; increasing criminal penalties; creating a criminal offense. Includes numerous provisions addressing human trafficking; provides that the owning or operating of a massage establishment that is not appropriately licensed by the state, or that is not in compliance with a local ordinance relating to the licensing or regulation of the establishment, is an unlawful deceptive trade practice; provides that the operation of a web address or computer network in connection with certain illegal activity, such as prostitution, is a common nuisance; and, requires certain human trafficking signs in certain establishments. Effective 9/1/2017.

**SB 179 by Menendez.** Relating to harassment, bullying, and cyberbullying of a public school student or minor and certain mental health programs for public school students; increasing a criminal penalty. Adds cyberbullying to the Education Code and authorizes school districts to establish certain policies for preventing and mediating bullying and cyberbullying among students; allows for the expulsion of students and for
schools to make reports to law enforcement agencies regarding assault or harassment as outlined in the Penal Code. Effective 9/1/2017.

**SB 1576 by Perry.** Relating to the civil commitment of sexually violent predators, the operation of the Texas Civil Commitment Office, and certain related offenses; increasing a criminal penalty. Includes numerous provisions relating to sexually violent predators who are civilly committed. Authorizes the Texas Civil Commitment Office to issue an emergency detention order for the purposes of returning a committed person to a more restrictive setting, and requires a peace officer, on a request made by that office, to execute the emergency detention order. Prohibits a magistrate from releasing on personal bond a defendant who is civilly committed as a sexually violent predator at the time of the commission of a charged offense.

Additionally, the bill authorizes the Texas Civil Commitment Office to release a committed person, who is released from housing operated by the office, to a county other than the county in which the person was most recently convicted of a sexually violent offense, if the county where the offender was convicted does not provide adequate opportunities for the person’s treatment, housing, or other supervision. The bill also authorizes the special prosecution unit to assist a local prosecuting attorney in the trial of an offense involving a violation of certain civil commitment requirements upon request of the attorney. Effective 9/1/2017.

**CRIMINAL PROCEDURE**

**HB 34 by Smithee.** Relating to measures to prevent wrongful convictions. Implements recommendations adopted by the Timothy Cole Exoneration Commission relating to the prevention of wrongful convictions. Requires law enforcement to make electronic recordings of certain custodial interrogations of persons suspected or charged with certain violent and serious felony offenses. Adds requirements for law enforcement policies on eyewitness identification procedures and revises procedures relating to the use of jailhouse informant testimony. Additionally, the bill requires the Texas Forensic Science Commission to conduct a study on the use of drug field test kits by law enforcement and a study on crime scene investigations. Effective 9/1/2017.

**HB 104 by White.** Relating to notification provided to certain victims of criminal offenses. Requires a prosecutor to notify the Texas Department of Criminal Justice (TDCJ) when certain offenders, who have been previously imprisoned at TDCJ for certain violent offenses, are indicted for a subsequent violent offense not later than the 10th day after the indictment. Requires TDCJ to subsequently notify certain victims of the new offense if the victim requests to receive such notice. Effective 9/1/2017.

**HB 322 by Canales.** Relating to the expunction of arrest records and files for certain veterans and the waiver of fees and costs charged for the expunction and to the eligibility of certain victims of trafficking of persons for an order of nondisclosure. Expands eligibility for an expunction of arrest records and files to include certain persons who have completed a veterans treatment court program and waives fees for such an expunction. Additionally, the bill revises eligibility requirements for orders of nondisclosure for certain victims of trafficking of persons. Effective 9/1/2017.

**HB 557 by Collier.** Relating to the expunction of arrest records and files for certain persons and to the return of certain fees to a person whose criminal record has been expunged; authorizing a fee. Authorizes a justice court to expunge all records
and files relating to the arrest of a person in certain circumstances; requires a petitioner seeking an expunction in a justice court to pay a $100 fee for filing the petition to defray the cost of notifying state agencies of orders of expunction. Additionally, the bill authorizes a court to order that an expunction fee be returned to a petitioner. Effective 9/1/2017.

HB 1266 by Geren. Relating to notice for hearings and trial settings in criminal cases. Requires a trial court to grant a continuance requested by the state or defendant in a criminal action if the court sets a hearing or trial without providing either the prosecutor or defendant notice of the hearing or trial at least three business days before the date of the proceeding. Effective 9/1/2017.

HB 1655 by King, Phil. Relating to the reporting of certain offenses committed by members of the Texas military forces. Requires the clerk of the court to send written notification of a conviction or deferred adjudication for certain offenses committed by a member of the Texas military forces to the staff judge advocate general. Effective 9/1/2017.

HB 2059 by Phillips. Relating to the expunction of certain convictions or arrests of a minor for certain alcohol-related offenses. Expands eligibility for expunctions under the Alcoholic Beverage Code; authorizes any person placed under arrest for not more than one violation of the Alcoholic Beverage Code while a minor, and who was not convicted of the violation, to apply to the court in which the person was charged to have the records of the arrest expunged. Effective 9/1/2017.

HB 3016 by Thompson, Senfronia. Relating to the eligibility of a criminal defendant for an order of nondisclosure of criminal history record information. Revises certain procedures relating to the issuance of orders of nondisclosure. Expands eligibility for orders of nondisclosure to include certain defendants convicted of first-time driving while intoxicated offenses with blood alcohol levels less than 0.15 and certain defendants convicted of fine-only misdemeanors. Authorizes eligible DWI offenders to petition the court for a nondisclosure order after specified waiting periods. Effective 9/1/2017.

SB 291 by Whitmire. Relating to the issuance of a writ of attachment for certain witnesses. Makes several changes to the current process for issuing a writ of attachment which orders a peace officer to bring a witness before a court or grand jury. Requires a hearing before the issuance of certain writs of attachment and requires prosecutors and defendants to submit certain affidavits when requesting a writ in some circumstances. Additionally, the bill requires the appointment of an attorney to represent the witness at a hearing; requires clerks to report certain information on the issuance of writs to the Judicial Council; and authorizes a witness confined for at least 24 hours pursuant to an attachment to request a hearing regarding whether continued confinement is necessary. Effective 9/1/2017.

SB 1253 by West. Relating to the electronic recording and admissibility of certain custodial interrogations. Requires law enforcement to make electronic recordings of certain custodial interrogations of persons suspected or charged
with certain violent and serious felony offenses, unless good cause exists that makes the recordings infeasible. Effective 9/1/2017.

**ELECTIONS**

**HB 25 by Simmons.** Relating to the elimination of straight-party voting. Eliminates straight ticket voting in the state. Requires the secretary of state to establish rules and procedures for the implementation of the elimination of straight-party voting. Effective 9/1/2020.

**HB 332 by Meyer.** Relating to the use of school district buildings as polling place locations. Requires a school district to include, in its multi-hazard emergency operations plan, a policy for school district properties selected for use as polling places. Effective 9/1/2017.

**HB 658 by Bernal.** Relating to voting by voters with certain disabilities or voters who reside at a residential care facility. Authorizes an election officer to allow a voter with a mobility problem, that substantially impairs a person’s ability to ambulate, to vote at the polling place before accepting others who arrived before the person. Requires a specified notice allowing for the accommodation to be posted: at one or more locations at each polling place, the secretary of state’s website, and on each website relating to elections maintained by a county. Note: The bill also includes specific provisions requiring early voting to be conducted at a residential care facility if five or more applications for mail-in ballots on the grounds of age or disability are made by residents of the same facility; these particular provisions are only effective for the November 2017 election since they were repealed by SB 5 (85th Legislature, First Called Session). Effective 9/1/2017.

**HB 929 by Miller.** Relating to the time for returning ballots mailed by certain federal postcard applicants. Requires each local canvassing authority to convene to conduct the local canvass at the time set by the canvassing authority’s presiding officer within a specified time period in certain elections. The bill also provides that a ballot voted by federal postcard application by certain members of the military, or the spouse or dependent of a member, must be counted if the ballot arrives not later than the sixth day after the date of the election (with a deadline extension to the next business day if the date falls on a weekend or holiday). Effective 9/1/2017.

**HB 998 by Alvarado.** Relating to the confidentiality of certain information stored as part of the preparation of campaign finance reports required to be filed with the clerk of certain counties or municipalities. Provides that data relating to electronic campaign finance reports that is saved in a temporary storage location for later retrieval and editing before the report is filed with the clerk of certain counties is confidential and may not be disclosed. The bill designates the information disclosed in the filed report as public information after the report is filed. Effective 9/1/2017.

**HB 999 by Israel.** Relating to requiring the election of directors of certain districts to be held on a uniform election date. Provides that unless a water district holds its general election for officers on a date as otherwise provided by statute, the election must be held in May of even-numbered years. Effective 9/1/2017.

**HB 1001 by Israel.** Relating to recording of minutes for a local canvassing authority. Requires the presiding officer of the canvassing authority to note the completion of the canvass in the minutes or in the recording required by the Open Meetings Act. Effective 9/1/2017.

**HB 1151 by Schofield.** Relating to the deadline for returning a ballot voted by mail. Extends the deadline for returning a ballot voted by mail to not later than 5 p.m. on the day after election day if the carrier envelope containing the marked ballot was placed for delivery by mail or common or contract carrier before election day and was postmarked by 7 p.m. on election day. Effective 9/1/2017.

**HB 1661 by Phelan.** Relating to a withdrawal of a candidate. Authorizes an authority responsible for preparing the ballots, in an election other than the general election for state and county officers, to remove a candidate from the ballot when the candidate submits a withdrawal request after the deadline, if the ballots have not been prepared at the time the candidate files the withdrawal request. Effective 9/1/2017.
HB 1735 by Faircloth. Relating to election officers and practices; increasing a criminal penalty; creating a criminal offense. Requires an election officer to take an oath or statement before entering service. Additionally, the bill authorizes the county clerk, with the concurrence of the county chair of the same political party with which the judge is affiliated, to remove an election judge for disruption of a polling place or who willfully violates election laws, among other provisions. Effective 9/1/2017.

HB 2157 by Miller. Relating to the requirements for a candidate’s application or petition for a place on the ballot. Provides that a candidate’s application or petition for a place on the ballot that is required by the Election Code must be signed and sworn to before a person authorized to administer oaths in this state. Additionally, with respect to a petition for a place on the ballot, the bill provides that a single notarized affidavit, by any person who obtained signatures, is valid for all signatures gathered by the person if the date of notarization is on or after the date of the last signature obtained by the person. Effective 9/1/2017.

HB 2323 by Israel. Relating to the filing period for a place on the ballot in a special election to fill a vacancy. Specifies that the deadline to file an application or a declaration of write-in candidacy for a place on the ballot for a special election to fill a vacancy in office, when an election is to be held on the date of the general election, is 6 p.m. on the 75th day before election day. Effective 9/1/2017.

HB 2358 by Metcalf. Relating to eligible voters in a confirmation election for a conservation and reclamation district. Requires a voter to be qualified to vote in the district in order to vote in a confirmation election or an election held jointly with a confirmation election on the same date to authorize taxes and bonds. Effective 1/1/2018.

HB 2559 by Reynolds. Relating to public inspection of mail ballot applications. Allows for the public inspection of mail ballot applications after the first eligible election to see which voters have opted to receive mail-in ballots for the calendar year. Effective 9/1/2017.

SB 5 by Huffman. Relating to requiring a voter to present proof of identification; providing a criminal penalty and increasing a criminal penalty. Requires the secretary of state to establish a program using mobile units to provide election identification certificates to voters at no charge at various locations across the state. Requires a voter to present an acceptable form of photo identification or one form of other specified identification, including a voter’s voter registration certificate, current utility bill, bank statement, government check, paycheck, or a certified copy of a domestic birth certificate; provides that a form of identification that is not an acceptable photo identification must be accompanied by a declaration of reasonable impediment. Prohibits an election officer from questioning the reasonableness of an impediment sworn to by a voter in a declaration, and subjects a voter to prosecution for making false statements or providing false information on the declaration. Continued on next page
Allow a person 70 years of age or older to use a form of photo identification that has expired for the purposes of voting if the identification is otherwise valid. Additionally, expiration dates for acceptable forms of photo identification are increased from 60 days to no earlier than four years before the date of presentation for voting. Effective 1/1/2018.

SB 752 by Campbell. Relating to the overseas military e-mail ballot program. Gives the secretary of state the authority to select any county who desires to participate in the overseas military e-mail ballot program. The secretary of state is to determine if the county has the appropriate technological capabilities in order to participate. Effective 5/27/2017.

SB 957 by Campbell. Relating to the content and numbering of propositions on the ballot. Requires a proposed constitutional amendment to be placed on the ballot before all other propositions. Requires each political subdivision’s proposition on the ballot to be assigned a unique number or letter on the ballot and requires the secretary of state to prescribe the procedures to implement the requirements in the bill. Effective 6/1/2017.

EMERGENCY MANAGEMENT

HB 1816 by Metcalf. Relating to the operation of medical supply transport vehicles during a declared state of disaster. Allows certain medical supply distributor vehicles to transport prescription drugs and other medical supplies to an emergency care facility, pharmacy, or nursing home located in a declared disaster area. Effective 9/1/2017.

EMERGENCY SERVICES

HB 435 by King, Ken. Relating to the carrying of weapons, including the application of certain weapons and handgun license laws to certain persons, the carrying of handguns by license holders on the property of a state hospital, and the liability for certain actions of volunteer emergency services personnel licensed to carry a handgun; providing a civil penalty.

Allows designated volunteer emergency personnel to carry a handgun on duty, however the use of the weapon is outside the duties of the volunteer releasing the county from any liability. The bill also authorizes a state hospital to prohibit a person from carrying a handgun on the property of the hospital. Effective 9/1/2017.

HB 1249 by Goldman. Relating to a prohibition of certain motor vehicles resembling emergency medical services vehicles; creating a criminal offense. Creates a Class C misdemeanor offense for operating a vehicle that resembles an emergency medical services vehicle. Addresses concerns raised regarding the use of vehicles, purchased from EMS providers, which have not had their emergency lights and insignias removed. Effective 9/1/2017.

HB 1407 by Sheffield. Relating to the establishment of the emergency medical services assistance program. Creates the Emergency Medical Services Assistance Program to provide financial aid and educational assistance, including remote instructional courses and training, to eligible medical services providers. No funding was provided during the 85th session; however, future funding, if provided, will enable counties and rural EMS departments to recruit new applicants for ambulance service. Effective 9/1/2017.

ENVIRONMENTAL

HB 2533 by Geren. Relating to civil suits brought by local governments or certain other persons for violations of certain laws under the jurisdiction of, or rules adopted or orders or permits issued by, the Texas Commission on Environmental Quality. Requires a local government, before filing an environmental suit seeking a civil penalty authorized by the Water Code, to provide the attorney general and the executive director of the Texas Commission on Environmental Quality (TCEQ) with written notice of each alleged violation, the facts supported by the claim, and the specific relief sought. Authorizes a local government to pursue such a claim only if the attorney general or TCEQ have not commenced a civil suit or proceeding concerning at least one of the alleged violations within a prescribed time frame. Effective 9/1/2017.
ETHICS

**HB 501 by Capriglione.** Relating to personal financial statements filed by public officers and candidates, including the disclosure of certain contracts, agreements, services, and compensation in and the amendment of those statements. Amends the contents of a financial statement that is required to be filed by certain county officials and certain state officers. Requires the financial statement to include information on certain contracts for goods and services. Effective 1/8/2019.

**SB 500 by Taylor, Van.** Relating to the effect of certain felony convictions of public elected officers. Prohibits elected officials from receiving public retirement benefits if they are convicted of a qualifying felony committed while in office and arising directly from the duties of that elected office. Allows an official whose conviction is overturned to continue to receive annuity payments under certain conditions. Effective 6/6/2017.

FEES & FINES

**HB 351 by Canales.** Relating to the administrative, civil, and criminal consequences, including fines, fees, and costs, imposed on persons arrested for, charged with, or convicted of certain criminal offenses and to the creation of a commission to review certain penal laws of this state; increasing a criminal penalty. Includes nearly identical provisions as those included in SB 1913 relating to the assessment and collection of criminal court costs for defendants who are unable to pay. Additionally, the bill establishes a commission to study and review all penal laws of this state other than offenses under the Penal Code, offenses under the Controlled Substances Act, or offenses related to the operation of a motor vehicle, and requires the commission to make recommendations to the Legislature regarding the repeal or amendment of laws that are identified as being unnecessary, unclear, duplicative, overly broad, or otherwise insufficient to serve the intended purpose. Effective 9/1/2017.

**HB 3167 by Paddie.** Relating to the program for improvement of collection of court costs, fees, and fines imposed in criminal cases. Raises the bracket on the population threshold for mandatory county implementation of a Collection Improvement Program from 50,000 to 100,000, allowing 23 additional counties to choose how to best collect delinquent fines and fees. Under prior law, counties with populations of 50,000 or greater were required to operate...
**HB 3167 by Paddie continued**
a Collection Improvement Program; now, only counties with populations of 100,000 or greater are required to operate such a program. Effective 6/1/2017.

**SB 1913 by Zaffirini.** Relating to the administrative, civil, and criminal consequences, including fines, fees, and costs, imposed on persons arrested for, charged with, or convicted of certain criminal offenses. Includes numerous provisions relating to the assessment and collection of criminal court costs for defendants who are unable to pay. Specifically, the bill requires a court (including district, county, and justice courts), during or immediately after a sentence is imposed, to inquire whether a defendant has sufficient resources to immediately pay all or part of the fine and costs. If the court determines that the defendant does not have sufficient resources, the court is required to determine whether the fine and costs should be: paid at some later date or at designated intervals; discharged by community service; waived in full or part; or satisfied through any combination of these methods.

Additionally, the bill requires standard language in certain citations and notices regarding alternatives to payment of any fines and costs assessed if the person is unable to pay; prohibits a justice of the peace from issuing an arrest warrant for a defendant’s failure to appear at the initial setting unless the court provides the defendant certain notice; requires a court to hold a hearing before the issuance of a capias pro fine for the defendant’s failure to satisfy the judgment; increases the amount of credit provided to defendants who serve jail time or who perform community service in order to satisfy assessed fines and costs; expands the types of organizations and programs where a defendant can perform community service in lieu of payment; and allows a court to waive the Scofflaw and OmniBase fees under certain circumstances, among other provisions. Effective 9/1/2017.

**SB 1559 by Taylor, Larry.** Relating to a fee exemption for guardianship proceedings of certain military service members and certain law enforcement officers, firefighters, and other first responders. Prohibits a county clerk from charging or collecting certain fees from the estate of a proposed ward or ward who became incapacitated as a result of an injury sustained while in active service as a member of the United States’ armed forces in a combat zone or while in the line of duty. Fees exempted from collection include fees for the filing of a guardianship proceeding and fees for any service rendered by the court regarding the administration of the guardianship. The bill also provides that a clerk of a county court is not required to refund an exempt fee paid before Sept. 1, 2017. Effective 9/1/2017.

**FINANCIAL MANAGEMENT**

**HB 1930 by Frullo.** Relating to financial accounting and reporting requirements for this state and political subdivisions of this state. Provides that a regulation adopted under Section 112.002 of the Local Government Code may not be inconsistent with generally accepted accounting principles as established by the Governmental Accounting Standards Board. This section only applies to an accounting system in a county with both a county auditor and a population of 190,000 or more. Effective 6/15/2017.

**SB 1401 by Campbell.** Relating to the regulation of banks and trust companies. Implements changes to modernize and clarify state law regulating banks and trust companies both to account for innovations in electronic banking and to align with federal law. Effective 9/1/2017.

**FIRE SAFETY/FIREWORKS**

**HB 1619 by Shine.** Relating to the prosecution and punishment of certain outdoor burning violations. Revises the criteria that determines whether a conviction for certain outdoor burning violations under the Health and Safety Code is punishable as a Class A, B or C misdemeanor. Effective 9/1/2017.

HB 3907 by Frullo. Relating to certain requirements of retail fireworks sites and inspections of those sites and assessment and collection of certain existing inspection fees by local fire prevention officers. Allows a local fire prevention officer, which includes a county fire marshal or a fire prevention officer of an emergency services district, to inspect a retail fireworks site for a fire or life safety hazard and assess and collect a specified inspection fee. The bill also specifies the types of structures that may be used as indoor retail fireworks sites. Effective 6/1/2017.

SB 527 by Birdwell. Relating to a defendant’s payment of costs associated with a court-appointed counsel. Authorizes a judge to order a defendant, who did not have the resources to reimburse a county for all the costs of court-appointed counsel at the time of sentencing, to pay any unpaid portion the judge determines the defendant is able to pay at any time during a defendant’s sentence or term of probation. Effective 9/1/2017.

SB 1214 by Perry. Relating to a succession plan for a regional public defender’s office that primarily handles capital cases. Authorizes the Texas Indigent Defense Commission to establish a succession plan for the Regional Public Defender Office for Capital Cases, which may: authorize the Commission to designate a governmental entity to administer the office and require the office to comply with rules adopted by the Commission for the administration of the office. Effective 6/12/2017.

SB 2053 by West. Relating to the distribution of the consolidated court cost. Despite coordinated county efforts to secure more state appropriations for indigent defense, the Legislature failed to appropriate any additional funds. However, the Legislature did pass SB 2053, which may provide more funds for this mandate in the future.

The bill redirects some of the revenue from the consolidated court cost to the Fair Defense Account which funds indigent defense. It addresses a recent Court of Criminal Appeals decision, Salinas v. State, which found the allocations to two specific accounts unconstitutional since those accounts did not fund criminal justice purposes. While the Texas Indigent Defense Commission was not provided with the authority to spend the approximately $16 million a year in additional funds the law would provide, the bill sets the framework for possible additional indigent defense funds in future years. Effective 06/15/2017.

INQUESTS

HB 799 by Murr. Relating to the persons authorized to conduct an inquest in certain counties. Allows a death inquest to be conducted by a justice of the peace from a county outside of the county where the death occurred. In a county without a medical examiner, the bill authorizes
a justice of the peace in a precinct in which a
death occurred or the county judge to request a
justice of the peace of another county to conduct
an inquest if the justice of the peace or county
judge of the county where the death occurred is
unavailable. A justice of the peace who conducts
the inquest must transfer all information related
to the inquest to the justice of the peace in the
precinct where the death occurred. Additionally,
the justice of the peace who conducts the inquest
is not entitled to any compensation, other than
mileage, from the commissioners court of the
county where the death occurred. Effective
9/1/2017.

SB 239 by Campbell. Relating to a parent’s right
to view the body of a deceased child before an
autopsy is performed. Allows a parent to view the
body of a deceased child before a justice of the
peace or medical examiner has assumed control
over the body subject to certain stipulations. The
viewing of a body that is subject to an inquest
must be with the consent of law enforcement in
certain circumstances, or with the consent of
certain medical professionals or the justice of the
peace or medical examiner.

Prohibits a parent from having contact with
the child’s body unless the justice of the peace
or medical examiner gives consent for them to
do so. Additionally, a person is not entitled to
compensation for performing duties on behalf
of a justice of the peace or medical examiner
under the new provisions of the law unless the
commissioners court of the applicable county
approves the compensation. Effective 9/1/2017.

SB 1599 by Miles. Relating to maternal mortality
reporting and investigation information. Requires
the Department of State Health Services to post
information on its website regarding systematic
protocols for pregnancy-related death investigations
and the best practices for reporting pregnancy-
related deaths to justices of the peace or medical

SB 1107 by Schwertner. Relating to telemedicine
and telehealth services. Does not apply to mental
health services. Defines telehealth and telemedicine;
outlines rules for implementation of telehealth
and telemedicine services; requires medical
licensing agencies to coordinate and adopt rules for
determining valid prescriptions; and sets a 72-hour
timeline for the telehealth physician to communicate
treatment records with the patient’s primary care
physician, if applicable. Effective 5/27/2017, except for
certain sections.

SB 1849 by Whitmire. Relating to interactions
between law enforcement and individuals detained
or arrested on suspicion of the commission of
criminal offenses, to the confinement, conviction,
or release of those individuals, and to grants
supporting populations that are more likely
to interact frequently with law enforcement. A
comprehensive criminal justice bill, SB 1849
has three primary components: mental health
collaborative projects, county jail reforms for high
risk inmates, and law enforcement encounters.

Among other requirements, a magistrate is to
be informed within 12 hours after a defendant
is identified as having a mental illness instead
of within the current standard of 72 hours; law
enforcement agencies are required to have policies
for diverting certain populations from the justice
system when appropriate and for working closely
with available community collaborative projects
which will receive funding from the Department of
State Health Services. County jailers will undergo
an additional 8 hours of mental health training
and jail administrators will be required to take
an exam relating to mandatory minimum jail
standards. County jails will be required to submit
to the Texas Commission on Jail Standards (TCJS)
increased data regarding serious incidents in the
jail. TCJS will also develop rules and procedures
for continuity of medication, improving safety
of inmates through the use of tele-health and
tele-mental health technology, and requiring
electronic sensors for high risk cells.

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A prisoner safety fund will be created and appropriated only to the TCJS for funding capital improvements as required in the bill to ensure inmate safety. Law enforcement officers will undergo an additional 40 hours of de-escalation training for situations involving encounters with the mentally ill, as well as basic certification training in de-escalation techniques and use of force for dealing with the general public. Increased data collection at traffic stops will be required to be reviewed to determine if improvements can be made in the law enforcement agency; fines will increase for failure to submit racial profiling data and traffic tickets will be required to include contact information for compliments or complaints. Effective 9/1/2017, except for certain sections.

**SB 1849 by Whitmire continued**

**SB 1264 by Huffman.** Relating to psychological counseling for certain grand jurors. Authorizes a commissioners court to approve a program offering psychological counseling to certain grand jurors. Prior law only authorized this counseling for regular trial jurors. Effective 9/1/2017.

**JUVENILE JUSTICE**

**HB 1204 by White.** Relating to the provision of services as an alternative to adjudication for certain children who engage in conduct in need of supervision or delinquent conduct and to a study on certain juvenile justice issues. Instructs juvenile boards to develop policies for prioritizing the diversion of children younger than age twelve from the juvenile justice system if a community resource coordination group conducting an evaluation of a child with severe emotional disturbance or mental health needs determines that diversion is appropriate. Effective 9/1/2017.

**SB 1314 by Rodriguez.** Relating to the regulation of substance abuse facilities and programs for juveniles. Requires the Texas Juvenile Justice Department to adopt minimum standards for the operation of substance abuse facilities or programs that are juvenile justice facilities or programs, and provides that substance abuse facilities or programs operating under those standards are not required to be licensed or otherwise approved by any other state or local agency. Effective 9/1/2017.

**SB 1548 by Menéndez.** Relating to post-discharge services offered by a juvenile board or juvenile probation department to a child after the child’s probation period ends. Permits juvenile boards and juvenile probation departments to offer an individual, on a voluntary basis and regardless of the individual’s age, certain community-based services, including individual and family therapy, mentoring, and job training, for up to six months after the individual is discharged from probation. Effective 9/1/2017.

**SB 1571 by Huffman.** Relating to the release of a child taken into possession by a law enforcement officer. Clarifies language regarding law enforcement taking possession of a child without a court order during an emergency and then releasing the child to certain...
Authorized entities. Requires a law enforcement officer, before releasing a child to an individual, to make certain verifications to ensure the child is not missing and the person taking possession is both over the age 18 and is not listed in abuse/sex offense databases. Effective 9/1/2017.

**LAND USE**

**HB 890 by Geren.** Relating to providing information to the public and to purchasers of real property regarding the impact of military installations. Directs a county in which there is a military installation to work closely with that installation to ensure applicable land use and compatibility use studies are publicly available on the county’s website. Effective 9/1/2017.

**HB 2040 by King, Phil.** Relating to the building code standards for new residential construction in the unincorporated area of certain counties; affecting the prosecution of a criminal offense. Creates enforcement options for counties that have adopted an order for new residential building construction codes in the unincorporated area of the county. Effective 9/1/2017.

**SB 4 by Perry.** Relating to the enforcement by campus police departments and certain local governmental entities of state and federal laws governing immigration and to related duties and liability of certain persons in the criminal justice system; providing a civil penalty; creating a criminal offense. Dubbed the “sanctuary cities” bill, SB 4 is a prohibition measure against local government sanctuary policies, which prevent local law enforcement personnel from inquiring about a person’s immigration status or complying with detainer requests, for undocumented persons with criminal charges or convictions. It prohibits a local entity (defined to include the governing body of a county, an officer or employee of a division or department that is part of a county, including a sheriff or county attorney, and a district attorney) from: adopting, enforcing, 

**LAW ENFORCEMENT**

**HB 240 by Hernandez.** Relating to the occurrence on certain premises of certain activities that may constitute a common nuisance. Creates an evidence standard to help bring nuisance abatement suits against illegal massage parlors used as fronts for prostitution or human trafficking. Effective 9/1/2017.

**HB 245 by Johnson, Eric.** Relating to certain reporting requirements for law enforcement agencies and to the creation of a criminal justice web portal by the office of the attorney general; providing a civil penalty. Imposes a $1,000 per day civil penalty for law enforcement agencies that fail to report officer-involved injuries or deaths, or injuries or deaths of peace officers, within a prescribed time period; increases the civil penalty for subsequent failures to report. Effective 9/1/2017.

**HB 3051 by King, Phil.** Relating to the categories used to record the race or ethnicity of persons stopped for or convicted of traffic offenses. Amends race and ethnicity data categories to be consistent with nationally recognized standards for reporting and licensing in various databases, including the National Law Enforcement Telecommunications System (NLETS) and Criminal Justice Information Systems (CJIS). Effective 9/1/2017.
or endorsing a policy prohibiting or materially limiting the enforcement of immigration laws; as demonstrated by pattern or practice, prohibiting or materially limiting the enforcement of immigration laws; or for an entity that is a law enforcement agency, as demonstrated by pattern or practice, intentionally failing to honor and fulfill immigration detainer requests.

It includes the authority to question a person about their immigration status upon lawful detention, not just after arrest; the authority of a court to enter a judgment and remove a person from office for allowing sanctuary policies; provides that a sheriff, constable, or person with primary authority for administering a jail commits a Class A misdemeanor (designated as a misdemeanor involving official misconduct) if the person knowingly fails to comply with an immigration detainer request; authorizes the attorney general to file a petition for a writ of mandamus or apply for other appropriate equitable relief to compel an entity or department to comply with the law; and subjects a local entity to a civil penalty if a court finds that the entity has intentionally violated this law.

A local entity may, however, prohibit persons who are employed by or under the direction of the entity from assisting or cooperating with a federal immigration officer if the assistance or cooperation occurs at a place of worship; also, the bill does not apply to community centers, local mental health authorities, the public health department of a local entity or a federally qualified health center. Additionally, the governor’s criminal justice division is required to establish and administer a competitive grant program to provide financial assistance to local entities to offset costs related to enforcing immigration laws or complying with, honoring, or fulfilling immigration detainer requests. Effective 9/1/2017.

**SB 12 by West.** Relating to the creation of a grant program to assist law enforcement agencies with the purchase of bulletproof vests and body armor. Makes $25 million available from the state budget to provide grants to law enforcement agencies for purchasing rifle rated bullet proof vests, ballistic plates, and plate carriers. **Effective 5/27/2017.**

**SB 208 by West.** Relating to the regulation of metal recycling entities; providing an administrative penalty; creating a criminal offense. Adds explosive devices to the list of items a metal recycling entity must report to the Department of Public Safety as having received; authorizes a metal recycling entity to contact law enforcement or the nearest military installation so that the explosive device may be removed or disposed of as soon as possible. **Effective 9/1/2017.**

**SB 1187 by West.** Relating to the offense of operating a motor vehicle without financial responsibility. Requires a peace officer to attempt to verify that a person does not have liability insurance before issuing a citation for operating a vehicle without liability insurance. The Department of Public Safety is also prohibited from assessing a surcharge on the license of a person based on not having liability insurance if the person provides evidence that they were in compliance with the financial responsibility requirement at the time of the offense. **Effective 6/1/2017.**
SB 1805 by Lucio. Relating to the multiuse training and operations center facility. Expands the purposes for which the state’s multiuse training center may be used to include housing law enforcement assets and equipment and to support tactical operations. Effective 9/1/2017.

MENTAL HEALTH

HB 10 by Price. Relating to access to and benefits for mental health conditions and substance use disorders. Designates an ombudsman at the Health and Human Services Commission (HHSC) to address complaints regarding mental health and behavioral health access to care; creates a mental health and substance abuse stakeholder work group to enforce mental health parity; and requires the Texas Department of Insurance and HHSC to gather data regarding the denial rate of mental health and substance abuse services compared to those of medical and surgical services. Effective 9/1/2017.

HB 13 by Price. Relating to the creation of a matching grant program to support community mental health programs for individuals experiencing mental illness and the coordination of certain behavioral health grants. Requires the Health and Human Services Commission (HHSC) to establish a matching grant program for the purpose of supporting community mental health programs providing services and treatment to individuals experiencing mental illness. Grants awarded by HHSC must be evaluated on criteria such as financial controls, cost, an applicant’s previous experience with grants and contracts, and input from the Local Mental Health Authority.

Communities receiving grants will be required to leverage funds in an amount of 50 percent of the grant amount in counties with populations less than 250,000 and 100 percent of the grant amount in counties of 250,000 or more. HHSC is required to reserve 50 percent of the total to be awarded only as grants to a community mental health program located in a county with a population not greater than 250,000. In a project with multiple counties, the match would be equal to the amount required for the largest county in the program. Effective 6/14/2017.

HB 337 by Collier. Relating to the continuation of certain public benefits, including medical assistance benefits, for individuals after release from confinement in a county jail. Provides a mechanism by which an inmate’s Medicaid benefits may be suspended, rather than terminated, and then reinstated within 48 hours of release from jail as long as the individual remains eligible while confined in county jail. Effective 9/1/2017.

HB 1787 by Wray. Relating to the execution of a declaration for mental health treatment. Allows for a declaration for mental health treatment to be signed by the principal and acknowledged before a notary public. Effective 9/1/2017.

HB 1794 by Bell. Relating to the establishment of the Work Group on Mental Health Access for First Responders. Creates the Work Group on Mental Health Access for First Responders under the Health and Human Services Commission. The 15-member work group is charged with submitting recommendations addressing current practices and access to mental health care for first responders. The work group is required to include a representative from a sheriff’s department and a representative from county government. Effective 9/1/2017.

HB 2619 by Giddings. Relating to grant programs to maintain peace officers’ mental health and provide critical incident stress debriefing for certain officers. Requires the governor’s criminal justice division to establish and administer a grant program for law enforcement agencies for assistive services addressing emotional harm suffered by peace officers in the line of duty. The bill also requires the division to establish and administer a grant program to assist law enforcement agencies in providing critical incident stress debriefing to peace officers who experience critical incidents in the line of duty. Effective 9/1/2017.
**SB 292 by Huffman.** Relating to the creation of grant programs to reduce recidivism, arrest, and incarceration of individuals with mental illness. Requires the Health and Human Services Commission (HHSC) to establish a grant program to reduce recidivism, arrest, and incarceration among individuals with mental illness and to reduce wait times for forensic commitments. Similar to HB 13, collaborative programs receiving grants will be required to contribute funds, with the amount based on a population structure of below or above 250,000. Effective 9/1/2017.

**SB 344 by West.** Relating to the authority of emergency medical services personnel of certain emergency medical services providers to transport a person for emergency detention. Authorizes a memorandum of understanding (MOU) between a law enforcement agency and an emergency medical services provider regarding the transfer to a mental health facility of a person detained without a warrant who may present a danger to themselves or others. The MOU must address the costs for services and be approved by both the county and the local mental health authority. Effective 06/09/2017.

**SB 1326 by Zaffirini.** Relating to procedures regarding criminal defendants who are or may be persons with a mental illness or an intellectual disability and to certain duties of the Office of Court Administration of the Texas Judicial System related to persons with mental illness. Revises several booking, bonding, mental evaluation, competency restoration, diversion, and dismissal procedures for arrestees who may have mental illness or intellectual disabilities. The bill includes processes and procedures for outpatient and jail-based competency restoration services and authorizes counties to implement jail-based competency restoration programs following guidelines set forth by the Health and Human Services Commission. Effective 9/1/2017.

**MOTOR VEHICLES**

**HB 2663 by Pickett.** Relating to exempting certain persons from a fee for replacement registration insignia and license plates. Allows a county assessor-collector to issue a no fee replacement registration insignia or license plate if the vehicle owner did not receive the items that were issued to them through the mail. Effective 6/9/2017.

**SB 869 by Huffman.** Relating to authorizing a beneficiary designation that transfers a motor vehicle at the owner’s death. Creates a mechanism, outside of the probate process, for the owner of a motor vehicle to transfer the motor vehicle to a sole beneficiary effective on the owner’s death. Effective 9/1/2017.

**SB 1001 by Taylor, Larry.** Relating to vehicle safety inspections, including vehicles exempt from those inspections. Exempts certain trailers with an actual or registered gross weight of up to 7,500 pounds, instead of the current 4,500 pound limit, from vehicle safety inspections. The bill also adds a new fee of $7.50, collected during registration, for each such vehicle with a gross weight of more than 4,500 pounds that qualifies for the new exemption from inspection. Effective 9/1/2017.

**SB 1062 by Perry.** Relating to documentation for the transfer of a motor vehicle title. Requires the Texas Department of Motor Vehicles to provide a secure power of attorney form and reassignment form for motor vehicle odometer disclosure statements in electronic and paper formats consistent with federal law. Effective 1/1/2018.

**SB 2075 by Rodríguez.** Relating to vehicle registration. Makes various changes to vehicle registration procedures, including authorizing the use of a receipt for online renewal to serve as proof of the vehicle’s registration until the 31st day after the date of renewal on the receipt. The bill also streamlines the process for when a closed county tax assessor-collector office’s transactions can be performed by a different county. Effective 9/1/2017.
**SB 2076 by Rodríguez.** Relating to the titling of motor vehicles; creating a criminal offense and authorizing fees. Makes changes to vehicle titling procedures by reorganizing and altering vehicle identification number (VIN) inspection requirements, VIN inspection processes, and title requirements. Effective 9/1/2017, except for certain sections.

**HO 1935 by Frullo.** Relating to the carrying of certain knives; creating a criminal offense. Legalizes the carrying of certain knives, including certain daggers, bowie knives, swords, and spears. Amends the Penal Code to provide that a knife with a blade over five and one-half inches is a “location-restricted knife” and creates an offense for the possession of such a knife in certain locations or the possession of such a knife by a person younger than 18 years of age in certain circumstances. Effective 9/1/2017.

**HB 1424 by Murphy.** Relating to the operation of an unmanned aircraft over certain facilities or sports venues; creating a criminal offense. Adds correctional facilities, detention facilities and sports venues to the list of critical infrastructure over which operating unmanned aircraft is prohibited. Effective 9/1/2017.

**HB 2908 by Hunter.** Relating to the punishment for a criminal offense committed against a person because of bias or prejudice on the basis of status as a peace officer or judge; increasing a criminal penalty. Enhances penalties for “hate crimes” against peace officers or judges. Effective 9/1/2017.

**SB 7 by Bettencourt.** Relating to improper relationships between educators and students and reporting of educator misconduct; creating a criminal offense and expanding the applicability of an existing offense; authorizing an administrative penalty. Addresses conduct relating to improper relationships between educators and students by expanding the applicability of the criminal offense to address broader misconduct, and creates an offense for the failure of certain school administrators to provide certain reports of misconduct, among other provisions. Effective 9/1/2017.

**SB 227 by Huffman.** Relating to certain substances listed in Penalty Group 2 of the Texas Controlled Substances Act. Repeals a provision in the Texas Controlled Substances Act that prohibits a conviction for the manufacture, delivery or possession of a prohibited substance in Penalty Group 2 if the substance is approved by the Federal Drug Administration; this clarifies authority to prosecute, under the relevant sections of the Controlled Substances Act, persons who may possess certain substances that are prescribed to other individuals. Effective 9/1/2017.

**SB 343 by Perry.** Relating to the prosecution of the offense of improper sexual activity with a person under supervision. Expands the conduct that constitutes an offense for improper sexual activity
with a person in custody; adds an employee of a community supervision and corrections department, a person other than an employee who works for compensation at a juvenile facility or local juvenile probation department, and a volunteer at a juvenile facility or local juvenile probation department to the list of individuals who can be prosecuted for the offense. Effective 9/1/2017.

**SB 762 by Menéndez.** Relating to the prosecution of offenses involving cruelty to animals; increasing a criminal penalty. Enhances penalties for certain repeat offenders convicted of animal cruelty offenses. Effective 9/1/2017.

**SB 1871 by Zaffirini.** Relating to the creation of the offense of theft of petroleum products. Creates a state jail felony for theft of petroleum products if the value is less than $10,000; a third degree felony if the value is between $10,000 and $100,000; a second degree felony if the value is between $100,000 and $300,000; and a first degree felony if the products are valued at $300,000 or more. Effective 9/1/2017.

### OPEN GOVERNMENT

**HB 1278 by Dutton.** Relating to availability of personal information of certain current and former prosecutors. Exempts certain personal information of current or former district attorneys and county attorneys (as well as their current or former employees) whose jurisdiction includes criminal law or child protective services matters from disclosure under the Public Information Act, regardless of whether they have elected to disclose the information under other law. Effective 6/15/2017.

**HB 1861 by Elkins.** Relating to the confidentiality of certain information related to a computer security incident. Adds information directly arising from a governmental body’s routine efforts to prevent, detect, investigate, or mitigate a computer security incident, including information contained in or derived from an information security log, to the list of confidential information under the Public Information Act. Effective 6/15/2017.

**HB 3047 by Dale.** Relating to the meeting of a governmental body held by videoconference call. Requires that a member of a governmental body who participates in a meeting by videoconference call be considered absent from any portion of the meeting during which audio or video communication with the member is lost or connected. Authorizes the governmental body to continue the meeting only if a quorum remains present at the meeting location or continues to participate. Effective 9/1/2017.

**SB 510 by Zaffirini.** Relating to the confidentiality of certain home address information in ad valorem tax appraisal records. Provides that the home address information of a current or former employee of a federal or state judge in property tax appraisal

**HB 3107 by Ashby.** Relating to the production of public information under the public information law. Addresses issues with the abuse of multiple open records requests submitted to local officials. Specifically, the bill provides that a request for public information is considered withdrawn if the requestor fails to inspect or duplicate the information on or before the 60th day after the date the information is made available, or fails to pay the postage and any other charges accrued on or before the 60th day after the date the requestor is informed of the charges.

Allows all requests received in one calendar day from an individual to be treated as a single request for the purposes of calculating costs under the Public Information Act. Allows a governmental body to establish reasonable monthly and yearly time limits on the amount of time that personnel are required to spend producing public information without recovering its costs attributable to that personnel time.

Additionally, if a requestor who has made a previous request, for which the governmental body has issued a cost estimate statement that remains unpaid on the date a requestor submits a new request, the governmental body is not required to compile or provide copies of documents or prepare a cost statement in response to the new request until the date the requestor pays each unpaid statement issued or withdraws the previous request. The bill also exempts some of the requirements from applying to certain requestors, such as news organizations. Effective 9/1/2017.

**SB 510 by Zaffirini.** Relating to the confidentiality of certain home address information in ad valorem tax appraisal records. Provides that the home address information of a current or former employee of a federal or state judge in property tax appraisal
records is confidential if the individual chooses to restrict public access to the information. Effective 5/27/2017.

**SB 564 by Campbell.** Relating to the applicability of open meetings requirements to certain meetings of a governing body relating to information technology security practices. Expands the exemption in the Open Meetings Act, that currently exists for the Department of Information Resources, to authorize all governmental bodies to conduct a closed meeting for deliberations regarding security devices or security audits, including security assessments or deployments relating to information resources technology; network security information; or the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices. Effective 9/1/2017.

**SB 988 by Zaffirini.** Relating to the participation of a county judge in a meeting of a commissioners court conducted by videoconference call. Provides that the county judge is no longer the presiding officer of a commissioners court meeting when participating via videoconference call. Effective 5/10/2017.

**SB 1440 by Campbell.** Relating to the attendance by a quorum of a governmental body at certain candidate events under the open meetings law. Excludes from the definition of “meeting” for the purposes of the Open Meetings Act the attendance by a quorum of a governmental body at a candidate forum, appearance, or debate to inform the electorate, if formal action is not taken and any discussion of public business is incidental to the forum, appearance, or debate. Effective 9/1/2017.

**PROBATE**

**HB 1814 by Murr.** Relating to application requirements for certain probate proceedings. Requires applications for the probate of a will, muniments of title and letters of administration to include the last three numbers of the driver’s license number and social security number for each applicant, testator, and decedent, as applicable. Effective 9/1/2017.

**HB 1877 by Murr.** Relating to a penalty for independent executors who misrepresent in an affidavit in lieu of the inventory and appraisement. Authorizes a court to fine an independent executor of an estate, in an amount not to exceed $1000, if the executor misrepresents in an affidavit that certain beneficiaries received a verified, full, and detailed inventory and appraisement as required by law. Effective 9/1/2017.

**SB 40 by Zaffirini.** Relating to the bond required and the bond insurance obtained for certain judges. Requires certain statutory and constitutional county court judges who handle probate cases to execute bonds of not less than $100,000 in counties with populations of 125,000 or less, or $250,000 in counties with populations of more than 125,000. Authorizes counties **continued on next page**
SB 40 by Zaffirini continued

to secure bond insurance in lieu of the bond required, paid out of the general funds of the county. Effective 9/1/2017.

SB 511 by Rodríguez. Relating to a written declaration to designate a guardian before the need for a guardian arises. Provides an additional method for the execution of a written declaration to designate a guardian before the need arises. Authorizes a declaration to be signed in front of a notary public in lieu of two witnesses if the declaration does not expressly disqualify any individual from serving as a guardian. Effective 9/1/2017.

SB 1016 by Creighton. Relating to the appointment and duties of court investigators for certain courts in guardianship proceedings. Authorizes the judge of certain county courts, including a county court exercising its probate jurisdiction, to appoint a court investigator to supervise a court visitor program, investigate a complaint about a guardianship, and perform other duties as assigned by the judge. The judge may only make the appointment if authorized by commissioners court. The commissioners court is also required to set the salary of a court investigator. Effective 9/1/2017.

SB 1096 by Zaffirini. Relating to guardianships; authorizing a fee. Requires the creation of a centralized database for the registration of all guardianships under Texas jurisdiction. All information contained in the database is confidential and not subject to disclosure except for law enforcement purposes. The bill also requires certain prospective guardians to receive mandatory training provided by the Judicial Branch Certification Commission (JBCC); the training must be designed to educate proposed guardians about their responsibilities, alternatives to guardianships, supports and services available to wards, and a wards' bill of rights. A court is prohibited from appointing an individual to serve as a guardian if the person has not received the required training, with certain exceptions. The commission is required to provide confirmation that a potential guardian completed the training to the probate court no later than 10 days before the hearing to appoint a guardian.

The JBCC is also required to obtain a criminal history record of an individual seeking appointment as a guardian or temporary guardian and, upon the court’s request, provide it to the clerk of the county with jurisdiction over the appointment of a guardian. If the estate’s liquid assets are more than $50,000, a finger-print based criminal history record check is required. A clerk is not required to obtain a criminal history record for a person for whom the commission had conducted a background check.

The JBCC is authorized to charge a fee for obtaining criminal history record information in an amount set by the Texas Supreme Court, and the Supreme Court may adopt rules excluding individuals who are indigent from having to pay the fee. A guardian is entitled to reimbursement from the guardianship estate for the authorized fee.

Additionally, if a ward is arrested, detained, or held in custody, law enforcement is required to notify the court with jurisdiction over the guardianship within the first working day after the ward is arrested, detained, or held in custody. Effective 9/1/2017.

SB 2150 by Huffman. Relating to a revocable deed that transfers real property at the transferor’s death. Allows for the anti-lapse statute to apply to a transfer on death deed no matter how many beneficiaries a person designates. Effective 9/1/2017.

PROPERTY TAXES

HB 150 / HJR 21 by Bell. Relating to the exemption from ad valorem taxation of, and the deferral or abatement of ad valorem taxes on, certain residence homesteads. Authorizes a property tax exemption of part of the market value of the residence homestead of a partially disabled veteran or the surviving spouse of a partially disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead. HB 150 also reduces the annual interest rate imposed during the deferral or abatement of taxes for a residence homestead of an elderly or disabled person from eight to five percent. Effective 1/1/2018, but only if HJR 21 is approved by voters. Constitutional Amendment Election Date 11/7/2017.
HB 217 by Canales. Relating to the authority of certain persons to defer or abate the collection of ad valorem taxes on a person’s residence homestead. Authorizes disabled veterans that are eligible for a property tax exemption under Section 11.22 of the Tax Code to defer or abate the collection of property taxes on a residence homestead. Effective 9/1/2017.

HB 626 by Workman. Relating to late applications for certain exemptions from ad valorem taxation. Extends the deadline for consideration of a late application of a homestead exemption for a disabled veteran, or the spouse of a disabled veteran, from one year to two years. The chief appraiser must notify the tax assessor-collector not later than the 30th day after the date that the late application is approved. The tax assessor-collector must then pay the refund not later than the 60th day after the date the chief appraiser has notified them that the application has been approved. The bill also extends the deadline for a late application for an exemption for a partially or totally disabled veteran from one year to five years; the chief appraiser must notify the tax assessor-collector not later than 30 days after the date that the late application is approved. Effective 9/1/2017.

HB 1346 by Button. Relating to the date for prepayment of taxes on a dealer’s heavy equipment inventory. Modifies the deadline for the submission of monthly tax statements and required deposits submitted by owners and dealers of heavy equipment inventory from the 10th day of each month to the 20th day of each month. Effective 9/1/2017.

HB 2989 by Bonnen, Dennis. Relating to payment of an ad valorem tax refund in the event of a tax roll correction that decreases a property owner’s tax liability. Clarifies that the property owner who pays the property tax shall receive any refund resulting from a correction that decreases the taxpayer’s liability. Effective 5/26/2017.

SB 15 by Huffines/SJR 1 by Campbell. Relating to an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a first responder who is killed or fatally injured in the line of duty. Allows the surviving spouse of a first responder who is killed in the line of duty to receive an exemption from taxation of their residence homestead if they have not remarried and are considered an eligible survivor. Effective 1/1/2018, but only if SJR 1 is approved by voters. Constitutional Amendment Election Date 11/7/2017.

SB 277 by Campbell. Relating to the eligibility of certain property for certain ad valorem tax incentives relating to wind-powered energy devices. Prohibits properties from receiving certain tax incentives related to wind-powered energy devices installed on the land if the land is within 25 miles of a military aviation facility. Effective 9/1/2017.
**SB 929 by Hughes.** Relating to continuing education requirements for county tax assessor-collectors. Requires tax assessor-collectors that collect property taxes to complete 40 hours of continuing education on the assessment and collection of property taxes not later that the first anniversary of the date on which the assessor-collector first takes office. **Effective 5/18/2017.**

**SB 1047 by Creighton.** Relating to installment payments of ad valorem taxes. Clarifies procedures regarding quarterly installment payments for property taxes. **Effective 1/1/2018.**

**SB 1286 by Bettencourt.** Relating to the system for protesting or appealing certain ad valorem tax determinations. Allows the comptroller to create rules and regulate arbitrators who are appointed to arbitrate certain property tax disputes, among other provisions. **Effective 6/14/2017, except for certain sections.**

**SB 1767 by Buckingham.** Relating to hearings and protests before appraisal review boards involving ad valorem tax determinations. Allows a property owner to elect to present the owner's evidence and argument to the appraisal review board before, after, or between the cases presented by the chief appraiser and each taxing unit. **Effective 1/1/2018.**

**PUBLIC FINANCE**

**HB 89 by King, Phil.** Relating to state contracts with and investments in companies that boycott Israel. Prohibits government contracts with companies that boycott Israel and restricts certain state investments in those companies. A governmental entity, including a political subdivision, may not enter into a contract with a company for goods or services unless the contract contains a written verification from the company that it does not boycott Israel and will not boycott Israel during the term of the contract. The bill restricts investments in companies that boycott Israel, but this section only applies to the statewide pension systems. **Effective 9/1/2017.**

**HB 1003 by Capriglione.** Relating to investment of public funds, including certain expenditures by public institutions of higher education and university systems that are eligible for certain tax credits. Changes certain requirements relating to the investments in which a public entity covered by the Public Funds Investment Act (PFIA) can invest, allowing an entity to invest in interest-bearing banking deposits that are guaranteed or insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund. Provisions in the bill replace current law requiring a money market fund authorized for investment under the PFIA to be continuously rated AAA by at least one nationally recognized investment rating firm and to conform to certain requirements relating to investment pools. The bill also allows certain public entities to enter into certain hedging transactions, as long as the transactions comply with federal regulations. **Effective 6/14/2017, except for certain sections.**

**HB 1701 by Parker.** Relating to the presentation of the investment policy of certain governmental entities to a business organization that conducts investment transactions for the entity. Revises the types of business entities that must provide, under the Public Funds Investment Act, a written instrument stating that the business entity has implemented reasonable procedures and controls to prevent unauthorized investments. **Effective 9/1/2017.**

**HB 2647 by Stephenson.** Relating to authorized investments of public funds. Expands the list of authorized investments under the Public Funds
Investment Act to include: interest-bearing banking deposits that are guaranteed or insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund; and certain other interest-bearing banking deposits if the funds are invested through a broker or depository institution with a main office or branch office in this state, and certain other conditions are met. Effective 6/15/2017.

**HB 2928 by Stephenson.** Relating to including the obligations of Federal Home Loan Banks as authorized investments for a governmental entity and the requirements for certificates of deposit or share certificates held as authorized investments for a governmental entity. Includes obligations, including letters of credit, of the Federal Home Loan Banks as authorized investments for governmental entities under the Public Funds Investment Act and clarifies that a certificate of deposit or share certificate issued by a depository institution that has its main office or a branch office in Texas and secured in accordance with the Public Funds Collateral Act is an authorized investment for governmental entities under the Public Funds Investment Act. Effective 9/1/2017.

**SB 253 by Taylor, Van.** Relating to investment prohibitions and divestment requirements for certain investments of public money. Broadens the state’s divestiture policy to prohibit any publicly administered fund, including a state or local retirement fund, from investing in companies that engage in business with a foreign terrorist organization. This bill builds on Texas’ current Iranian and Sudanese divestiture standards to include all state and local funds, with changes applying to funds in the state treasury, public investments pools, and those invested by local governments. Lastly, the bill specifies that the state’s divestiture requirements relating to Iran, Sudan, and terrorist organizations expire in 2037. The comptroller is required to prepare and maintain the list of companies affected. Effective 5/23/2017.

**SB 295 by Hinojosa.** Relating to the issuance of certain capital appreciation bonds by political subdivisions. Clarifies that the refunding of bonds and the issuance of capital appreciation bonds for the purpose of financing transportation projects are exempt from current restrictions relating to the issuance of capital appreciation bonds by political subdivisions. Effective 9/1/2017.

**PUBLIC HEALTH**

**SB 1049 by Uresti.** Relating to safety requirements of assisted living facilities. Directs the Health and Human Services Commission to provide guidance on the interpretation of minimum life safety code standards as they apply to assisted living facilities, at least twice each year, by issuing a technical memorandum. Effective 9/1/2017.

**PURCHASING**

**SB 255 by Zaffirini.** Relating to contracts with and training for governmental entities and vendors, including purchasing and contract management training; authorizing fees. Exempts contracts between a governmental entity and a publicly traded business entity, an electric utility, or a gas utility from the disclosure of interested party requirements reported to the Texas Ethics Commission pursuant to Chapter 2252 of the Government Code. Effective 9/1/2017.

**RECORDS**

**HB 681 by Wu.** Relating to restricting access to certain information that relates to a person convicted of or granted a dismissal after deferral of disposition for a fine-only misdemeanor offense. Prohibits certain records relating to fine-only misdemeanor offenses from being disclosed to the public after the fifth anniversary of a final conviction, or dismissal after deferral of disposition. All records and files and information stored by electronic means or otherwise shall be held confidential and may only be viewed by: judges or court staff; a criminal justice agency for a criminal justice purpose; a defendant or defendant’s counsel; the Department of Public Safety; an attorney representing the state; and, if a traffic offense, an insurance company. Effective 9/1/2017.

**HB 1217 by Parker.** Relating to appointment of and performance of notarial acts by an online notary public and online acknowledgment and proof of
written instruments; authorizing a fee and creating a criminal offense. Allows a notary public to conduct an online notary service. A notary public is authorized to charge a fee in an amount not to exceed $25 for performing an online notarization service. Provides that a person who, without authorization, knowingly obtains, conceals, damages, or destroys the software or hardware enabling an online notary public to affix an official electronic signature or seal commits a Class A misdemeanor. Additionally, the secretary of state is required to promulgate rules and develop standards for online notarization. Effective 7/1/2018.

**HB 3356 by King, Tracy.** Relating to privacy of certain structured settlement information. Addresses concerns of public availability of personal identifiable information contained in a structured settlement agreement, under the Structured Settlement Protection Act, which may increase the risk of identity theft or harassment. Requires a court to permit the full redaction of certain personally identifiable information in any application, pleadings, or order relating to an application for approval of a transfer of structured settlement payment rights if a payee submits a written request to conceal such information. The bill requires a copy of the order, with the applicable information redacted, to be filed as part of the public record; requires an unredacted copy of the order to be issued under seal, and be provided to the transferee and interested parties; and, authorizes the court to unseal the redacted order and make the order available to the public not earlier than six months after the date the order is issued. Effective 6/15/2017.

**SB 256 by Taylor, Van.** Relating to the confidentiality of home address information of certain victims of family violence, sexual assault or abuse, stalking, or trafficking of persons. Expands the address confidentiality program administered by the attorney general to include certain victims of family violence, sexual assault or abuse, stalking, and trafficking of persons. Authorizes certain victims to keep their addresses confidential in certain voter registration and appraisal records. Effective 5/19/2017.

**SB 1242 by Rodríguez.** Relating to the confidentiality of certain personal information of an applicant for or a person protected by a protective order. Authorizes a court, upon request of an applicant or a person protected by a protective order, to protect an applicant’s mailing address by rendering an order: requiring the clerk of the court to strike the applicant’s mailing address from the public records of the court, if applicable, and maintain a confidential record of the applicant’s mailing address for court use only; requiring the applicant to designate a person to receive, on behalf of the applicant, any notice or documents filed with the court; and prohibiting the release of the information to the respondent. Effective 9/1/2017.
**SB 1304 by Perry.** Relating to confidentiality, sharing, sealing, and destruction of juvenile records. Implements recommendations by the Juvenile Records Advisory Committee relating to the confidentiality of juvenile records. The bill addresses: sealing procedures; the confidentiality of information in the Juvenile Justice Information System; information sharing and disclosures; and, the destruction of juvenile records. Effective 9/1/2017.

**STATE BUDGET**

**HB 2 by Zerwas.** Relating to making supplemental appropriations and giving direction and adjustment authority regarding appropriations. Authorizes additional funding to address critical needs that were not covered in the budget for fiscal years 2016-2017. Also addresses the anticipated shortfall in Medicaid funding and includes emergency funding for Child Protective Services. Effective 6/12/2017.

**SB 1 by Nelson.** General Appropriations Bill. Appropriates $216.8 billion for the upcoming two-year budget cycle, fiscal years 2018 and 2019. TAC staff has developed a summary report of county programs impacted by the state budget. The report also includes a chart detailing how the new budget provides only a slight increase (0.2 percent) in total funding, compared to the current budget. Effective 9/1/2017.

**TRANSPARENCY**

**SB 622 by Burton.** Relating to itemizing certain public notice expenditures in certain political subdivision budgets. Requires the proposed budget of a political subdivision, other than a junior college district, to include a line item indicating expenditures for notices required by law to be published in a newspaper by the political subdivision or a representative of the political subdivision that allows as clear a comparison as practicable between those expenditures in the proposed budget and actual expenditures for the same purpose in the preceding year. The bill applies only to a proposed budget for a fiscal year beginning on or after Jan. 1, 2018. Effective 6/9/2017.

**SB 625 by Kolkhorst.** Relating to public access to financial and tax rate information of certain special purpose districts; imposing a civil penalty. Requires the comptroller to create and make accessible on the Internet a Special Purpose District Public Information Database containing information regarding all special purpose districts of this state that meet certain requirements. The database must include the name of the special district, certain contact information, sales and property tax information, bond information, and other specified information. Provides for a civil penalty for those special purpose districts that do not supply the required information. Effective 9/1/2017.

**TRANSPORTATION**

**HB 1140 by Anderson, Charles “Doc.”** Relating to the allocation categories for state funding of public transportation. Counties are currently eligible for state public transportation funding based on population categories. This bill creates “large urbanized area” and “small urbanized area” categories to separate those areas with populations of 200,000 or more and those with populations of less than 200,000. Effective 9/1/2017.

**HB 2065 by Phillips.** Relating to fines collected by a county or municipality from the enforcement of commercial motor vehicle safety standards. Requires a county to file an annual report with the comptroller detailing the amount of fines retained and expenses claimed by the county for the enforcement of certain commercial motor vehicle safety standards during the previous fiscal year. A county that fails to file a report must send, to the comptroller, an amount equal to the amount retained by the county in the fiscal year the report would cover. Under current law, a county is allowed to retain fines from the enforcement of the commercial vehicle standards in an amount up to 110 percent of the county’s actual expenses for enforcement. Effective 9/1/2017.

**SB 977 by Schwertner.** Relating to the use of state money for high-speed rail operated by a private entity. Prevents the state from using any funds to pay for high-speed rail operated by a private entity. Effective 9/1/2017.
**SB 1305 by Nichols.** Relating to the grant program using money from the transportation infrastructure fund. Abolishes the requirement for the creation of a county energy transportation reinvestment zone, but leaves the county grant program in place in the hopes of future funding. Effective 12/31/2017.

**SB 1383 by Perry.** Relating to the operation of vehicles transporting fluid milk; authorizing a fee. Authorizes milk trucks with weights of up to 90,000 pounds to run on county roads with a valid permit. To obtain the required $1,200 permit, the applicant must designate the counties in which they intend to operate. However, the operator may not use a route where the county has established maximum weight and load limits. Effective 1/1/2018.

**VETERANS**

**HB 2486 by Stucky.** Relating to restoration of the position of public employees when relieved of duty from the Texas military forces or a similar unit. Entitles an employee of a county with at least five full-time employees, who is a member of the Texas military forces, a military reservist, or a member of a federally authorized urban search and rescue team, to be restored to their original employment position when their required duty with those organizations is completed. Effective 6/15/2017.

**SB 27 by Campbell.** Relating to the mental health program for veterans and to the authority to establish a trauma affected veterans clinical care and research center at The University of Texas Health Science Center at San Antonio. Requires the Texas Veterans Commission and the Department of State Health Services (DSHS) to identify community-based licensed mental health professionals for the mental health program for veterans. The mental health program must include DSHS-approved training and technical assistance for peer service coordinators (defined as individuals who recruit and retain veterans, peers, and volunteers to participate in the program) and licensed mental health professionals. By increasing access to preventive care, the bill may reduce the number of veterans who seek more costly care in the emergency department of a hospital, decreasing overall costs associated with military-related traumas. Effective 9/1/2017.

**SB 544 by Lucio.** Relating to required training for veterans county service officers and assistant veterans county service officers. Provides a veterans county service officer with the option to fulfill required initial and continuing training from a public or private entity or from the Texas Veterans Commission (TVC), and requires the TVC to approve the training. The commissioners court of an officer’s county is required to reimburse an officer’s travel and lodging expenses incurred in attending such required training. Effective 9/1/2017.

**SB 805 by Lucio.** Relating to Texas women veterans. Requires the Women Veterans Coordinator designated by the executive director of the Texas Veterans Commission to serve as a liaison between state and federal agencies and organizations that provide benefits and services to women veterans,
and requires the Texas Women Veterans Program to provide information to women veterans on services and resources provided by state or federal agencies and certain organizations. The bill also designates June 12 as Women Veterans Day to recognize the role of women in the military forces. Effective 9/1/2017.

**SB 1676 by Lucio.** Relating to the veterans county service office. Requires a veterans county service office, in a county with a population of 200,000 or more, to report directly to the commissioners court. Effective 9/1/2017.

**SB 1679 by Lucio.** Relating to the use of the fund for veterans’ assistance to provide grants to support veterans county service offices. Requires the Texas Veterans Commission to use at least five percent of the funds appropriated to it from the fund for veterans’ assistance each fiscal year to provide grants to veterans county service offices. The offices are required to use the grant funds for direct assistance and services to veterans living in the counties the offices serve. Effective 9/1/2017.

**Voter Registration**

**HB 2015 by Paul.** Relating to the disclosure of certain registration information by the voter registrar. Requires the voter registrar to forward, to the county chair of each county executive committee, necessary contact information for persons interested in becoming election judges. Effective 9/1/2017.

**HB 2324 by Israel.** Relating to the deadline for volunteer deputy registrars to submit voter registration applications. Requires a volunteer deputy registrar to deliver a voter registration application submitted later than the 34th day before the date of an election, and on or before the last day for a person to timely submit a registration application for that election, not any later than 5 p.m. of the next regular business day following the date to timely submit a registration application for that election. Effective 9/1/2017.

**HB 2837 by Dean.** Relating to removal of deceased voters from voter rolls. Allows the secretary of state to withhold payments made to the county if the voter registrar has not substantially removed deceased voters from the voter rolls. Effective 9/1/2017.

**HB 4034 by Bohac.** Relating to certain voter registration information. Requires the early voting clerk to notify the voter registrar if an applicant for an early voting ballot to be voted by mail provides personal information that is different from or in addition to information maintained by the voter registrar. The voter registrar is required to update the voter’s record with the information provided by the applicant. Effective 6/12/2017.

**Workers’ Compensation**

**HB 1983 by Wray.** Relating to the eligibility of a first responder for workers’ compensation benefits for post-traumatic stress disorder. Allows post-traumatic stress disorder (PTSD) as an allowable compensable injury if caused by an event occurring in the course and scope of the first responder’s employment and the preponderance of the evidence indicates that the event was a substantial contributing factor of the disorder. Effective 9/1/2017.

**HB 2119 by Kacal.** Relating to workers’ compensation death benefit eligibility for certain spouses of first responders killed in the line of duty. Provides that a remarried spouse of a first responder killed in the line of duty is eligible for workers’ compensation death benefits for life regardless of the date on which the death of the first responder occurred. Effective 9/1/2017.
2017 LEGISLATIVE ANALYSIS REPORT

Texas Association of Counties

ANALYSIS OF BILLS BY SUBJECT

85th Legislature, First Called Session
ANALYSIS OF BILLS BY SUBJECT (First Called Session)

**ELECTIONS**

**SB 5 by Hancock.** Relating to the prevention of fraud in the conduct of an election; creating a criminal offense; increasing criminal penalties. Repeals Chapter 107 of the Elections Code and certain other provisions added by HB 658 by Bernal during the regular session relating to early voting at certain residential care facilities.

Creates the new criminal offense of election fraud. The offense is committed if a person knowingly and intentionally makes any effort to: influence the independent vote of another in the presence of the ballot or during the voting process; cause a voter to become registered, a ballot to be obtained, or a vote to be cast under false pretenses; or, cause any intentionally misleading statement, representation, or information to be provided to an election official or on an application for a mail ballot, carrier envelope, or other official election-related document. The bill also revises penalties for several offenses that relate to applying for a mail ballot and voting by mail and modifies elements of some offenses, including the circumstances under which certain offenses do not apply.

The bill expands the types of signatures that signature verification committees can use to verify that signatures on a carrier envelope and on an application for a mail ballot are of the same person. It also allows the use of signatures made within the preceding six years and on file with a county clerk or voter registrar.

Requires the early voting clerk to notify the attorney general of rejected ballots. The clerk has 30 days after an election to give notification of ballots rejected because the voter was deceased, the voter already voted in person in the same election, the signatures on the carrier envelope and ballot application were not executed by the same person, the carrier envelope certificate did not have a witness signature, or the carrier envelope certificate was improperly executed by an assistant. The attorney general is required to prescribe the form and manner of submission and the secretary of state must adopt rules as necessary to implement the requirements.

Requires all precinct election records to be preserved for at least 22 months after election day, rather than the current requirement under which records involving elections for federal office are preserved for 22 months and records in other elections are retained for at least six months. Additionally, it applies only to offenses committed on or after the effective date of the bill. **Effective 12/1/2017.**
## MAJOR SOURCE OF FUNDING - STATE BUDGET

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Article I - General Government</td>
<td>$7,043.9</td>
<td>$6,240.8</td>
<td>($803.1)</td>
<td>-11.4%</td>
</tr>
<tr>
<td>Article II - Health &amp; Human Services</td>
<td>$81,280.1</td>
<td>$79,456.5</td>
<td>($1,823.6)</td>
<td>-2.2%</td>
</tr>
<tr>
<td>Article III - Agencies of Education</td>
<td>$79,148.6</td>
<td>$80,433.0</td>
<td>$1,284.4</td>
<td>1.6%</td>
</tr>
<tr>
<td>Article IV - The Judiciary</td>
<td>$813.3</td>
<td>$823.6</td>
<td>$10.3</td>
<td>1.3%</td>
</tr>
<tr>
<td>Article V - Public Safety &amp; Criminal Justice</td>
<td>$12,575.5</td>
<td>$12,311.7</td>
<td>($263.8)</td>
<td>-2.1%</td>
</tr>
<tr>
<td>Article VI - Natural Resources</td>
<td>$4,530.2</td>
<td>$4,544.5</td>
<td>$14.3</td>
<td>0.3%</td>
</tr>
<tr>
<td>Article VII - Business &amp; Economic Development</td>
<td>$29,649.6</td>
<td>$31,845.8</td>
<td>$2,196.2</td>
<td>7.4%</td>
</tr>
<tr>
<td>Article VIII - Regulatory</td>
<td>$956.4</td>
<td>$630.6</td>
<td>($325.8)</td>
<td>-34.1%</td>
</tr>
<tr>
<td>Article IX - General Provisions</td>
<td>$0.0</td>
<td>$83.9</td>
<td>$83.9</td>
<td>N/A</td>
</tr>
<tr>
<td>Article X - The Legislature</td>
<td>$400.9</td>
<td>$387.5</td>
<td>($13.4)</td>
<td>-3.3%</td>
</tr>
<tr>
<td><strong>Total for All Articles</strong></td>
<td><strong>$216,398.5</strong></td>
<td><strong>$216,757.9</strong></td>
<td><strong>$359.4</strong></td>
<td><strong>0.2%</strong></td>
</tr>
</tbody>
</table>

Source: Legislative Budget Board
Revised: 07/20/2017
## Conference Committee Report (CCR) on SB 1 for Fiscal Years 2018-19

### Fiscal Impact on County State Funded Programs

*Revised August 07, 2017 (Governor’s Veto Items Included)*

<table>
<thead>
<tr>
<th>Article I General Government</th>
<th>Program Name/Purpose/Strategy</th>
<th>84th L.S. (Current Budget) 2016-2017</th>
<th>85th L.S. (CCR Budget) 2018-2019</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comptroller of Public Accounts</td>
<td><strong>Lateral Road Fund Districts:</strong> These funds are allocated from the state motor fuel tax. The funds are to be used for improvements or construction on county lateral roads (Transportation Code, Section 256.002). Strategy - A.1.5</td>
<td>$14,600,000</td>
<td>$14,600,000</td>
<td>0%</td>
</tr>
<tr>
<td></td>
<td><strong>Gross Weight/Axle:</strong> This fund is dedicated to counties for partial reimbursement for overweight truck road damage. Strategy - A.1.10</td>
<td>$20,000,000</td>
<td>$34,000,000</td>
<td>70%</td>
</tr>
<tr>
<td></td>
<td><strong>Disable Veterans Assistance Payments</strong> - To cities and counties. Strategy - A.1.12</td>
<td>$5,000,000</td>
<td>$6,500,000</td>
<td>30%</td>
</tr>
<tr>
<td></td>
<td><strong>Mixed Beverage Tax Reimbursement:</strong> Reimbursements to counties and incorporated municipalities from mixed beverage tax collections (not to exceed 10.7143 percent). Strategy - A.1.4; Rider 15</td>
<td>$408,527,000</td>
<td>$443,092,000</td>
<td>8%</td>
</tr>
<tr>
<td></td>
<td><strong>Grant Program Local Continuing Education (LEOSE):</strong> These funds may be used to pay for continuing education for law enforcement personnel. The funds are allocated to the county based on the number of law enforcement personnel. Strategy - A.1.7; Rider 19</td>
<td>$12,000,000</td>
<td>$12,000,000</td>
<td>0%</td>
</tr>
<tr>
<td>Commission on State Emergency Communications</td>
<td><strong>9-1-1 Services:</strong> Grants and assistance to local governments through Regional Planning Commissions as they develop and implement regional plans and maintenance for 911 services. Strategy - A.1.1</td>
<td>$122,439,454</td>
<td>$111,143,815</td>
<td>-9%</td>
</tr>
<tr>
<td>Texas Emergency Services Retirement System (TESRS)</td>
<td>TESRS was created to administer the pension fund, by SB 220 during the 83rd Legislature. TESRS previously existed as a pension fund under the auspices of the Office of the Firefighters’ Pension Commissioner, so the program itself is not new. This agency is mostly funded by account 5064 (Volunteer Fire Department Assistance) - roughly $1.329 million per year.</td>
<td>$3,167,650</td>
<td>$2,658,448</td>
<td>-16%</td>
</tr>
<tr>
<td>Article I General Government</td>
<td>Program Name/Purpose</td>
<td>84th L.S. (Current Budget) 2016-2017</td>
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</tr>
<tr>
<td>Office of the Governor (Trustee Program)</td>
<td><strong>Disaster Funds:</strong> Helps cover the cost of the 25 percent match required for FEMA local disaster grants. These funds play a vital part in the rebuilding of local communities. Strategy - A.1.1</td>
<td>$14,800,000</td>
<td>$110,000,000</td>
<td>643%</td>
</tr>
<tr>
<td></td>
<td><strong>Criminal Justice:</strong> Grants to local entities, non-profit organizations, and independent school districts for a variety of criminal justice related projects. Strategy - B.1.1</td>
<td>$248,485,003</td>
<td>$568,732,465</td>
<td>129%</td>
</tr>
<tr>
<td></td>
<td><strong>County Essential Services Grant:</strong> Funding to local governments with unanticipated and extraordinary criminal justice related expenditures. Strategy - B.1.2</td>
<td>$2,340,666</td>
<td>$2,340,666</td>
<td>0%</td>
</tr>
<tr>
<td></td>
<td><strong>Prostitution Prevention Programs:</strong> Making grants to counties for the implementation of prostitution prevention programs. Rider 20</td>
<td>$2,921,000</td>
<td>$2,921,000</td>
<td>0%</td>
</tr>
<tr>
<td></td>
<td><strong>Grants for Local Border Security:</strong> To fund grants to local law enforcement agencies to support Operation Border Star. The grant funds may also be awarded for the humane processing of the remains of undocumented migrants. Rider 21</td>
<td>$10,200,000</td>
<td>$10,200,000</td>
<td>0%</td>
</tr>
<tr>
<td></td>
<td><strong>Truancy Prevention Court Cost:</strong> To fund grants to justice, municipal, and constitutional county courts to establish a new juvenile case manager in a jurisdiction that does not already have a juvenile case manager. Rider 22</td>
<td>$4,600,000</td>
<td>$6,193,872</td>
<td>35%</td>
</tr>
<tr>
<td></td>
<td><strong>National Incident Based Reporting System:</strong> To provide grants to local law enforcement agencies for upgrading technology infrastructure to implement incident based reporting. (Using Radio Infrastructure Account 5153). Rider 27 (new rider)</td>
<td>$0</td>
<td>$11,300,000</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td><strong>Economic Development/Tourism:</strong> Loans to local economic development corporations that assist local regions and communities with economic growth and development through job creation and capital investment. Goal C</td>
<td>$296,648,024</td>
<td>$316,983,673</td>
<td>7%</td>
</tr>
</tbody>
</table>
## CONFERENCE COMMITTEE REPORT (CCR) ON SB 1 FOR FISCAL YEARS 2018-19

**Fiscal Impact on County State Funded Programs**

*Revised August 07, 2017 (Governor’s Veto Items Included)*

<table>
<thead>
<tr>
<th>Article I General Government</th>
<th>Program Name/Purpose</th>
<th>84th L.S. (Current Budget) 2016-2017</th>
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<th>% Change</th>
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<tbody>
<tr>
<td>Office of the Governor (Trusteed Program)</td>
<td><strong>Drug Court Grants</strong>: Funding for those counties that would like to implement a drug court. Rider 12</td>
<td>$1,500,000</td>
<td>$4,000,000</td>
<td>167%</td>
</tr>
<tr>
<td>Historical Commission</td>
<td><strong>Courthouse Preservation</strong>: Grants to counties for the renovation and rehabilitation of historic courthouses. GO-Bond Proceeds. Not including the debt service for $1.5 million. Strategy - A.1.3</td>
<td>$21,179,032</td>
<td>$21,361,190</td>
<td>1%</td>
</tr>
<tr>
<td></td>
<td><strong>Development Assistance Programs</strong>: Grants to cities and counties that promote economic development through historic preservation. Strategy - A.2.1</td>
<td>$4,660,377</td>
<td>$5,028,048</td>
<td>8%</td>
</tr>
<tr>
<td>Library and Archives Commission</td>
<td><strong>Aid to Local Libraries</strong>: Funding for the Loan Star Libraries grants for public library service enhancements, including the Texas Reads Grants for literacy programs and Library System Negotiated Grants for regional library system initiatives. Strategy - A.1.2</td>
<td>$4,948,159</td>
<td>$7,150,651</td>
<td>45%</td>
</tr>
<tr>
<td>Secretary of State</td>
<td><strong>Elections Administration</strong>: Funds for the primary elections financing program and reimburses counties for postage for voter registration applications. Wages for the poll workers are also included. Strategy - B.1.1</td>
<td>$8,580,530</td>
<td>$9,003,113</td>
<td>5%</td>
</tr>
<tr>
<td></td>
<td><strong>Elections Improvement (HAVA)</strong>: Provides for elections improvements for equipment that meets voting systems standards; provisional voting; statewide voter information for election officials, poll workers, and election volunteers. Strategy - B.1.4</td>
<td>$4,294,595</td>
<td>$2,949,567</td>
<td>-31%</td>
</tr>
</tbody>
</table>
# Conference Committee Report (CCR) on SB 1 for Fiscal Years 2018-19

Fiscal Impact on County State Funded Programs

Revised August 07, 2017 (Governor’s Veto Items Included)

<table>
<thead>
<tr>
<th>Article II Health &amp; Human Services</th>
<th>Program Name/Purpose</th>
<th>84th L.S. (Current Budget) 2016-2017</th>
<th>85th L.S. (CCR Budget) 2018-2019</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Family &amp; Protective Services</td>
<td>Child Abuse and Neglect Prevention Program: Abused children that do not receive intervention services are more likely to run away, drop out of school and end up in jail. When prevention is not prioritized, communities see heightened substance abuse and criminal activity. Goal C</td>
<td>$121,361,343</td>
<td>$209,894,497</td>
<td>73%</td>
</tr>
<tr>
<td>Health and Human Services Commission</td>
<td>Mental Health SVCS Adults: Contracts with Community Mental Health Centers to deliver mental health services in communities across Texas. When funding is reduced, counties will be faced with increased jail costs, an increase in hospital emergency room visits and increased demand for state hospital beds. Strategy - D.2.1</td>
<td>$665,577,144</td>
<td>$703,362,864</td>
<td>6%</td>
</tr>
<tr>
<td></td>
<td>Mental Health SVCS Children: Funding for children in need of health and medical services. Strategy - D.2.2</td>
<td>$204,650,668</td>
<td>$166,373,576</td>
<td>-19%</td>
</tr>
<tr>
<td></td>
<td>Mental Health Crisis SVCS: Funding to address mental health and substance abuse crisis. Strategy - D.2.3</td>
<td>$253,570,022</td>
<td>$325,430,552</td>
<td>28%</td>
</tr>
<tr>
<td></td>
<td>County Indigent Health Care Svcs: Health care for the uninsured and indigent in Texas. Strategy - D.3.2</td>
<td>$4,372,889</td>
<td>$1,758,253</td>
<td>-60%</td>
</tr>
<tr>
<td></td>
<td>Indigent Health Care Reimbursement (UTMB): Strategy - D.3.1</td>
<td>$9,809,765</td>
<td>$878,886</td>
<td>-91%</td>
</tr>
<tr>
<td></td>
<td>Mental Health State Hospitals: Strategy - G.2.1</td>
<td>$872,639,869</td>
<td>$875,536,372</td>
<td>0%</td>
</tr>
<tr>
<td></td>
<td>Mental Health Community Hospitals: Strategy - G.2.2</td>
<td>$209,943,241</td>
<td>$243,830,476</td>
<td>16%</td>
</tr>
<tr>
<td></td>
<td>Substance Abuse Prev/Inter/Treat: Strategy - D.2.4</td>
<td>$325,110,656</td>
<td>$380,160,933</td>
<td>17%</td>
</tr>
<tr>
<td></td>
<td>New Construction of State Hospitals: $300 million from the Economic Stabilization funds for the planning of new construction projects at the state hospitals and other state funded in-patient mental health facilities in current and future biennia. Rider 221</td>
<td>$300,000,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Article III Higher Education</td>
<td>Program Name/Purpose</td>
<td>84th L.S. (Current Budget) 2016-2017</td>
<td>85th L.S. (CCR Budget) 2018-2019</td>
<td>% Change</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>---------------------</td>
<td>------------------------------------</td>
<td>--------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Texas Forest Service</td>
<td>Volunteer Fire Dept. Acct 5064: Grant programs to local volunteer fire departments (mainly cities and counties) – providing them with equipment and training.</td>
<td>$53,420,012</td>
<td>$46,103,097</td>
<td>-14%</td>
</tr>
<tr>
<td></td>
<td>Rural Volunteer Fire Dept. Acct. 5066: Grant programs to local volunteer fire departments – providing them with equipment and training.</td>
<td>$2,000,000</td>
<td>$2,930,000</td>
<td>47%</td>
</tr>
</tbody>
</table>
## Article IV Judiciary

<table>
<thead>
<tr>
<th>Program Name/Purpose</th>
<th>84th L.S. (Current Budget) 2016-2017</th>
<th>85th L.S. (CCR Budget) 2018-2019</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office of Court Administration</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Indigent Defense:</strong> State funding to assist counties in providing quality legal representation in a cost-effective manner. Strategy - D.1.1</td>
<td>$71,136,949</td>
<td>$66,435,712</td>
<td>-7%</td>
</tr>
<tr>
<td>Court of Criminal Appeals</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Judicial and Court Personnel Training:</strong> Used to provide for the continuing legal education of judges and court personnel. Strategy - B.1.1</td>
<td>$19,805,785</td>
<td>$16,651,835</td>
<td>-16%</td>
</tr>
<tr>
<td>Comptroller's Judiciary Section</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>County Level Judges Salary Supplements:</strong> A county judge is entitled to an annual salary supplement from the state of $15,000 if at least 40 percent of the functions that the judge performs are judicial functions. Goal C</td>
<td>$54,695,656</td>
<td>$55,003,656</td>
<td>1%</td>
</tr>
</tbody>
</table>
## Article IV Judiciary

<table>
<thead>
<tr>
<th>Program Name/Purpose</th>
<th>84th L.S. (Current Budget) 2016-2017</th>
<th>85th L.S. (CCR Budget) 2018-2019</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Comptroller’s Judiciary Section</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Juror Pay:</strong> Used to reimburse counties for the cost of juror services. Strategy - D.1.7</td>
<td>$21,763,400</td>
<td>$21,763,400</td>
<td>0%</td>
</tr>
<tr>
<td><strong>District Attorney - Salaries:</strong> Help defray the salaries and expenses of the office. Strategy B.1.1</td>
<td>$1,483,454</td>
<td>$1,483,454</td>
<td>0%</td>
</tr>
<tr>
<td><strong>Asst. Prosecutor Longevity Pay:</strong> These funds are used to supplement the pay of assistant district attorneys that have at least four years of lifetime service credit as an assistant prosecutor. Strategy - D.1.1</td>
<td>$8,769,700</td>
<td>$8,769,700</td>
<td>0%</td>
</tr>
</tbody>
</table>
CONFERENCE COMMITTEE REPORT (CCR) ON SB 1 FOR FISCAL YEARS 2018-19
Fiscal Impact on County State Funded Programs
Revised August 07, 2017 (Governor’s Veto Items Included)

<table>
<thead>
<tr>
<th>Article V Public Safety &amp; Criminal Justice</th>
<th>Program Name/Purpose</th>
<th>84th L.S. (Current Budget) 2016-2017</th>
<th>85th L.S. (CCR Budget) 2018-2019</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Criminal Justice</td>
<td><strong>Basic Supervision</strong>: State aid to the local community supervision and corrections department (CSCD) to pay for misdemeanor probation funding - primarily staff and departmental operations. Strategy - A.1.1</td>
<td>$244,722,121</td>
<td>$140,142,048</td>
<td>-43%</td>
</tr>
<tr>
<td></td>
<td><strong>Diversion Program</strong>: Residential treatment and rehabilitation programs for offenders in lieu of incarceration in jail or prison. Strategy - A.1.2</td>
<td>$262,536,884</td>
<td>$246,569,016</td>
<td>-6%</td>
</tr>
<tr>
<td></td>
<td><strong>Community Corrections</strong>: For the treatment and rehabilitation of offenders in the community, including some special needs programs, restitution programs, etc. Without funding, counties are likely to see increased jail populations, reduced sentencing options, increased recidivism and probation revocations. Strategy - A.1.3</td>
<td>$94,915,274</td>
<td>$86,360,909</td>
<td>-9%</td>
</tr>
</tbody>
</table>
## Article V Public Safety & Criminal Justice

### Department of Criminal Justice

<table>
<thead>
<tr>
<th>Program Name/Purpose</th>
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<th>85th L.S. (CCR Budget) 2018-2019</th>
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<tbody>
<tr>
<td><strong>TRMT Alternatives to Incarceration:</strong> Community based programs targeted to treating offenders in community in lieu of revoking to jail or prison. Without funding to TAIP (Treatment Alternatives to Incarceration Program), counties are likely to experience increased recidivism, unemployment, child support arrears and probation revocations. Strategy - A.1.4</td>
<td>$23,803,044</td>
<td>$21,547,951</td>
<td>-9%</td>
</tr>
<tr>
<td><strong>Academic/ Vocational Training:</strong> Provides TDCJ inmates with education and skills training so they will be better qualified in the workforce upon release from prison. Without funding, counties will inherit convicted offenders lacking basic education and job skills. Strategy - C.2.2</td>
<td>$3,838,088</td>
<td>$3,838,088</td>
<td>0%</td>
</tr>
<tr>
<td><strong>In-Prison Treatment:</strong> Provides treatment to incarcerated offenders, including drug/alcohol and special needs programs. Without funding, offenders will be released into the communities without the skills necessary to address the problems or behaviors that lead to incarceration. Strategy - C.2.5</td>
<td>$65,417,211</td>
<td>$65,419,087</td>
<td>0%</td>
</tr>
<tr>
<td><strong>Operate Parole: (Goal F)</strong> Without adequate funding for parole supervision, department operations and programs, counties can anticipate increased crime and parole revocation proceedings, increased jail populations and increased demands on the court system. Goal F</td>
<td>$371,988,867</td>
<td>$367,772,632</td>
<td>-1%</td>
</tr>
</tbody>
</table>

### Commission on Jail Standards

<table>
<thead>
<tr>
<th>Program Name/Purpose</th>
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<tbody>
<tr>
<td><strong>Jail Standards: (Goal A)</strong> The Inspection and Enforcement strategy in the budget was restored. Note: $1.128 million to implement the Sandra Bland Act (which is new money).</td>
<td>$1,278,120</td>
<td>$1,968,126</td>
<td>54%</td>
</tr>
</tbody>
</table>

### Texas Juvenile Justice Department

<table>
<thead>
<tr>
<th>Program Name/Purpose</th>
<th>84th L.S. (Current Budget) 2016-2017</th>
<th>85th L.S. (CCR Budget) 2018-2019</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Juvenile Justice Alternative Education:</strong> Provides for an alternative educational setting for expelled youth that focuses on discipline, behavior management and academic achievement. The funding to JJAEP is vital in keeping youth out of TJJD and TDCJ. Strategy - A.1.6/A.1.5; Rider 13 - Note: $96 per student per day for the JJAEP.</td>
<td>$12,500,000</td>
<td>$12,500,000</td>
<td>0%</td>
</tr>
<tr>
<td><strong>Harris County Leadership Academy:</strong> Eliminating/reducing would cause Harris County to close this boot camp which would require these young offenders to be shipped off to a Texas Juvenile Justice Department facility, if not to the TDCJ. Rider 35</td>
<td>$2,000,000</td>
<td>$2,000,000</td>
<td>0%</td>
</tr>
</tbody>
</table>
### Conference Committee Report (CCR) on SB 1 for Fiscal Years 2018-19

**Fiscal Impact on County State Funded Programs**

*Revised August 07, 2017 (Governor’s Veto Items Included)*

<table>
<thead>
<tr>
<th>Article VI Natural Resources</th>
<th>Program Name/Purpose</th>
<th>84th L.S. (Current Budget) 2016-2017</th>
<th>85th L.S. (CCR Budget) 2018-2019</th>
<th>% Change</th>
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<tbody>
<tr>
<td>Parks &amp; Wildlife Department</td>
<td><strong>Local Park Grants</strong>: Reduced funding at this level would require the sale of seven state parks (or transfer to local governments) and would eliminate the local park grant funding program to counties. Strategy - B.2.1. <strong>Note</strong>: This particular strategy no longer includes Boating Access and other grants - now a separate strategy B.2.2. ($17.5 million).</td>
<td>$31,969,922</td>
<td>$28,703,751</td>
<td>-10%</td>
</tr>
<tr>
<td>Commission on Environmental Quality</td>
<td><strong>Texas Emission Reduction Plan (TERP)</strong>: TERP program is a comprehensive set of incentive programs aimed at improving air quality in Texas by reducing emissions of nitrogen oxides (NOx) from both on-road and non-road high-emitting internal combustion engines. Rider 20</td>
<td>$236,263,007</td>
<td>$154,739,737</td>
<td>-35%</td>
</tr>
<tr>
<td></td>
<td><strong>Low-Income Vehicle Repair Assist. Program (LIRAP)</strong>: This program along with the Texas Emission Reduction Plan (TERP) have been critical in reducing emissions in Texas. Reductions in funding for these programs will hinder efforts to improve air quality. LIRAP funds are dedicated funds, paid by local citizens with the understanding they would help restore air quality in their counties. Est. revenue in account 151 - $86,936,110 for 2018-19. Roughly $507,780 to operate the LIRAP program, all remaining funds shall be used as LIRAP grants for local governments. Additional $9,659 million is to be used for county to implement local initiatives projects to reduce air emissions. Rider 24 - VETOED BY GOVERNOR</td>
<td>$9,659,346</td>
<td>$0</td>
<td>-100%</td>
</tr>
</tbody>
</table>
## Conference Committee Report (CCR) on SB 1 for Fiscal Years 2018-19

Fiscal Impact on County State Funded Programs  
*Revised August 07, 2017 (Governor’s Veto Items Included)*

<table>
<thead>
<tr>
<th>Article VII Business &amp; Economic Development</th>
<th>Program Name/Purpose</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Department of Motor Vehicles</td>
<td><strong>Automobile Burglary &amp; Theft Grants:</strong> This program has been a huge success, especially in the Metroplex area around Dallas in reducing the number of vehicles stolen each year in Texas. Strategy - B.2.1</td>
<td>$29,842,012</td>
<td>$25,671,702</td>
<td>-14%</td>
</tr>
<tr>
<td>Department of Transportation</td>
<td><strong>Contracted Planning &amp; Design:</strong> Provides funding for all aspects of structural planning, design, review, construction and inspection of bridges. Strategy - A.1.2</td>
<td>$934,533,220</td>
<td>$1,420,850,629</td>
<td>52%</td>
</tr>
<tr>
<td></td>
<td><strong>Right of Way Acquisition:</strong> Provides funding to build, widen and enhance roads. Strategy - A.1.3</td>
<td>$854,026,444</td>
<td>$1,653,796,807</td>
<td>94%</td>
</tr>
</tbody>
</table>

Prepared by Paul K. Emerson: TAC, Legislative/County Information Program Department - August 2017

**Note:** To view prior appropriation years click on link below:

**Governor’s veto items - click on link below:**