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Course Evaluations

In order to maintain high-quality learning experiences, please access the evaluation for this course by logging into CES Discovery and clicking on the Course Evaluation link on the left side of the page.

Learning Objectives

Texas Legislative Update

At the end of this program, participants will be able to:

1. Understand the structure of the Texas Legislature;
2. understand the process by how bills become law;
3. understand how to track legislation on-line; and
4. understand the bills currently under consideration in the legislature that could affect the design, construction, or operation of school facilities.

Texas Legislative Update

- Structure of Texas Legislature
 - House of representatives
 - 150 members
 - Speaker of the house presides
 - 41 committees
 - Senate
 - 31 members
 - Lieutenant governor presides
 - 19 committees



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Texas Legislative Update

- How a Bill Becomes Law (House Version)
 - A bill is introduced in the house.
 - The speaker assigns the bill to a committee.
 - The bill is heard in committee, where it may be approved as is, amended and approved, substituted and approved, or allowed to pend and eventually die. This committee hearing is the first opportunity for public comment. If a bill is not allowed to be heard in committee, it also eventually will die. Most bills introduced in a session face this ultimate fate.



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Texas Legislative Update

- How a Bill Becomes Law (*cont.*)
 - If a bill is approved by the committee, it is then voted on by the full house. House members may amend the bill on the floor of the house. If approved by the house, the bill is sent to the senate.
 - The lieutenant governor assigns the bill to a committee.



Texas Legislative Update

- How a Bill Becomes Law (*cont.*)
 - The bill is heard in committee, where it may be approved as is, amended and approved, substituted and approved, or allowed to pend and eventually die. This committee hearing is the second opportunity for public comment. If a bill is not allowed to be heard in committee, it also eventually will die.
 - If a bill is approved by the committee, it is then voted on by the full senate. Senate members may amend the bill on the floor of the senate.



Texas Legislative Update

- How a Bill Becomes Law (*cont.*)
 - If the senate approves the bill exactly as approved by the house (without amendments or substitution), the bill is forwarded by the house to the governor for signature. The governor may sign the bill or allow the bill to become law without his signature. The governor may kill a bill by veto.
 - If the senate approves the bill with amendments or substitution in a different version from as approved by the house, the house may concur with the changes and then send the bill to the governor for signature.



Texas Legislative Update

- How a Bill Becomes Law (*cont.*)
 - If the house does not concur with the senate changes, the house sends the bill to a conference committee (equal parts house and senate members).
 - If the conference committee is able to reach agreement on differences in the bill, the bill is sent back to both the house and senate for approval. If approved by both chambers, the bill is forwarded to the governor for signature. If the conference committee cannot reach agreement, the bill will most likely die.



Texas Legislative Update

- How a Bill Becomes Law (*cont.*)
 - For bills originating in the senate, the procedure is basically the same.
 - All tax bills must originate in the house.
 - Formal public comment is limited to committee hearings, but concerned citizens are free at any time during the process to contact their representatives and senators and those representatives and senators serving on committees to directly express their opposition to, support for, and/or opinion of proposed legislation.



Texas Legislative Update

- Find legislation online at:
<http://www.capitol.state.tx.us/>
- Key:
 - ★ ★ ★ -- Bill has been reported favorably by committee & placed on intent calendar.
 - ★ ★ -- Bill has been reported favorably by committee
 - ★ -- Bill has been heard in public hearing in committee or subcommittee
 - (no stars) -- Bill has been referred to committee but has not been heard in public hearing



Texas Legislative Update

- ★ **HB 14** -- Would require a school district or open-enrollment charter school to post an inventory of the district's or school's existing facilities on the district's or school's Internet website. Would require a school district or open-enrollment charter school to post on the district's or school's Internet website information regarding each project for the construction or renovation of a facility. Would create additional requirements pertaining to the language of a ballot proposition for the authorization to issue bonds. Would require a school district to prepare an annual financial report pertaining to debt information. Would create additional requirements related to the posting of notice of intention to issue certificates. Identical to SB 14.



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Texas Legislative Update

- HB 20** -- Would require that an entity with eminent domain authority that makes an offer must state with specificity in the initial and final offers the public use for which the entity intends to acquire the property.
- HB 95** -- Would exempt a school district from a state educational mandate for which the legislature has not appropriated sufficient money to meet the mandate, unless the legislature determines that the mandate fulfills an important state interest and: 1) the mandate applies not only to school districts but also other entities, or 2) the mandate is a federal requirement.



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Texas Legislative Update

- ★ **HB 101** -- Would prohibit a school district from requiring a student to use an identification device that uses radio frequency technology, or similar technology, to identify, transmit information, or track the location of the student. Voluntary use of an identification device would be allowed.
- **HB 102** -- Would prohibit a school district from requiring a student to use an identification device that uses radio frequency technology, or similar technology, to identify, transmit information, or track the location of the student. Similar to SB 173.



Texas Legislative Update

- ★ **HB 123** -- Would prohibit a governmental entity from using an interlocal contract with a purchasing cooperative to purchase roofing materials or services from a person who provided consulting services to the cooperative on the contract, including providing specifications for bids on the contract. Identical to SB 438.
- **HB 186** -- Would require a school board to hold a public hearing and then seek approval of the commissioner of education prior to closing a campus.



Texas Legislative Update

- **HB 264** -- Would repeal Chapters 41 & 42 of the Education Code, and would require the Commissioner of Education to adopt rules providing for the distribution of state revenue for the maintenance and operation of public schools.
- **HB 265** -- Would repeal Chapters 41, 42, & 46 of the Education Code, and would require the Commissioner of Education to adopt rules providing for the distribution of state revenue for the maintenance and operation of public schools and the support of instructional facilities and school district debt.



Texas Legislative Update

- ★ **HB 324** -- Would require school districts to sell or lease unused or underutilized school district facilities to charters that have made an offer for the use of the facilities.
- ★ **HB 372** -- The bill identifies prohibited acts constituting workplace fraud for construction activities and provides for investigation and penalties.



Texas Legislative Update

- ★ **HB 475** -- Would require a governmental agency that enters into a building or construction contract to require that each subcontractor provide workers' compensation insurance coverage for each employee of the subcontractor employed on the public project. Existing statute already requires such coverage for each employee of the contractor employed on the public project. Identical to SB 740.



Texas Legislative Update

- **HB 493** -- Would require a governmental entity that enters into a construction contract to require that the contractor ensure that all employees on the construction site have completed construction safety training. Before an employee could work on the construction site, the contractor would be required to receive and provide to the governmental entity a certificate of training completion for the employee. The bill also includes notice and penalty provisions. Identical to SB 167.
- ★ **HB 613** -- Would create licensing requirements for foundation repair contractors. Similar to HB 802.



Texas Legislative Update

- ★ **HB 731** -- Would require rest breaks for employees performing construction work under contracts with governmental entities. Identical to SB 341.
- **HB 785** -- Would require that the issuer also identify all existing debt in the ballot language for a proposition to approve the issuance or increase of debt.
- ★ **HB 885** -- Would allow a charter school to apply for their refinanced or refunded bonds to be guaranteed by the permanent school fund.



Texas Legislative Update

- **HB 888** -- Would create provisions for the licensing and regulation of roofing contractors. Identical to SB 311.
- **HB 962** -- Would require that a school district issuer also identify all existing debt and any surplus funds held by the school district in the ballot language for a proposition to approve the issuance of bonds.



Texas Legislative Update

- ★ **HB 1050** -- Would prohibit a governmental entity from securing construction-related contracts in an amount greater than \$50,000 from a purchasing cooperative unless a design professional certifies: 1) that the project does not require the preparation of plans and specifications by a licensed architect or engineer, or 2) that plans and specifications for the project have been prepared by a licensed architect or engineer.
- **HB 1108** -- Would provide additional clarification regarding the services that a registered drain cleaner may perform without the supervision of a licensed master plumber.



Texas Legislative Update

- **HB 1121** -- Would provide some limitation on liability for an employer, general contractor, premises owner, or other third party solely for hiring a license holder who has been convicted of an offense.
- **HB 1207** -- Would repeal prevailing wage rate laws within the state.



Texas Legislative Update

- **HB 1321** -- Would require that the issuer identify the following in the ballot language for a proposition to approve the issuance or increase of debt: 1) the current debt obligations and the proposed debt obligations; 2) the purpose of the proposed debt; 3) the estimated interest rate of the proposed debt; and 4) the maturity rate of the proposed debt.
- **HB 1353** -- Would require each school district to equip each district school with three or more electronic alarms designed to be used to alert law enforcement of the need for an emergency response.



Texas Legislative Update

- **HB 1433** -- Would prohibit a school district from disparate treatment based on an organization's religious nature in allowing access to school campuses after school hours.
- **HB 1525** -- Would prohibit a school district from disparate treatment based on an organization's religious nature in allowing access to school campuses during non-instructional time.



Texas Legislative Update

- **HB 1770** -- Would provide an appropriation of \$250 million from the economic stabilization fund to the foundation school fund for grants to school districts to use in improving the security of school facilities.
- **HB 1778** -- Would abolish the regulation of the practice of interior design.



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Texas Legislative Update

- ★ **HB 1805** -- Would require a school district or open-enrollment charter school to post an inventory of the district's or school's existing facilities on the district's or school's Internet website. Would require a school district or open-enrollment charter school to post on the district's or school's Internet website information regarding each project for the construction or renovation of a facility. Would require a school district to prepare an annual financial report pertaining to debt information.



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Texas Legislative Update

- ★ **HB 1809** -- Would expand existing statute to allow a cultural education facilities finance corporation to acquire and finance certain public property projects.
- **HB 1889** -- Would allow, if an appropriation was available, for a school district to receive an allotment for the cost of windstorm and hail insurance. Identical to SB 1223.
- ★ **HB 1977** -- Would create limitations on the use of construction manager-agents and construction managers-at-risk used by governmental entities.



Texas Legislative Update

- **HB 1993** -- Would make it a misdemeanor offense to discharge a firearm across the property line of an educational facility.
- **HB 2140** -- Would create additional provisions to consider when ranking school districts for purposes of the instructional facilities allotment.



Texas Legislative Update

- **HB 2176** -- Would prohibit a governing body, unless there is a grave public necessity, from authorizing a certificate to pay a contractual obligation to be incurred if a bond proposition to authorize the issuance of bonds for the same purpose was submitted to the voters during the preceding three years and failed to be approved. Would also create additional criteria to be included in the public notice of intent to issue certificates, and it would create additional criteria regarding the process of petitioning the governing body to call an election prior to issuance of the certificates. Identical to SB 1649.



Texas Legislative Update

- **HB 2554** -- Would create class size limits and student-to-teacher/aide ratios for state-funded prekindergarten programs, and would establish teacher qualification criteria.
- **HB 2574** -- Would create a grant program to encourage school districts to retire debt or make capital improvements if they experience significant and rapid increases in wealth per student.



Texas Legislative Update

- **HB 2610** -- Would add a provision to allow school districts to use nonnegotiable notes and would raise the allowable amount of time warrants that a district may have at any one time from \$500,000 to \$1,000,000. Identical to SB 1243.
- **HB 3202** -- Would expand the criteria for how a governmental entity's architect or engineer for a project could be hired as the governmental entity's construction manager-at-risk for the project.



Texas Legislative Update

- **HB 3214** -- Would create an incentive program for solar and wind-powered distributed electric generation for public school property.
- **HB 3416** -- Would prohibit the issuance of capital appreciation bonds by local governments. Identical to SB 449.
- **HB 3436** -- Would restrict a governmental entity from taking any formal action on a proposal or bid received under Chapter 2267 of the Government Code before September 1, 2013; the restriction would temporarily impact proposals and bids only if it received sufficient votes to take effect immediately.



Texas Legislative Update

- **HB 3721** -- Would require that the commissioner of education, the attorney general, and the executive director of the Texas Public Finance Authority develop and implement mechanisms to assist school districts in refinancing school district debt.
- **HB 3843** -- Would create goals for the use of solar power or other alternative energy sources in public schools.



Texas Legislative Update

- ★ ★ **SB 2** -- Would require the commissioner of education to adopt a process for identifying unused or underutilized facilities in school districts and annually post a list of those facilities on the TEA web site. Districts with unused or underutilized facilities would be required to enter into agreements to sell or lease those facilities for \$1 to an open-enrollment charter school that submits a written offer. Would establish the Charter School Authorizing Authority with the power to grant, revoke, and monitor charter schools. Would repeal the cap on the total number of open enrollment charters that may be issued by the state. Would create the Charter Instructional Facilities Allotment program.



Texas Legislative Update

- ★ **SB 14** -- Would require a school district or open-enrollment charter school to post an inventory of the district's or school's existing facilities on the district's or school's Internet website. Would require a school district or open-enrollment charter school to post on the district's or school's Internet website information regarding each project for the construction or renovation of a facility. Would create additional requirements pertaining to the language of a ballot proposition for the authorization to issue bonds. Would require a school district to prepare an annual financial report pertaining to debt information. Would create additional requirements related to the posting of notice of intention to issue certificates. Identical to HB 14.



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Texas Legislative Update

- SB 114** -- Would provide additional limitations and clarifications on the location and operation of concrete crushing facilities.
- SB 167** -- Would require a governmental entity that enters into a construction contract to require that the contractor ensure that all employees on the construction site have completed construction safety training. Before an employee could work on the construction site, the contractor would be required to receive and provide to the governmental entity a certificate of training completion for the employee. The bill also includes notice and penalty provisions. Identical to HB 493.



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Texas Legislative Update

- **SB 173** -- Would prohibit a school district from requiring a student to use an identification device that uses radio frequency technology, or similar technology, to identify, transmit information, or track the location of the student. Similar to HB 102.
- ★ **SB 311** -- Would create provisions for the licensing and regulation of roofing contractors. Identical to HB 888.
- **SB 341** -- Would require rest breaks for employees performing construction work under contracts with governmental entities. Identical to HB 731.



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Texas Legislative Update

- **SB 378** -- Would require the commissioner of education to study the facility needs of public schools and make recommendations for meeting five-year and ten-year facility needs.
- **SB 438** -- Would prohibit a governmental entity from using an interlocal contract with a purchasing cooperative to purchase roofing materials or services from a person who provided consulting services to the cooperative on the contract, including providing specifications for bids on the contract. Identical to HB 123.



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- ★ ★ **SB 449** -- Would prohibit the issuance of capital appreciation bonds by local governments. Identical to HB 3416.
- ★ ★ ★ **SB 507** -- Would create additional requirements pertaining to entering into public/private partnerships for facilities & infrastructure, including provisions for zoning requirements and conflict of interest.



Texas Legislative Update

- ★ **SB 636** -- Would require the attorney general to collect information about each local issued debt and send that information to the Bond Review Board. The Bond Review Board would be required to create a searchable database on their website with information about all state and local debt. Local issuers would be required to report annually information pertaining to their debt to the bond finance office.



Texas Legislative Update

- ★ **SB 637** -- Would require the bond proposition for a taxing entity to include the current debt amount and the current tax rate. Would require the taxing entity to post the notice of election and the bond proposition on the taxing entity's website.
- **SB 712** -- Would have the effect of making IFA the debt assistance program for the initial debt year, and then have EDA serve as the debt assistance program for subsequent debt years.



Texas Legislative Update

- **SB 740** -- Would require a governmental agency that enters into a building or construction contract to require that each subcontractor provide workers' compensation insurance coverage for each employee of the subcontractor employed on the public project. Existing statute already requires such coverage for each employee of the contractor employed on the public project. Identical to HB 475.
- **SB 802** -- Would create licensing requirements for foundation repair contractors. Similar to HB 613.



Texas Legislative Update

- **SB 1131** -- Would allow an exemption from taxation of real property leased to and used by certain schools. See related SJR 44.
- **SB 1223** -- Would allow, if an appropriation was available, for a school district to receive an allotment for the cost of windstorm and hail insurance. Identical to HB 1889.
- **SB 1243** -- Would add a provision to allow school districts to use nonnegotiable notes and would raise the allowable amount of time warrants that a district may have at any one time from \$500,000 to \$1,000,000. Identical to HB 2610.



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Texas Legislative Update

- ★ ★ ★ **SB 1380** -- Would allow the placement of video monitoring cameras in self-contained classrooms providing special education services.
- ★ **SB 1409** -- Would require a school district or open-enrollment charter school to post an inventory of the district's or school's existing facilities on the district's or school's Internet website. Would require a school district or open-enrollment charter school to post on the district's or school's Internet website information regarding each project for the construction or renovation of a facility.



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- **SB 1649** -- Would prohibit a governing body, unless there is a grave public necessity, from authorizing a certificate to pay a contractual obligation to be incurred if a bond proposition to authorize the issuance of bonds for the same purpose was submitted to the voters during the preceding three years and failed to be approved. Would also create additional criteria to be included in the public notice of intent to issue certificates, and it would create additional criteria regarding the process of petitioning the governing body to call an election prior to issuance of the certificates. Identical to HB 2176.



Texas Legislative Update

- **SJR 44** -- Would amend the constitution to allow an exemption from taxation of real property leased to and used by certain schools. See related SB 1131.



Questions?

Thank you for your time!

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