FINAL REPORT 86th LEGISLATIVE SESSION



TABLE OF CONTENTS

SB 1504, SB 1680, SB 1757	HB 630, HB 2348, HE HB 4165, SB 1793
Governing Board	
Human Resources	
THIS REPORT IS FOR INFORMATIONAL	PURPOSES ONLY

Introduction			
State of Texas Appropriations5			
Community Colleges Appropriations			
HCC Specific Appropriations5			
HCC Exceptional Item Request5			
HCC Legislative Initiatives			
Dual Credit			
Workforce Education			
Transfer Facilitation			
Other Relevant Legislation7			
Appropriations/Fiscal Matters			
Disaster Recovery 8			

Key Bills Failed Passage/Vetoed 40 HB 630, HB 2348, HB 3511, HB 3835,

INTRODUCTION

This final report provides a synopsis of key legislation that passed during the Texas 86th regular legislative session. The report is predominantly relevant to community colleges. Its purpose is to provide an overview of the session's results. It also positions Houston Community College (HCC) to comply with newly enacted state laws.

As the reader considers this final report, general observations include:

- The Legislature approved \$250.7 billion (all funds);
- The appropriation for all community colleges is \$1.8 billion for the 2020-2021 biennium, including \$68 million in core operations and \$228 million for student success;
- HCC's base formula funding for the 2020-2021 biennium is \$134,651,908, representing a 1.1% decrease from the 2018-2019 biennium;
- As an exceptional item request, HCC was successful in obtaining \$2.5 million for its Regional Emergency Response Training Center – 2020-2021 biennium;
- SB 2 concerning tax reform in part requires cities and counties, and other taxing units to obtain voter approval before levying 3.5% more property tax revenue than the previous year; the rollback rate for community colleges is set at 8%;
- While the House adopted \$12.7 million to reimburse nine community colleges, including HCC, for loss contact hours resulting from Hurricane Harvey, the measure failed to advance through Conference Committee;
- As a result of passage of SB 25, HCC's efforts to help better facilitate transfer of course credit between higher education institutions was a success;
- Bills seeking to grant authority for a junior college district to conduct an annexation election for purposes of annexing the service area of another junior college district failed passage; and
- Proposed legislation (SB 251) that would expand existing law (SB 1004/85R), making it possible for a student to take dual credit courses in the service area of another public junior college district, failed passage.

The 86th regular legislative session adjourned *sine die* May 27, 2019. During the session, HCC tracked 701 bills of which HCC subject matter experts deemed 79 high priority. This report provides an overview of those bills and other relevant legislation and information. It describes each bill's purpose, and the effective date of implementation of the same to ensure that HCC is aware of and complies with newly enacted laws.

This is HCC's final report of the 86th regular legislative session.

STATE OF TEXAS APPROPRIATIONS

The 2020-2021 biennium appropriation for the State of Texas includes:

- \$250.7 billion from all fund sources in HB 1, an increase of \$33.9 billion (or 16%) over the 2018-2019 biennium.
- Community colleges funding, inclusive of exceptional items, increased by \$73 million (or 4%) over the 2018-2019 biennium.
- The governor signed HB 1 the General Appropriations bill without exercising his veto authority.

COMMUNITY COLLEGES APPROPRIATIONS

The 2020-2021 biennium general revenue appropriation for all community colleges includes:

- \$1.868 billion (as compared to \$1.795 billion in the prior biennium) total funding.
- \$228 million student success funding –
 \$203, per point, the first increase since the program's establishment in 2013.
- \$1.5 billion contact hour funding.
- \$68 million core operations funding (representing \$1.3 million to each community college).
- \$3.2 million for Bachelors in Applied Technology (BAT) funding.
- \$33 million represents the total exceptional items funding appropriated to community colleges.
- The overall formula increased by \$67.8 million (or 3.8%) over the 2018-2019 biennium.

HCC SPECIFIC APPROPRIATIONS

The HCC specific appropriation is as follows:

- Core Operations Funding: \$1,360,812
- Student Success Funding: \$16,340,963
- Contact Hour Funding: \$116,950,133

Total 2020-2021 base funding: **\$134,651,908**

Above total is **1.1%** less than the prior biennium appropriation.

Prior biennium (2018-2019) appropriation: **\$136,217,886**

HCC EXCEPTIONAL ITEM REQUEST

HCC requested exceptional item funding totaling **\$12 million** via its Legislative Appropriations Request (LAR) for the Regional Emergency Response Training Center for the 2020-2021 biennium. Upon educating appropriators about the initiative, and in light of all the circumstances, **the 86th legislature appropriated \$2.5 million for this project.**

HCC LEGISLATIVE



DUAL CREDIT

HCC helped successfully advance dual credit legislation (e.g., HB 3650 and SB 1276) to increase the completion pipeline and positively contribute to the Texas workforce. The newly enacted legislation promotes college access and affordability by requiring each school district to consider the use of free or low-cost open educational resources in courses offered under the dual credit program. It also requires the establishment of common advising strategies, alignment of endorsements offered by the district, and dual credit courses offered under agreement; and, identify tools to assist school counselors, students, and families in selecting endorsements offered by the district and dual credit courses.



WORKFORCE EDUCATION

HCC helped successfully advance HB 2784 relating to the creation of the *Texas Industrial Workforce Apprenticeship Grant Program* – establishes a grant fund. The newly enacted legislation addresses the immediate industrial needs of the state, which have resulted from both the impact of Hurricane Harvey and overall workforce shortages. The legislation also operates to overcome the skills gap and help meet workforce demands. HB 1 also operates to overcome the skills gap and help meet workforce demands by appropriating up to \$5 million each fiscal year in General Revenue funds to public junior colleges and public technical colleges.



TRANSFER FACILITATION

HCC helped successfully advance SB 25 relating to measures to facilitate the transfer, academic progress, and timely graduation of students in public higher education. This three-session initiative facilitates the transfer of course credit between different public institutions of higher education by requiring institutions to provide the Texas Higher Education Coordinating Board (THECB) a report describing courses which will not qualify for academic credit towards the student's major at the receiving institution, including the reason why the receiving institution did not grant academic credit for the course.

OTHER RELEVANT LEGISLATION

APPROPRIATIONS/FISCAL MATTERS

HB 1 (by Zerwas/Nelson)

General Appropriations Bill.

The legislation identifies state appropriations to all state agencies and other entities, including higher education institutions, for the 2020-2021 biennium. The governor executed no line item vetoes.

Effective Date: September 1, 2019.

HB 440 (by Murphy/Lucio)

Relating to general obligation bonds issued by political subdivisions.

The legislation requires political subdivisions to obtain certain kinds of approval before spending bond proceeds on purposes that were not specified in the original bond authorization. Requires political subdivisions to use the unspent proceeds of general obligation bonds only for the specific purposes for which the bonds were authorized or for retiring the bonds. It creates separate exceptions to this requirement for school districts and political subdivisions other than school districts.

Effective Date: September 1, 2019.

HB 2617 (by Cole/Alvarado)

Relating to the fiscal year of certain political subdivisions.

The legislation requires uniformity in the fiscal years of certain subdivisions. In particular, the legislation requires that any political subdivision that is created on or after September 1, 2019 (the effective date), and that has the authority to impose a tax have the same fiscal year as the county in which the political subdivision is wholly or primarily located. The legislation does not apply to certain special districts under Section 52, Article III, or Section 59, Article XVI of the state constitution.

SB 500 (by Nelson/Zerwas)

Relating to making supplemental appropriations and reductions in appropriations and giving direction, including direction regarding reimbursement, and adjustment authority regarding appropriations.

The legislation appropriates \$9.3 billion in all funds to several state agencies, including \$4.3 billion from the Economic Stabilization Fund. Funds would be appropriated for Hurricane Harvey relief and recovery, the Medicaid shortfall, state employee and teacher retirement, and other purposes. Unless otherwise noted, appropriations would be made for fiscal 2019.

Effective Date: June 6, 2019.

DISASTER RECOVERY

HB 5 (by Phelan/Kolkhorst)

Relating to debris management and other disaster recovery efforts.

The legislation requires the development of a debris management plan, create a model contract for debris removal services, and establish groups to study debris removal and other disaster recovery efforts. The Texas Division of Emergency Management is responsible for developing the plan and model for political subdivisions to use in the event of a disaster.

Effective Date: September 1, 2019.

HB 6 (by Morrison/ Kolkhorst)

Relating to developing a disaster recovery task force to assist with long-term disaster recovery.

HB 6 requires the Texas Division of Emergency Management to develop a disaster recovery task force. The legislation further empowers the task force to develop reports with the assistance and resources of state agencies (including institutions of higher education), and submit those reports to appropriate federal agencies following disasters. The legislation also requires the task force to provide quarterly briefings to the legislature on response and recovery efforts.

HB 7 (by Morrison/Huffman)

Relating to disaster preparation for state agencies and political subdivisions.

The legislation requires the Texas Division of Emergency Management to develop a plan to assist political subdivisions with executing contracts for services these subdivisions were likely to need following a disaster. Non-exclusively, the plan will include recommendations on services political subdivision could need after disaster, including debris management and infrastructure repair.

Effective Date: September 1, 2019.

HB 26 (by Metcalf/Nichols)

Relating to the creation of an alert system to notify affected persons of certain releases of water from certain dams.

This legislation requires all gate controlled dam owners/operators to require, in their emergency action plans, for a notice requirement to the Texas Commission on Environmental Quality. Owners and operators are required to notify local offices of emergency management in downstream communities upon a release from the dam. The bill also requires those offices to send notice out by all available means to the public.

Effective Date: September 1, 2019.

HB 1307 (by Hinojosa/Huffman)

Relating to the creation of a disaster case management system by the Texas Division of Emergency Management.

In light of concerns regarding the amount of data that the Texas Division Emergency Management (TDEM) must process during and after disasters, this legislation requires TDEM to develop and maintain an electronic disaster case management system. The system must permit a person affected by a disaster to apply for assistance from multiple sources, and control which other users of the system has access to the information the person submits to the system.

HB 2305 (by Morrison/Kolkhorst)

Relating to a work group on enhancing the training and credentialing of emergency management personnel.

The legislation creates a work group and establishes the means and methods by which they work. The work group, in general, shall develop a plan for enhancing the training and credentialing of emergency management directors, emergency management coordinators, and other emergency management personnel on the state or local level.

Effective Date: September 1, 2019.

HB 2325 (by Metcalf/Hancock)

Relating to providing information and communication regarding and during a disaster.

The legislation makes several technological advances in regards to providing information and communication during a disaster, including, the creation, by the Texas Division of Emergency Management (TDEM), of 911 systems that are capable of receiving text messages. Additionally, TDEM will develop disaster standards for social media use, a mobile app that communicates critical information and a web portal with programs and services for victims. TDEM will also use data analytics to integrate data from multiple sources and conduct a study on first responder communications to create an operating framework. Lastly, the legislation requires, from multiple agencies, the creation of public awareness campaigns and, from local emergency officials, the development of a plan to be published in the state's assistance registry.

Effective Date: September 1, 2019.

HB 2330 (by Walle/Lucio)

Relating to a study of an intake system and state case management system for state and federal disaster assistance.

The legislation requires the Health and Human Services Commission (HHSC) and the Texas Division of Emergency Management to study the feasibility of creating a state case management program and streamlined intake system for state and federal disaster assistance.

Effective Date: May 24, 2019.

HB 2335 (by Walle/Kolkhorst)

Relating to the disaster supplemental nutrition assistance program.

The legislation requires local government coordination and collaboration in order to keep detailed information, which will better the disaster Supplemental Nutrition Assistance Program (SNAP). In particular, the legislation provides means for identifying acceptable sites for in-person SNAP applications.

Effective Date: June 14, 2019.

HB 2340 (by Dominguez/Johnson)

Relating to emergency and disaster management, response, and recovery.

The legislation establishes an unmanned aircraft study group and an information sharing work group and provide for the study of federal laws and policies related to disaster response. The group would submit recommendations on the issues to the Legislature by November 1, 2020, and would be abolished on January 1, 2021.

Effective Date: September 1, 2019.

HB 2345 (by Walle/Hinojosa)

Relating to resources to facilitate disaster mitigation, response, and recovery.

The legislation sets up the Institute for a Disaster Resilient Texas as a component of Texas A&M University. The legislation also sets requirements for the on goings of the institute. In particular, the institute is required to develop, maintain, and join in practices that support disaster planning, mitigation, response, and recovery of the state and its people.

Effective Date: June 14, 2019.

SB 6 (by Kolkhorst/Fallon)

Relating to emergency and disaster management, response, and recovery.

The legislation amends the Government Code to require the Texas Division of Emergency Management to develop a model guide for local officials regarding disaster response and recovery that provides a comprehensive approach to disaster recovery by local officials. It non-exclusively includes information on contracting for debris removal, obtaining federal disaster funding, *etc.*

SB 7 (by Creighton/Phelan)

Relating to flood planning, mitigation, and infrastructure projects.

The legislation creates and regulates the Flood Infrastructure Fund, establishes certain flood planning procedures, and make an appropriation. Among other things, the legislation creates the Flood Infrastructure Fund as a special fund in the state treasury outside the general revenue fund. The Flood Infrastructure Fund could be used by the Texas Water Development Board (TWDB) as provided by the bill without further legislative appropriation.

Effective Date: June 13, 2019.

<u>SB 8 (by Perry/Larson)</u>

Relating to state and regional flood planning.

This legislation creates the first state flood plan in Texas through a network of regional watershed groups developed and overseen by TWDB similar to the regional water supply planning process with an emphasis on watershed planning versus political jurisdictions. Flood planning groups are to be composed of representatives from the general public, local governments, industries, agricultural and environmental interests, and utilities.

Effective Date: June 10, 2019.

SB 285 (by Miles/Thompson)

Relating to information and outreach regarding hurricane preparedness and mitigation.

The legislation implements certain recommendations from the Texas General Land Office's (GLO) report published following Hurricane Harvey. The legislation provides that the governor will issue a proclamation before each hurricane season regarding individual, state, and local hurricane preparedness, and provides that GLO will conduct a public information campaign each year before and during hurricane season.

<u>SB 799</u> (by Alvarado/Murphy)

Relating to the creation of a business advisory council to provide advice on economic recovery following a disaster.

The legislation creates a Business Advisory Council, with members to be appointed by the governor, lieutenant governor, and speaker of the House of Representatives, which shall submit a report on its activities, advice, and proposed solutions.

Effective Date: Sections 7, 8, and 10 effective September 1, 2019.

ELECTIONS

HB 88 (by Swanson/Fallon)

Relating to an election ballot.

The legislation requires the order of candidates' names on ballots used in runoff elections or elections held to resolve a tie be determined not by a drawing but by the relative order of names on the original ballot.

Effective Date: September 1, 2019.

HB 2075 (by Neave/Zaffirini)

Relating to the form of a candidate's name on a ballot.

The legislation removes ambiguity surrounding the acceptable name a candidate may place on their ballot while running for office. Now, a candidate may use any surname acquired by law or marriage.

FINANCIAL AID/WORKFORCE

HB 700 (by Guillen/Powell)

Relating to the use of the skills development fund by certain entities.

This legislation permits development boards and public libraries to utilize the same Texas Workforce Commission's Skills Development Fund development training opportunities currently offered to public community and technical colleges and community-based organizations.

Effective Date: September 1, 2019.

HB 2140 (by Neave/Powell)

Relating to creating an electronic application system for state student financial assistance.

The legislation modernizes the application process for student financial aid by creating procedures that will allow a person to submit the Texas Application for State Financial Aid or a similar application for state student financial assistance online.

Effective Date: June 10, 2019.

HB 2668 (by Tuner, Chris/Paxton)

Relating to the dissolution of a direct-support organization established by the Prepaid Higher Education Tuition Board and the transfer of funds related to prepaid higher education tuition scholarships to the Texas Save.

The legislation allows for the comptroller, at times, to dissolve a direct-support organization. At dissolution, title to all funds and property held by the institution is transferred to the Texas Match the Promise Foundation (TMPF). Here, the legislation seeks to dissolve the Texas Prepaid Tuition Scholarship Foundation and transfer all funds to TMPF.

HB 2784 (by Phelan/Alvarado)

Relating to the creation of the Texas Industrial Workforce Apprenticeship grant program.

The legislation amends the labor code to establish and set boundaries for the Texas Industry-Recognized Apprenticeship Programs Grant Program. The program is created to address the immediate industrial workforce needs of the state, which have resulted from both the impact of Hurricane Harvey and overall workforce shortages.

Effective Date: September 1, 2019.

HB 3655 (by Tuner, Chris/Buckingham)

Relating to the administration and operation of the state's programs for paying, prepaying, or saving toward the costs of attending an institution of higher education.

This legislation updates statutes relating to the Prepaid Higher Education Tuition Board to accommodate the changed federal definition of "qualified higher education expenses."

Effective Date: June 10, 2019.

HB 4465 (by Turner/Bettencourt)

Relating to the student loan program administered by the Texas Higher Education Coordinating Board and to the repeal of a related bond program.

The legislation amends the Education Code, related to Hinson Hazlewood Student Loan program administered by Texas Higher Education Coordinating Board; aligns the statute to current loan program operations and constitutional provisions, among other things. It also repeals a related bond program.

Effective Date: September 1, 2019.

<u>SB 16</u> (by Hancock/Stucky)

Relating to a student loan payment assistance program for certain persons who agree to employment as full-time peace officers in this state.

The legislation creates a student loan repayment assistance program for peace officer who have served four consecutive years and agree to serve for an additional four years. Eligible persons will receive 25 percent of their total outstanding loan balance each year for four years, plus interest accrued paid directly to the loan agency.

SB 37 (by Zaffirini/Krause et al.)

Relating to a prohibition on the use of student loan default or breach of a student loan repayment or scholarship contract as a ground for refusal to grant or renew an occupational license or other disciplinary action in relation to an occupational license.

The legislation, among other things, will prohibit a licensing authority from taking disciplinary action against a person based solely on the person's default on a student loan from a public or private entity or breach of a student loan repayment contract or scholarship contract, including by denying the person's application for a license or renewal or by suspending the person's license.

Effective Date: June 7, 2019.

SB 1504 (by Zaffirini/Thierry)

Relating to the allocation of funds remaining in the B-On-Time student loan account following the abolition of that account.

This legislation permits funds remaining in the B-On-time student loan program account to be disbursed to institutions of higher education using a performance-based methodology that allocates funding based on a three-year average of the number of bachelor's degrees conferred on at-risk students.

Effective Date: June 10, 2019.

SB 1680 (by West/Rose)

Relating to the approval of certain private or independent institutions of higher education to participate in the tuition equalization grant program.

The legislation, under prescribed circumstance, requires the THECB to approve for the purposes of tuition equalization grants private or independent institution of higher education that previously qualified for the program but no longer held the same accreditation as public institutions of higher education.

Effective Date: June 4, 2019.

SB 1757 (by Creighton/Frullo)

Relating to student loan repayment assistance under the math and science scholars loan repayment program.

This legislation revises the eligibility requirements for the math and science scholars loan repayment program by lowering the requisite minimum GPA and providing greater flexibility in the number of years of service as a public school teacher necessary to receive repayment assistance.

GOVERNING BOARD

HB 831 (by Huberty/Huffman)

Relating to the residency requirement to be eligible for public office.

This legislation updates the continuous residency requirement for a person to be eligible for public office. The update provides that a person who claims to be temporarily absent from a residence and intends to return must show that the person has made a reasonable and substantive attempt to effectuate that intent and has the legal right and practical ability to return to the residence.

Effective Date: January 1, 2020.

<u>SB 494</u> (by Huffman/Walle)

Relating to certain procedures applicable to meetings under the open meetings law and the disclosure of public information under the public information law in the event of an emergency, urgent public necessity, or catastrophic eve.

This legislation provides that during an emergency or when there is an urgent public necessity, notice of a governmental body's meeting is sufficient if posted for at least one hour before the meeting is convened, and limits the subject matter of such a meeting only to matters directly related to responding to the emergency or urgent public necessity identified in the notice of meeting.

Effective Date: September 1, 2019.

SB 1640 (by Watson/Phelan)

Relating to the open meetings law.

This legislation amends the Open Meetings Act to make the current prohibition on walking quorums more specific, precise, and clear, so that members of a governmental body cannot skirt the Open Meetings Act's requirements by meeting in a series of small, private gatherings to avoid a quorum.

Effective Date: June 10, 2019.

HUMAN RESOURCES

HB 41 (by Metcalf/Alvarado)

Relating to paid leave for a state employee who is a search and rescue volunteer.

The legislation adds state employees who were search and rescue volunteers to the list of emergency services volunteers entitled paid leave of absence for emergency training. Also, adds these volunteers to the list of employees to whom a state agency or institution of higher education could grant paid leave to respond to an emergency event.

Effective Date: September 1, 2019.

HB 392 (by Blanco/Zaffirini)

Relating to long-term care insurance for state employees.

The legislation allows the Employment Retirement System (ERS) to explore different methods of providing long-term care insurance coverage to eligible members, including through individual plans. The bill also would allow premiums and program costs to be deducted from a participant's monthly compensation or annuity should he or she opt to purchase an individual plan through ERS.

Effective Date: September 1, 2019.

HB 504 (by Dutton/Miles)

Relating to employment protections for a person serving as a grand juror.

The legislation extends the applicability of statutory provision that affords employment protection to a person who serves on a jury to a person who serves as a grand juror.

Effective Date: September 1, 2019.

HB 621 (by Neave/Zaffirini)

Relating to prohibited adverse employment action against an employee who in good faith reports child abuse or neglect.

The legislation expands existing statutory protections against employer retaliation for a professional's good faith reporting of child abuse or neglect by prohibiting other adverse employment actions against the professional.

HB 1074 (by Price/Zaffirini)

Relating to the prohibition against age discrimination in certain employment training programs.

The legislation prohibits age discrimination against persons aged 40 years or older as it concerns on-thejob training programs, retraining, apprenticeships, or other training. It would repeal the section of the Labor Code limiting this provision to individuals between the ages of 40 and 56.

Effective Date: September 1, 2019.

HB 1612 (by Murphy/Huffman)

Relating to the authority of the Teacher Retirement System of Texas to invest in certain hedge funds.

The legislation continues the authority of the Teacher Retirement System (TRS) to invest not more than 10 percent of its total investment portfolio in hedge funds. It would eliminate a Sunset date of September 1, 2019 for this authority.

Effective Date: May 23, 2019.

HB 2486 (by Goldman/Schwertner)

Relating to certain required disclosures and prohibited practices of certain employee benefit plans and health insurance policies that provide benefits for dental care services.

The legislation amends and establishes several requirements and prohibitions relating to dental care services. In particular the legislation focuses on the dental care services connected to certain employee benefit plans and health insurance policies.

Effective Date: September 1, 2019.

HB 2503 (by Kacal/Menendez)

Relating to workers' compensation death benefit eligibility for certain spouses of first responders killed in the line of duty.

The legislation amends workers compensation death benefit eligibility for an eligible spouse who remarries on or after September 1, 2019 (the effective date). For those spouses, if the employee was a first responder, or suffered while acting as a volunteer, the spouse is eligible for death benefits for life.

HB 2629 (by Flynn/Huffman)

Relating to the deadline to appeal administrative decisions of the Teacher Retirement System of Texas.

The legislation ensures that the TRS of Texas adheres to the same standards as its members when dealing with hearings and appeals related to benefits. To do so, the legislation requires that TRS establish rules to ensure that the deadline for a member to file an appeal is at least equal to the time TRS has to issue their decision.

Effective Date: September 1, 2019.

HB 3247 (by Martinez/Alvarado)

Relating to the Texas Emergency Services Retirement System.

The legislation amends current law to address administrative issues that surround the Texas Emergency Services Retirement System. These amendments include several definitions within the code, the understanding of the membership process, and the requirements to receive benefits, among other things.

Effective Date: September 1, 2019.

HB 3522 (by Murphy/Creighton)

Relating to assignment of certain death benefits payable by the Employees Retirement System of Texas.

The legislation amends the current law to create certain assignment privileges for their death benefits. Beneficiaries, who receive a member or retiree death benefit payable by the Employees Retirement System of Texas, are now allowed to assign part or all of their benefit directly to a funeral director or funeral establishment to aid in fees associated with their death.

Effective Date: September 1, 2019.

SB 12 (by Huffman/Bonnen, Greg)

Relating to the contributions to the Teacher Retirement System of Texas.

This legislation increases pension contributions for state, required district, and active public school employees over a six-year period, and provides a one-time additional payment to all TRS retirees.

Effective Date: June 10, 2019.

INSTRUCTIONAL SERVICES

HB 277 (by Oliverson/Creighton)

Relating to a requirement that online admission application forms for public institutions of higher education include a link to certain comparative gainful employment data.

The legislation requires electronic common admission application forms adopted by the THECB to include a prominent link to a website containing comparative gainful employment data on higher education institutions, including information collected by the Texas Education Agency. THECB will maintain the website using data compiled in coordination with the Texas Workforce Commission.

Effective Date: June 10, 2019.

HB 449 (by Turner, Chris/Menendez)

Relating to a requirement that a public or private institution of higher education include a notation on a student's transcript under certain circumstances.

The legislation requires postsecondary educational institutions that suspended or expelled a student for any reason to include on the student's transcript a disciplinary notation stating that the student was suspended or expelled. Among other things, the legislation also prohibits a postsecondary institution from ending the disciplinary process of a student who withdrew from that institution pending charges that could have resulted in the student's suspension or expulsion from the institution.

Effective Date: June 10, 2019.

HB 766 (by Huberty/Watson)

Relating to exemptions for disabled peace officers and fire fighters from payment of tuition and fees at public institutions of higher education.

This legislation permits peace officers and firefighters who become permanently disabled in the line of duty to receive a mandatory tuition and fee exemption from institutions of higher education.

Effective Date: June 14, 2019.

HB 963 (by Bell/Taylor)

Relating to the career and technology education and technology applications allotment and the essential knowledge and skills of the career and technology education and technology applications curriculums.

This legislation requires the State Board of Education to periodically review the essential knowledge and skills of the career and technology and technology applications curriculums. The State Board of Education is required to amend its rules to eliminate duplicative courses, and requires the State Board of Education to consolidate technology applications courses for grades 9 through 12 with career and technical education courses under the Texas Administrative Code.

Effective Date: June 14, 2019.

HB 1401 (by Howard/Hinojosa)

Relating to the use of money from the permanent fund for health-related programs to provide grants to nursing education programs.

This legislation extends the current dedication to nursing education of funds from the Permanent Fund for Higher Education Nursing, Allied Health, and Other Health Related Programs from August 31, 2019 to August 31, 2023.

Effective Date: June 14, 2019.

HB 1702 (by Howard/Hancock)

Relating to services provided for students at public institutions of higher education who are or were in foster care.

The legislation requires institutions of higher education to identify students who are or were formerly in the conservatorship of the Department of Family and Protective Services and to provide their names to the institution's liaison officer. Such identification would be made, to the extent allowed by state or federal law, each semester or academic term from information provided to the institution.

By January 1, 2020, each higher education institution is required to publicize through its website, social media, email, or other means the name and contact information for the institution's liaison officer and information on support services and other resources available to students currently and formerly in foster care.

Effective Date: May 29, 2019.

HB 1891 (by Stucky/Powell)

Relating to an exemption from the assessment requirements of the Texas Success Initiative for Students who achieve a certain score on a high school equivalency examination.

The legislation would exempt students who achieved a certain score on a high school equivalency exam from the assessment requirements of the Texas Success Initiative. The score that would allow a student to be exempted from this requirement would be set by the THECB, and the commissioner of higher education would establish the period for which the exemption would be valid.

Effective Date: September 1, 2019.

HB 1949 (by Guillen/West)

Relating to the criteria for awarding adult education and literacy program performance incentive funds.

This legislation requires the Texas Workforce Commission to establish criteria for awarding performancebased incentive funds to include certain benchmarks, including (1) the enrollment in a high school equivalency program or a postsecondary ability to benefit program of at least 25 percent of all students receiving services from the entity during the program year, and (2) the achievement by the end of the program year of a high school equivalency certificate or a postsecondary certificate by at least 70 percent of students who exit the program during that year.

Effective Date: September 1, 2019.

HB 2698 (by Goldman/Zaffirini)

Relating to the allowing approved barber and cosmetology schools to administer practical examinations for licensure.

The legislation amends the occupations code to now allow for greater approval of practical examinations for barber and cosmetology students seeking their licenses. After September 1, 2019 (the effective date), a barber school, private beauty culture school, or an approved public secondary or postsecondary beauty school may administer practical examinations.

HB 2847 (by Goldman/Hancock)

Relating to the licensing and regulation of certain occupations and activities.

The legislation amends current law in relation to the licensing and regulation of certain occupations, activities, and agreements, for example driver's education and pharmacists, among others. In addition, the legislation provides that a violator of the legislation is subject to a civil penalty.

Effective Date: September 1, 2019.

HB 3165 (by Oliverson/Creighton)

Relating to an occupational and life skills associate degree program offered by the Lone Star College System District.

The legislation authorizes the governing board of the Lone Star College System District to establish an occupational and life skills associate degree program at each junior college in the district.

Effective Date: June 10, 2019.

HB 3601 (by Bell/Menendez)

Relating to the accreditation by the Texas Higher Education Coordinating Board of competency-based education degree plans for members of the Texas military forces.

The legislation establishes the ability to receive a degree in coordination with the Texas Military Department that uses alternative methods to determine mastery of the program content. The legislation additionally provides requirements for obtaining this degree in general, as well as at each of the different levels offered, which would include an associate, baccalaureate, and/or graduate level degree plan.

Effective Date: September 1, 2019.

HB 3650 (by Turner, Chris/Creighton)

Relating to an agreement between a school district and public institution of higher education to provide a dual credit program to high school students enrolled in the district.

The legislation, in general, lists out the requirements for agreements to provide dual credit between a school district and public institution of higher education. Specifically here, the legislation amends the current law to provide that within those agreements, institutions of higher education must consider the use of free or low-cost open educational resources in their offered dual-credit courses.

Effective Date: June 10, 2019.

HB 3652 (by Turner, Chris/Creighton)

Relating to the creation of state repository for open educational resources by the Texas Higher Education Coordinating Board.

The legislation requires the creation of a web portal designed to meet the needs of individual institutions of higher education. As course materials have become increasingly expensive, open educational resources (OER) have risen in popularity. The legislation lays out processes and requirements for the centralization and use of OER materials.

Effective Date: September 1, 2019.

HB 3808 (by Walle/Powell)

Relating to the filing of a degree plan by students at public institutions of higher education.

This legislation amends current law to require students enrolled in an institute of higher education to file a degree plan with the institution upon reaching certain benchmarks in achieved credit hours.

Effective Date: June 14, 2019.

<u>SB 25 (by West/Turner, Chris)</u>

Relating to measures to facilitate the transfer, academic progress, and timely graduation of students in public higher education.

The legislation facilitates the transfer of course credit between different public institutions of higher education by requiring institutions to provide THECB a report describing courses which will not qualify for academic credit towards the student's major at the receiving institution, including the reason why the receiving institution did not grant academic credit for the course. The legislation also requires public junior colleges to provide THECB a report on courses taken by students who transferred to a general academic teaching institution or earned an associate degree at the college.

Effective Date: June 14, 2019.

SB 502 (by Seliger/Howard)

Relating to requiring certain institutions of higher education to issue reports on the transferability of credit.

This legislation requires institutions of higher education to report the reason a course credit was not accepted for students unsuccessfully attempting to transfer course credit from one institution to the next institution.

Effective Date: June 14, 2019.

SB 504 (by Seliger/Beckley)

Relating to the inclusion of certain information in postsecondary education and career counseling academies developed for certain school counselors and other postsecondary advisors employed by a school district.

This legislation provides that the Texas OnCourse Academy will include information regarding socialemotional learning and indicators of behavioral issues to allow participating counselors and advisors to be better prepared to identify and address potential mental health issues.

Effective Date: June 14, 2019.

<u>SB 1017 (by Powell/Guerra)</u>

Relating to the creation of the advisory council on postsecondary education for persons with intellectual and developmental disabilities.

This legislation establishes an advisory council to develop relevant outreach material and provide advice and recommendations on access to postsecondary education for people with intellectual and developmental disabilities to THECB.

Effective Date: June 10, 2019.

SB 1276 (by Powell/Frullo)

Relating to an agreement between a school district and public institution of higher education to provide a dual credit program to high school students enrolled in the district.

The legislation requires any agreement, including a memorandum of understanding or articulation agreement, developed between a school district and a public institution of higher education to provide a dual credit program to: establish common advising strategies; provide for alignment of endorsements offered by the district and dual credit courses offered under the agreement; identify tools to assist school counselors, students, and families in selecting endorsement offered by the district and dual credit courses.

Effective Date: May 28, 2019.

SB 1324 (by Taylor/Turner, Chris)

Relating to the filing of a degree plan by students at public institutions of higher education.

The legislation requires a student enrolled in a course for joint high school and junior college credit at a public junior college to file a degree plan at prescribed times. It also requires the THECB, in consultation with public institutions of higher education, to adopt rules for the administration of provision related to filing a degree plan, among other things.

Effective Date: June 4, 2019.

SB 1441 (by Zaffirini/Turner, Chris)

Relating to a study by the Texas Higher Education Coordinating Board comparing postsecondary educational outcomes for certain traditional and nontraditional students.

The legislation directs THECB to conduct a study comparing the outcomes of students who graduate high school with those who complete a high school equivalency examination, disaggregated by which exam they took. The study is intended to provide data from which to assess the long-term success of persons who take any version of the GED.

Effective Date: June 14, 2019.

INFORMATION TECHNOLOGY

HB 3834 (by Capriglione/Paxton)

Relating to the requirement that certain state and local government employees and state contractors complete a cybersecurity training program certified by the state cybersecurity coordinator.

The legislation requires certain state and local government employees and state contractors to complete a cybersecurity training program certified by the Department of Information Resources, and includes specific requirements for what must be included in the training program.

Effective Date: June 14, 2019.

HB 3875 (by Capriglione/Zaffirini)

Relating to cloud compatibility of certain state agency information technology purchases.

This legislation requires state agency to ensure that any purchases made for information resources projects are capable of being deployed and run on cloud computing services, but also authorizes state agencies to make a determination that due to integration limitations, the agency is unable to purchase a system capable of being deployed and run on cloud computing services.

Effective Date: September 1, 2019.

SB 64 (by Nelson/Phelan)

Relating to cybersecurity for information resources.

The legislation revises various cybersecurity requirements for state agency information resources, including oversight of cybersecurity practices and the state's electric grid.

LEGAL

HB 81 (by Canales/Hinojosa)

Relating to the disclosure under the public information law of certain information related to parades, concerts, or other entertainment events open to the general public that are paid for with public funds.

The legislation designates as subject to the Public Information Act information related to a governmental body's receipt or expenditure of funds in connection with a publicly funded entertainment event that was open to the public. It also bars contract provisions that would prohibit disclosure of this type of information and makes such provisions void.

Effective Date: May 17, 2019.

HB 793 (by King/Creighton)

Relating to certain government contracts with companies that boycott Israel.

This legislation limits the prohibition on government entities contracting with companies that boycott Israel, and extends the prohibition only to contracts with companies with 10 or more full-time employees and with a value of \$100,000 or more to be paid wholly or partly from the entity's public funds.

Effective Date: May 7, 2019.

HB 1962 (by Lambert/Hall)

Relating to the continuation and functions of the Texas State Library and Archives Commission, including the custody and ownership of certain state records and real property.

The legislation continues the Texas State Library and Archives Commission (TSLAC) until September 1, 2031. The bill also requires the agency to develop a strategic plan for state archives and would make changes to the agency's process for managing local government records. The legislation requires TSLAC to develop and implement a strategic plan for managing the state archives and update the same every five years, among other things.

HB 1999 (by Leach/Creighton)

Relating to certain construction liability claims concerning public buildings and public works.

The legislation seeks to prevent design professionals and construction contractors from being sued for alleged building defects prior to notification and inspection. To do so, the legislation requires an allegedly affected government entity to notify the designers and/or construction contractors of an alleged defect. Then a period of time is required to be given to the potentially liable professionals for the cure of the alleged defect. After each of the above actions has taken place, the government entity may file suit.

Effective Date: June 14, 2019.

HB 3913 (by Huberty/Alvarado)

Relating to an exception from required disclosure under the public information law for certain personal information obtained by certain flood control districts.

The legislation excepts certain personal information (*e.g.*, person's name, home or business address, email address, phone numbers (home and cell) social security number), obtained by flood control districts connection with operations related to a declared disaster or flood from disclosure under the state's public information laws. The exception would apply only to flood control districts located in a county with a population of 3.3 million or more (Harris County).

Effective Date: September 1, 2019.

SB 18 (by Huffman/Geren)

Relating to the protection of expressive activities at public institutions of higher education.

The legislation creates requirements related to speech and expressive conduct protected by the First Amendment on public campuses of higher education institutions.

Effective Date: September 1, 2019.

SB 416 (by Huffman/Walle)

Relating to legal counsel provided by the attorney general to a political subdivision subject to a declared state of disaster.

The legislation gives the attorney general the authority to provide legal advice during declared disasters to specified local individuals.

Effective Date: May 20, 2019.

<u>SB 943</u> (by Watson/Capriglione)

Relating to the disclosure of certain contracting information under the public information law.

Intended to address recent decisions from the Texas Supreme Court on the scope of the Public Information Act's applicability to certain state and local government contracts, this legislation amends the Public Information Act to provide that certain proprietary information may be exempt from disclosure, but that key contract terms like overall price and deliverables are not exempt.

Effective Date: January 1, 2020.

<u>SB 944</u> (by Watson/Capriglione)

Relating to the public information law.

This legislation compiles various updates to the Public Information Act (PIA). The legislation ensures that governmental bodies may obtain public information stored on their employees' private devices, creates an exception to disclosure for sensitive healthcare information, allows governmental bodies to designate a single e-mail address and a single mailing address to receive PIA requests, and directs the Office of the Attorney General to promulgate a PIA request form that governmental bodies and requestors may use.

PEACE OFFICERS

HB 292 (by Thompson/Huffman)

Relating to inclusion of instruction on the trafficking of persons in the basic training curriculum for peace officers.

The legislation requires the Texas Commission on Law Enforcement to incorporate completion of the basic education and training program on the trafficking of persons into the minimum curriculum requirements for law enforcement officers. An officer must complete the program by the second anniversary of the date the officer was licensed, unless the education and training program was completed as part of the basic training course.

Effective Date: September 1, 2019.

HB 1177 (by Phelan/Creighton)

Relating to carrying a handgun during a state of disaster.

This legislation provides that a person with a license-to-carry does not unlawfully carry a weapon if the person carries the handgun in a concealed manner during a mandatory evacuation issued during a declared state of emergency, and not more than 48 hours have elapsed since the mandatory evacuation order, or the governor has extended the period.

Effective Date: September 1, 2019.

HB 1791 (by Krause/Fallon)

Relating to carrying of handguns by license holders on property owned or leased by a governmental entity.

This legislation provides that a state agency or political subdivision is prohibited from taking any action to prohibit a license-holder from carrying a handgun on the premises unless the license-holder is prohibited from carrying a handgun by Section 46.03 or 46.035 of the Penal Code. The legislation further provides that the attorney general is empowered to investigate complaints against a state agency or political subdivision for violations of this chapter, but that the state agency or political subdivision is given a 15-day period to cure in order to avoid a penalty.

HB 2195 (by Meyer/Zaffirini)

Relating to an active shooter emergency policy for school districts.

The legislation requires that all school districts include policies for responding to an active shooter emergency in their multi-hazard emergency operations plan. Additionally, if applicable, an active shooter response training program should be completed by a school's district peace officer or resource office.

Effective Date: June 14, 2019.

HB 3540 (by Burns/Hughes)

Relating to the authority of a peace officer to release in lieu of arrest certain persons with an intellectual or developmental disability.

The legislation provides criteria for when, in lieu of arrest, a peace officer may release certain persons with intellectual or developmental disabilities. The legislation requires that the disabled person reside in either a group home or intermediate care facility, and that the peace officer believe that a correctional facility is unnecessary. If the above requirements are sufficiently met under the legislation, then the peace officer may release the disabled person, and is not liable for anything that the disabled person does once released.

Effective Date: September 1, 2019.

<u>SB 306 (by Watson/Israel)</u>

Relating to the release of a peace officer of certain individuals suspected of the offense of public intoxication.

The legislation provides an additional statutory option for law enforcement to take publicly intoxicated individuals, upon their verbal consent, to a facility that provides a place for these individuals to become sober under supervision, or a "sobering center."

Effective Date: April 25, 2019.

SB 586 (by Watson/Neave)

Relating to the training of peace officers for family violence and sexual assault assignments.

The legislation requires Texas Commission on Law Enforcement (TCOLE) to ensure that the existing peace officer training on child abuse, family violence, and sexual assault includes the use of best practices and trauma-informed techniques to effectively recognize, document, and investigate these cases.

SB 971 (by Huffman/Herrero)

Relating to peace officer training on recognizing and recording circumstances that indicate strangulation in certain cases.

The legislation requires training for law enforcement officers on how to recognize and record signs of strangulation to promote early detection and provide immediate support for survivors. This training will include knowledge on how to investigate strangulations, respond to strangulation victims, and collect evidence that will assist in prosecuting offenders.

Effective Date: September 1, 2019.

SB 976 (by Hughes/Martinez)

Relating to the notification of a peace officer through an indication associated with vehicle registration that a person has a health condition that may impede communication.

This legislation provides that Texas citizens challenged with communication would have the option to privately alert an officer of their communication impediment via the Texas Law Enforcement Telecommunications system, so that the officer would know the diagnosis prior to approaching the vehicle.

Effective Date: September 1, 2019.

SB 1582 (by Lucio/Wray)

Relating to benefits for peace officers relating to certain diseases or illnesses.

This legislation amends current law to include peace officers in the list of employees eligible for preventative immunizations and vaccinations. The legislation also provides peace officers with the same disability and line of duty death presumptions related to the diseases and illnesses named in the statute, except for cancer.

PROCUREMENT

HB 985 (by Parker/Hancock)

Relating to the effect of certain agreements with a collective bargaining organization on certain state-funded public work contracts.

The legislation, among other things, forbids a governmental entity or an institution of higher education from prohibiting, requiring, discouraging, or encouraging a contractor or subcontractor from entering into or adhering to an agreement with a collective bargaining organization for a state-funded project, including state-guaranteed debt.

Effective Date: September 1, 2019.

HB 2826 (by Bonnen, Greg/Huffman)

Relating to procurement of a contingent fee contract for legal services by a state agency or political subdivision.

The legislation establishes the process for the procurement of legal services by political subdivisions. In an effort to make hiring and contracting transparency more consistent with the process used by state government entities, the legislation lists several requirements for the procurement of a contingent fee contract for legal services by certain governmental entities.

SEXUAL OFFENSES

HB 1735 (by Howard/Watson)

Relating to sexual harassment, sexual assault, dating violence, and stalking at public and private postsecondary educational institutions.

This legislation provides a comprehensive update to the required policies and procedures that Texas institutions of higher education must follow in preventing and responding to allegations of sexual assault, sexual harassment, dating violence, and stalking. The institution must adopt a policy to address these concerns and include definitions of prohibited behavior, sanctions for violations, a protocol for reporting and responding to reports, interim measures to protect victims, and a statement regarding the rights of victims.

The institution must make the policy available to students, faculty, and staff. The legislation also provides that if THECB determines that an institution is not in substantial compliance with the legislation, it may assess an administrative penalty in an amount not to exceed \$2 million.

Effective Date: September 1, 2019.

SB 212 (by Huffman/Morrison)

Relating to reporting requirement for certain incidents of sexual harassment, sexual assault, dating violence, or stalking at certain public and private institutions of higher education.

This legislation establishes reporting requirements for public, private, and independent institutions of higher education, creates a Class B misdemeanor offense for failure to make a required report, provides an administrative penalty for a noncompliant institution, and creates confidentiality standards for certain information.

TAXATION

HB 305 (by Paul/Nelson)

Relating to the requirement that a state agency or political subdivision with authority to impose a tax post certain information on an Internet website.

In an effort to promote greater transparency, this legislation requires political subdivisions with taxing authority to maintain a publicly accessible website. On that website, the political subdivision must include contact information, date and locations of upcoming elections, any requirements for filing for candidacy for the political subdivision's elected offices, and notices and records of the political subdivision's meetings.

Effective Date: September 1, 2019.

HB 492 (by Shine/Taylor)

Relating to a temporary local option exemption from ad valorem taxation of a portion of the appraised value of certain property damaged by a disaster.

In an effort to relieve burdens impose on a property owner following a disaster, this legislation enables a constitutional amendment which allows for income-producing personal property and improvements to real property to qualify for a property tax exemption if the property is at least 15% damaged and is in a governor declared disaster area.

Effective Date: January 1, 2020.

HB 3143 (by Murphy/West)

Relating to the Property Redevelopment and Tax Abatement Act.

The legislation revises the Property Redevelopment and Tax Abatement Act. Specifically, the legislation requires the governing body of a taxing unit to hold a public meeting prior to adopting, amending, repealing, or reauthorizing guidelines and criteria. Further, the legislation requires notice of the public meeting to be given and lays out criteria for doing so.

SB 2 (by Bettencourt/Burrows)

Relating to ad valorem taxation; authorizing fees.

The legislation, among other things, lower the rollback rate to 3.5 percent from the current 8% for all taxing units with more than \$15 million in combined property and sales tax revenue. The rollback rate remains at 8 percent for community colleges and hospital districts. SB 2 does not factor the rollback rate for school districts.

Effective Date: January 1, 2020, except section 92 effective, September 1, 2019, and multiple sections effective September 1, 2020, and January 1, 2021.

VETERANS

HB 114 (by White/Birdwell)

Relating to providing public high school students information regarding the availability of college credit awarded for military experience, education, and training obtained during military service.

The legislation seeks to facilitate greater communication between high school counselors and community colleges, the Texas Workforce Commission, apprenticeship programs in the area, and military recruiters so that they can identify students who are enlisted to join the armed services and provide students with information of how their military service can translate into college credit upon returning to civilian life. It requires school counselors to inform high school students annually about the availability of college credit awarded by institutions of higher education.

Effective Date: May 16, 2019.

MISCELLANEOUS

HB 476 (by Howard/Menendez)

Relating to certain duties of public institutions of higher education and the Department of State Health Services regarding policies on the use of epinephrine auto-injectors by public institutions of higher education.

The legislation, among other things, requires each public institution of higher education that adopts a policy regarding the maintenance, storage, administration, and disposal of epinephrine auto-injectors on the institution's campus to include the policy in the institution's student handbook or similar publication and to publish the policy on the institution's website.

Effective Date: September 1, 2019.

HB 4260 (by Cortez/Lucio)

Relating to the possession and administration of an epinephrine auto-injector by certain entities.

This legislation permits specific public entities, including entities designated by the executive director of the Health and Human Services Commission, to have access to and administer epinephrine auto-injectors, and provides a mechanism and guideline for access to and use of such auto-injectors.

Effective Date: September 1, 2019.

SB 11 (by Taylor/Bonnen, Greg)

Relating to policies, procedures, and measures for school safety and mental health promotion in public schools.

The legislation revises and adds to Education Code requirements regarding school safety. Specifically, it revises school multi-hazard emergency operations plans; includes substitute teachers among educators to receive safety training; requires districts to establish threat assessment teams, and integrate traumainformed practices. It also requires the education commissioner to adopt standards for safe and secure school facilities; and, establishes a school safety allotment for districts to improve security and provide mental health personnel.

Effective Date: June 6, 2019.

KEY BILLS FAILED PASSAGE/VETOED

HB 630 (by Hernandez)

Relating to the establishment of the Texas Promise Scholarship Program for certain students at participating two-year institutions of higher education.

This legislation would establish the Texas Promise Scholarship Program for certain students at participating two-year institutions. These institutions would award scholarships via a prescribed method. There is a perceived fiscal obligation to the state and no identifiable fiscal implication to units of local governments. HCC provided testimony on this proposed legislation.

Effective Date: Failed Passage.

HB 2348 (by King/Perry)

Relating to the prohibition of certain employment discrimination regarding an employee who is a volunteer emergency responder.

This legislation would have amended the labor code to prohibit an employer from terminating an employee who is a volunteer emergency responder and is absent from or late to the employee's employment because of responding to an emergency. The bill was vetoed by the Governor on June 15, 2019.

Effective Date: Vetoed.

HB 3511 (by VanDeaver/Alvarado)

Relating to the creation of the Commission on Texas Workforce of the Future.

This legislation would have established the Commission on Texas Workforce of the Future to engage business, state agencies, and local workforce system partners in the efforts of state and local authorities to build the state's workforce talent pipeline. The bill was vetoed by the Governor on June 15, 2019.

Effective Date: Vetoed.

HB 3835 (by Toth)

Relating to the annexation of territory by a junior college district.

The legislation sought to allow a junior college district to conduct an annexation election to annex territory in the service areas of another junior college district. At issue was the desire of Barbers Hill ISD to be annexed into the service delivery area of Lone Star College. Prevailing comments suggest this is an issue better addressed in the interim session period and not via legislation.

Status: Failed Passage.

HB 4165 (by Pacheco/Menendez)

Relating to authorization by the Texas Higher Education Coordinating Board for certain public junior colleges to offer baccalaureate degree programs.

The legislation sought to authorize a public junior college located in a county with a population of more than 1.8 million and located within 180 miles of the Texas-Mexico border (Bexar County) that offered a qualifying baccalaureate degree program to offer no more than six baccalaureate degree programs at any time.

Status: Failed Passage.

SB 1793 (by Zaffirini/Longoria)

Relating to purchasing and contracting by governmental entities; authorizing fees.

This legislation would have implemented various changes with regard to attorney disclosures, multiple award contract schedule rebates, and the use of state travel services contracts in the state government procurement process. The bill was vetoed by the Governor on June 15, 2019.

Effective Date: Vetoed.

Bill descriptions and related information sourced to Texas Legislature Online, 86th Legislature Regular Session, 2019.

See pertinent information at this link: capitol.texas.gov/Home.aspx

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