

TEXAS HOUSE OF REPRESENTATIVES



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SPEAKER

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FOR IMMEDIATE RELEASE:

June 10, 1987

HIGHLIGHTS OF LEGISLATION PASSED 70th Legislature Regular Session and First Called Session January 13, - June 3, 1987

SUBJECT

MEASURE

AUTHORS

ABORTION

HB 410

Rep. Mike Millsap, D-Fort Worth
Sen. Ted Lyon, D-Rockwall

Prohibits abortions from being performed during the third trimester of pregnancy unless the physician concludes in good faith, according to best medical judgment, that the abortion is necessary to prevent the death or a substantial risk of serious impairment to the physical or mental health of the woman, or that the fetus has a severe and irreversible abnormality.

AGRICULTURE

HB 1183

Rep. Bruce Gibson, D-Godley
Sen. Chet Edwards, D-Duncanville

Creates the Texas Agricultural Finance Authority to provide financial assistance for the growth, development and diversification of production, processing, marketing, and export of Texas agricultural products. Enabling legislation for HJR 4.

AGRICULTURE

HB 1896

Rep. Nancy McDonald, D-El Paso
Sen. John Whitmire, D-Houston

Requires agricultural employers to compile and make available to their employees a workplace chemical list providing information about hazardous chemicals used or stored annually in the workplace in certain quantities.

(MORE)

70th Session Legislation

SUBJECT

MEASURE

AUTHORS

AGRICULTURE

HB 2235

Rep. Juan Hinojosa, D-McAllen
Sen. Richard Anderson, D-Marshall

Provides for small, low-interest, long-term loans to displaced farmers, workers, and others who reside in rural areas for the start-up or expansion of small business. Enabling legislation for HJR 4.

AGRICULTURE

SB 1333

Sen. Tati Santiesteban, D-El Paso
Rep. Pete Patterson, D-Paris

Provides the state Farm and Ranch Finance Program more flexibility in issuing bonds to fund certain low interest, long-term loans for young people in agriculture.

AIDS

HB 1829

Rep. Nancy McDonald, D-El Paso
Sen. Ray Farabee, D-Wichita Falls

Incorporates provisions of existing law into the Communicable Disease Prevention and Control Act. Adds provisions designating acquired immunodeficiency syndrome (AIDS) and HIV infection as communicable and reportable diseases. Allows hospitals to notify EMS employees, peace officers, and firefighters if they have been exposed to a communicable disease by a person they delivered to a hospital. Prohibits mandatory testing for AIDS and HIV infection and establishes confidentiality of test results. Allows testing of TDMHMR clients and inmates of TDC if the test result would change the medical or social management of the person tested or others, and strengthens quarantine provisions. Requires the state Department of Health to promulgate emergency rules for mandatory testing for HIV infection as a condition for obtaining a marriage license when the prevalence rate of confirmed positive HIV infection is .83%.

ALCOHOL

HB 655

Rep. Betty Denton, D-Waco
Sen. Bill Sarpalius, D-Canyon

Allows a judge to require a repeat DWI offender, as part of his probation, to attach to his/her car a breath analyzer preventing ignition if the driver is intoxicated.

70th Session Legislation

<u>SUBJECT</u>	<u>MEASURE</u>	<u>AUTHORS</u>
ALCOHOL	HB 1123	Rep. Ron Wilson, D-Houston Sen. O.H. "Ike" Harris, R-Dallas

Requires limousine services that serve alcohol to obtain an alcoholic beverage license.

ALCOHOL	HB 1652	Rep. Mike Millsap, D-Fort Worth Sen. Bob Glasgow, D-Stephenville
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Makes the bar, restaurant or retail store selling liquor to an intoxicated individual liable if that person is involved in a traffic accident after leaving the establishment. Before being held responsible, however, it would have to be proven in court that the last drinks were the catalyst for the accident. Injured parties or the survivors of someone killed by a drunken driver could collect damages from an establishment that served drinks to the driver, if it were clear that the individual "was obviously intoxicated to the extent that he presented a clear danger to himself and others."

ALCOHOL	SB 120	Rep. Jim Horn, R-Denton Sen. John Montford, D-Lubbock
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Adds airplanes, helicopters and motor boats to the kinds of vehicles included in the definition of involuntary manslaughter causing death while intoxicated.

ALZHEIMER'S DISEASE	HB 420	Rep. L. B. Kubiak, D-Rockdale Sen. Chet Brooks, D-Pasadena
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Requires the Texas Department of Health to include training for the care of Alzheimer's disease patients in its requirements for nursing home employees.

ALZHEIMER'S DISEASE	HB 1066	Rep. Charles Evans, R-Hurst Sen. Chet Brooks, D-Pasadena
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Creates the 17 member Texas Council on Alzheimer's Disease and Related Disorders. The council would help coordinate state activities involving victims of these diseases, recommend disbursements of grants and funds available to the council, encourage research, coordinate a volunteer assistance program, disseminate information on services, coordinate support systems for primary family caregiving, and advise the state Health Department on actions to benefit victims and caregivers.

70th Session Legislation

<u>SUBJECT</u>	<u>MEASURE</u>	<u>AUTHORS</u>
ALZHEIMER'S DISEASE	SB 1134	Sen. Chet Brooks, D-Pasadena Rep. Charles Evans, R-Hurst
Requires the Texas Department of Health to establish standards and procedures for optional annual certification of institutions that provide care for Alzheimer's disease and related disorders. An institution would not have to be certified in order to provide care for Alzheimer's disease, but could not advertise that it was certified if it were not.		
BUY TEXAS	HB 707	Rep. Ron Lewis, D-Mauriceville Sen. Gene Green, D-Houston
Gives Texas and American firms preference in state government contracts. Contains a provision giving female and minority bidders preference in state contracts if price and quality are equal to those of other bidders.		
COGENERATION	SB 141	Sen. Ray Farabee, D-Wichita Falls Rep. Pete Laney, D-Hale Center
Requires the Public Utility Commission to review all agreements that were submitted to it for certification between electric utilities and cogenerators for the purchase of electricity. If, among other things, the cost of purchasing cogenerated electricity by a utility is less than the generation of electricity from a new plant, the PUC will certify. This measure also removes various uncertainties from contracts between cogenerators and utilities, thereby assisting cogenerators in securing the loan capital they need for construction.		
CRIME	HB 23	Rep. Ted Roberts, R-Corpus Christi Sen. Buster Brown, R-Lake Jackson
Provides for an extension of time under the Speedy Trial Act where the state requires scientific analysis of evidence such as drugs.		
CRIME	HB 161	Rep. Debra Danburg, D-Houston Sen. Cyndi Krier, R-San Antonio
Eliminates the spousal exemption in the sexual assault statute for acts committed by the spouse of a victim.		

70th Session Legislation

SUBJECT

MEASURE

AUTHORS

CRIME

HB 680

Rep. Dan Morales, D-San Antonio
Sen. Frank Tejeda, D-San Antonio

Tightens parole release provisions by reducing the availability of good time. Requires that good time be earned through the participation in educational, industrial, agricultural and vocational programs.

CRIME

HB 682

Rep. Terral Smith, R-Austin
Sen. Frank Tejeda, D-San Antonio

Allows for juveniles charged with certain violent crimes to be committed to the Texas Youth Council. Provides for review and transfer of certain delinquents from T.Y.C. to the Texas Department of Corrections.

CRIME

HB 683

Rep. Terral Smith, R-Austin
Sen. Ray Farabee, D-Wichita Falls

Permits juvenile crime records of convicted criminals to be made available during sentencing phase under certain circumstances.

CRIME

HB 684

Rep. Mike Toomey, R-Houston
Sen. Don Henderson, R-Houston

Allows for a single trial of multiple offenses if they occurred in the same course of criminal conduct.

CRIME

HB 685

Rep. Terral Smith, R-Austin
Sen. Carl Parker, D-Port Arthur

Provides for regulations on the purchases of certain raw chemicals used to manufacture illegal drugs.

CRIME

HB 687

Rep. James Hury, D-Galveston
Sen. Buster Brown, R-Lake Jackson

Allows for designated officials, other than peace officers, to qualify as homeowner inspectors for the purpose of home security inspection. Improves homeowners' ability to obtain reduced insurance premiums by inspection of their security systems.

70th Session Legislation

SUBJECT

MEASURE

AUTHORS

CRIME

SB 43

Sen. Ray Farabee, D-Wichita Falls
Rep. Dan Morales, D-San Antonio

Provides that where an error occurs in the punishment phase of the trial requiring reversal, the guilt or innocence of the defendant does not have to be re-litigated, only the punishment phase need be retried and the error cured.

CRIME

SB 762

Sen. John Montford, D-Lubbock
Rep. James Hury, D-Galveston

Allows the state to appeal criminal law rulings of the trial court on legal issues that terminate the law suit. Provides for the first time equal access by both sides, state and defense, to judicial reviews of legal rulings.

CRUELTY TO ANIMALS

HB 151

Rep. Charles Finnell, D-Holliday
Sen. Bob Glasgow, D-Stephenville

Amends the Penal Code to increase the repeat offenses of cruelty to animals from a Class A misdemeanor to a Third Degree felony.

DOCTORS

HB 2560

Rep. Brad Wright, R-Houston
Sen. Chet Brooks, D-Pasadena

Mandates reporting of substantive peer review sanctions against a physician to the state Board of Medical Examiners. Encourages medical profession peer review actions by providing civil immunity for good faith disciplinary actions and allows those involved in peer review to recover their litigation costs and damages for a retaliatory or intimidation law suit. Gives the Board of Medical Examiners stronger subpoena powers.

DRINKING WHILE DRIVING

SB 521

Rep. Bill Sarpalius, D-Canyon
Rep. Ron Wilson, D-Houston

Prohibits a person from consuming an alcoholic beverage while operating a motor vehicle in a public place. Establishes this offense as a Class C misdemeanor. Officer must witness the offense to charge the driver.

70th Session Legislation

<u>SUBJECT</u>	<u>MEASURE</u>	<u>AUTHORS</u>
DRUG ABUSE	HB 502	Rep. Eddie Cavazos, D-Corpus Christi Sen. Judith Zaffirini, D-Laredo
Increases penalties for certain juveniles convicted of inhalant abuse of paint or glue fumes.		
ECONOMIC DEVELOPMENT	HB 2	Rep. Stan Schlueter, D-Killeen Sen. Grant Jones, D-Temple
(Select Committee on Tax Equity.) Creates a 13 member committee which is charged with studying the burden of state and local taxation borne by various segments of the state's economy and by various categories of individual taxpayers, as well as the impact of state and local taxation on economic development in the state.		
ECONOMIC DEVELOPMENT	HB 3	Rep. Clint Hackney, D-Houston Sen. Bob Glasgow, D-Stephenville
(Strategic Policy Commission.) Creates a commission charged with developing a long range economic plan for the state including recommendations for improving the business climate and evaluating the performance of existing state economic development efforts for their effect of job creation, etc.		
ECONOMIC DEVELOPMENT	HB 4	Rep. Ashley Smith, R-Houston Sen. Bob Glasgow, D-Stephenville
Creates a new agency by consolidating several existing agencies, programs and boards and centralizing economic development activities plus establishes several new programs providing technical and financial assistance to small and medium size businesses. This is the enabling legislation for the non-agricultural portion of HJR 4.		
ECONOMIC DEVELOPMENT	HB 5	Rep. Clint Hackney, D-Houston Sen. Bob Glasgow, D-Stephenville
Requires every state agency which issues permits to adopt rules regarding the procedures by which the agency processes permit applications including the length of time it takes the agency to process the permit, providing business with some predictability.		

70th Session Legislation

<u>SUBJECT</u>	<u>MEASURE</u>	<u>AUTHORS</u>
ECONOMIC DEVELOPMENT	HB 752	Rep. Juan Hinojosa, D-McAllen Sen. Hector Uribe, D-Brownsville
(Enterprise Zone Act.) Deletes the requirements for federal designation of enterprise zones in Texas. Authorizes state tax incentives to designated state enterprise zone projects.		
ECONOMIC DEVELOPMENT	HB 1401	Rep. Al Luna, D-Houston Sen. Chet Edwards, D-Duncanville
Establishes minimum standards for the content of intellectual property policies (ie: ideas, innovations, and discoveries) at public institutions of higher education. Provides for the legal protections necessary for intellectual properties to be developed.		
ECONOMIC DEVELOPMENT	HB 1402	Rep. Al Luna, D-Houston Sen. Chet Edwards, D-Duncanville
(Equity Ownership.) Allows a state employee (ie: university researcher) who creates an intellectual property to have a substantial interest in a business entity, provided that the entity has an agreement with the state with respect to the further development of commercialization of that intellectual property. In Texas, the state's Conflict of Interest statutes are written so as to make it very difficult for an inventor to be able to acquire equity ownership in a company that might develop from the inventor's work, and still remain in the employ of the state. Yet equity ownership is one of the best ways, financially, for inventors to see economic returns from their work.		
ECONOMIC DEVELOPMENT	HJR 2	Rep. Stan Schlueter, D-Killeen Sen. John Leedom, R-Dallas
(Economic Stabilization Fund.) Creates a fund in the state treasury which reserves a portion of future oil and gas revenues above appropriated levels. Money in the fund can be used should budget problems occur again.		

70th Session Legislation

<u>SUBJECT</u>	<u>MEASURE</u>	<u>AUTHORS</u>
ECONOMIC DEVELOPMENT	HJR 4	Rep. Paul Colbert, D-Houston Sen. Bob Glasgow, D-Stephenville

Authorizes loans, loan guarantees or equity investment monies to persons for use in the development of new and improved products which are available for commercial production. Authorizes state loans to local sponsors (city, town, educational institutions, development corporations, private non-profit or for-profit organizations) for the establishment and operation of small business incubators. State aid shall be used for leasing, rehabilitating or furnishing facilities. Authorizes financial assistance to persons to foster and stimulate the productions, processing and marketing of agricultural crops and products grown or produced primarily in Texas by small agricultural businesses domiciled in Texas. HB 1183 by Rep. Bruce Gibson, D-Godley, and Sen. Chet Edwards, D-Duncanville, is the enabling legislation.

ECONOMIC DEVELOPMENT	HJR 5	Rep. Ashley Smith, R-Houston Sen. Bob Glasgow, D-Stephenville
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(Public Purpose Amendment.) If approved by voters, would clearly authorize the Legislature to make grants and loans for a wider range of projects which would stimulate economic diversification and encourage employment.

ECONOMIC DEVELOPMENT	SB 1027	Sen. Ray Farabee, D-Wichita Falls Rep. Bruce Gibson, D-Godley
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(Bond Review Board.) Creates a bond review board composed of the Governor, Lieutenant Governor, Speaker of the House of Representatives, State Treasurer and Comptroller. The approval of the board would be necessary before any state bond could be issued, unless the board adopts rules exempting certain bonds from this requirement.

ECONOMIC DEVELOPMENT	SJR 55	Sen. Hugh Parmer, D-Fort Worth Rep. Mark Stiles, D-Beaumont
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If approved by voters, would authorize \$400 million in general obligation bonds for making loans to local governments to finance construction of public facilities (ie: public libraries, airports and jails) and making grants to local governments for planning and design of projects. HB 4 by Rep. Ashley Smith was amended to provide for enabling legislation.

70th Session Legislation

<u>SUBJECT</u>	<u>MEASURE</u>	<u>AUTHORS</u>
ELDERLY ABUSE	SB 1150	Sen. Gonzalo Barrientos, D-Austin Rep. David Hudson, D-Tyler
Clarifies existing language and ambiguities in current law making it easier to provide protection to an elderly or disabled person when necessary.		
ELDERLY ABUSE	SB 1151	Sen. Gonzalo Barrientos, D-Austin Rep. David Hudson, D-Tyler
Extends the current law regarding emergency court orders for protective services for the elderly or disabled person from a 72-hour period with one extension to allow for two additional 72-hour period extension. Also allows the court to modify or terminate the emergency order.		
FINANCIAL INSTITUTIONS	HB 1632	Rep. Frank Collazo, D-Port Arthur Sen. Chet Edwards, D-Duncanville
Requires financial institutions to notify their depositors that the deposits of the financial institution are not insured by federal deposit insurance.		
GENERAL STATE AFFAIRS	HB 834	Rep. Al Granoff, D-Dallas Sen. Ray Farabee, D-Wichita Falls
Creates a property right in the name, voice, signature, photograph or likeness of deceased persons. Relatives of famous persons who left behind a valuable name faced frequent and difficult litigation to protect their rights because Texas had no statute clearly addressing the issue.		
GENERAL STATE AFFAIRS	HB 2308	Rep. Mark Stiles, D-Beaumont Sen. Buster Brown, R-Lake Jackson
Requires an inmate in a county jail to pay for services that are rendered for his/her medical care and treatment.		
HAZING	SB 24	Sen. Gonzalo Barrientos, D-Austin Rep. David Patronella, D-Houston
Increases penalties for those convicted of hazing. Makes individuals as well as organizations subject to penalties. This law applies to private as well as public schools.		

70th Session Legislation

SUBJECT

MEASURE

AUTHORS

HIGHER EDUCATION

HB 2181

Speaker Gib Lewis, D-Fort Worth
Sen. Carl Parker, D-Port Arthur

Contains many provisions aimed at enhancing efficiency of the operation of institutions of higher education. Sets out responsibilities of the Coordinating Board to facilitate coordination as a statewide system. Restructures funding methodology to provide for incentives for academic quality and management of state resources. Creates three research programs, including an applied research program in areas to help benefit the Texas economy. Allows for universities to set their tuitions, within certain guidelines, for graduate courses.

HIGHER EDUCATION

HB 2182

Rep. Wilhelmina Delco, D-Austin
Sen. Carl Parker, D-Port Arthur

Provides for testing of entering college freshmen to identify if there is a need for remediation in reading, writing, or mathematics. Students not meeting minimum standards will be referred to remedial courses to assist them in passing the test before their junior year in college.

HIGHER EDUCATION

HB 2183

Rep. Wilhelmina Delco, D-Austin
Sen. Carl Parker, D-Port Arthur

Sets up system for continuous review, evaluation, and reporting of core curriculum at institutions of higher education. Institutions may receive incentive funding as a reward for achieving certain educational objectives.

HIGHER EDUCATION

HCR 106

Speaker Gib Lewis, D-Fort Worth
Sen. Carl Parker, D-Port Arthur

Adopts a Texas Charter for Public Higher Education as state policy to guide effective and efficient allocation of public resources. Formal statement of goals and priorities for higher education which includes responsibilities of Coordinating Board, governing boards, and institutions. Also sets out funding and management policies.

70th Session Legislation

<u>SUBJECT</u>	<u>MEASURE</u>	<u>AUTHORS</u>
HIGHER EDUCATION	HCR 107	Rep. Wilhelmina Delco, D-Austin Sen. Ray Farabee, D-Wichita Falls Sen. Carl Parker, D-Port Arthur

Establishes a special interim committee to study the medical, dental, and allied health education system in Texas. Results will include a recommendation for the most cost-effective funding methodology, since over 25 percent of state funding for post-secondary education is appropriated to health-related institutions.

HIGHER EDUCATION	SB 784	Sen. Bob Glasgow, D-Stephenville Rep. Jim Horn, R-Denton
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Changes the name of North Texas State University to the University of North Texas.

HIGHER EDUCATION	SB 994	Sen. Carl Parker, D-Port Arthur Rep. Wilhelmina Delco, D-Austin
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Future teachers will earn a degree with an academic major or interdisciplinary academic major, resulting in a greater emphasis on subject matter knowledge than on methodology courses. A minor can be granted in education. Provides for a teacher induction program to include a one-year period for new teachers to be co-operatively supervised by experienced teachers, school administrators, and faculty of institutions of higher education.

INSURANCE	SB 1371	Sen. Chet Brooks, D-Pasadena Rep. Charles Evans, R-Hurst
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Requires the State Board of Insurance to adopt rules and regulations which establish minimum standards for long-term care coverage under individual and group policies and certificates of accident and sickness insurance.

JOB SAFETY	HB 1021	Rep. Lloyd Criss, D-Galveston Sen. Ray Farabee, D-Wichita Falls
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Requires companies writing workers' compensation insurance to submit detailed information to the State Board of Insurance about their accident prevention facilities and programs. Creates an Accident Prevention Advisory Committee to help the board carry out these duties. Requires companies to make annual reports on their safety related programs and activities. Declares the administration of these new projects as a cost of the regulating workers' compensation insurance.

70th Session Legislation

<u>SUBJECT</u>	<u>MEASURE</u>	<u>AUTHORS</u>
MINIMUM WAGE	SB 601	Sen. Tati Santiesteban, D-El Paso Rep. Alex Moreno, D-Edinburg
Amends the Texas Minimum Wage Act of 1970 to eliminate some distinctions between agriculture/livestock employees and non-agricultural employees. This measure also raises the minimum wage rate for agricultural workers to \$3.35 per hour.		
MUNICIPAL GOVERNMENT	HB 2119	Rep. Eddie Lucio, D-Brownsville Sen. Ray Farabee, D-Wichita Falls
Allows municipalities to contract with private vendors for the financing, design, construction, leasing, operation, purchase, maintenance or management of correctional facilities.		
NCAA BOOSTERS	SB 643	Sen. John Montford, D-Lubbock Rep. Richard Smith, R-Bryan
Allows public or private universities to bring suit for damages against a person who violates a rule of the NCAA or any other national collegiate athletic association.		
NURSING HOMES	HB 168	Rep. Charles Finnell, D-Holliday Sen. Chet Brooks, D-Pasadena
Requires personal care homes operating within the state to register with the Department on Aging.		
NURSING HOMES	SB 200	Sen. Chet Edwards, D-Duncanville Rep. Anita Hill, R-Garland
Requires a nursing or custodial care home to provide the Texas Department of Human Services with relevant information on a potential employee before the facility makes an offer of employment to that person. The Department must then request a criminal conviction check and notify the facility of the results. It exempts a licensed employee, nurse, or other persons who do not work in the immediate boundaries of the home from a required check but mandates the Department to investigate any employee at the request of the facility.		

70th Session Legislation

SUBJECT

MEASURE

AUTHORS

PRISONS

SB 215

Sen. Bob McFarland, R-Arlington
Rep. Allen Hightower, D-Huntsville

This emergency legislation was passed as a result of the contempt order against the state issued by Judge William Wayne Justice in the Ruiz litigation. It attempts to ease the overcrowding problem by allowing for the release of certain categories of nonviolent offenders. SB 215 amended the Prison Management Act to provide for emergency release and diversion alternatives and amends the Adult Probation statute to expand probation alternatives. It also amends the General Appropriations Act for fiscal year 1987 to provide funding for Ruiz compliance and expanded halfway house contracts.

PRISONS

SB 251

Sen. Ray Farabee, D-Wichita Falls
Rep. Clint Hackney, D-Houston

Allows for the state to contract with private enterprises for the financing, construction, operation, maintenance and management of correctional facilities.

PRISONS

SJR 56

Sen. Bob McFarland, R-Arlington
Rep. Bob Aikin, D-Commerce

If approved by voters would authorize the issuance of \$300 million in general obligation bonds for construction of corrections, youth corrections or mental health and mental retardation facilities. SB 1407 by McFarland/Aikin is the enabling legislation.

PUBLIC EDUCATION

HB 723

Rep. Anita Hill, R-Garland
Sen. John Leedom, R-Dallas

Allows a school district to expel a student who engages in arson or criminal mischief.

PUBLIC EDUCATION

HB 858

Rep. Jim McWilliams, D-Hallsville
Sen. Chet Brooks, D-Pasadena

Prohibits students from smoking or using tobacco products at any school related or sanctioned activity on or off school property, to be enforced by school personnel. It is the responsibility of the Central Education Agency to monitor and enforce this provision of the law.

70th Session Legislation

<u>SUBJECT</u>	<u>MEASURE</u>	<u>AUTHORS</u>
PUBLIC EDUCATION	HB 1010	Rep. Roman Martinez, D-Houston Sen. Chet Edwards, D-Duncanville
Requires the Texas Education Agency to develop a program to reduce the number of students who drop out of school before graduation.		
PUBLIC EDUCATION	HB 1050	Rep. Charles Evans, R-Hurst Sen. Carl Parker, D-Port Arthur
Requires school districts to establish gifted and talented programs for students at each grade level by 1990-1991.		
PUBLIC EDUCATION	HB 2623	Rep. Betty Denton, D-Waco Rep. Chris Harris, R-Arlington Sen. Chet Edwards, D-Duncanville
Increases teacher retirement benefits for certain annuitants of the Teachers Retirement System and lowers the state contribution to the system temporarily for a certain savings to the state.		
PUBLIC EDUCATION	SB 335	Sen. Carl Parker, D-Port Arthur Rep. Bill Haley, D-Center
Repeals the requirement that teachers and administrators must pass an examination testing their subject-area knowledge in order to retain their certification.		
PUBLIC HEALTH	HB 528	Rep. Sam Hudson, D-Dallas Sen. Eddie Bernice Johnson, D-Dallas
Amends the clean air act to prohibit the location of a lead smelting plant within 3000 feet of a residence of an individual.		
PUBLIC HEALTH	HB 677	Rep. Erwin Barton, D-Pasadena Sen. Ray Farabee, D-Wichita Falls
Requires continuing care facilities to obtain certificates of authority from the State Board of Insurance and to issue an annually updated disclosure statement and maintain two escrow accounts for entrance fees. Would allow residents to sue for civil damages in connection with disclosure statements and would provide them with a lien in case of liquidation, bankruptcy or insolvency.		

70th Session Legislation

SUBJECT

MEASURE

AUTHORS

PUBLIC HEALTH

HB 1805

Rep. Larry Evans, D-Houston
Sen. Craig Washington, D-Houston

Requires food establishments to post a sign
in English and Spanish depicting the Heimlich
maneuver.

PUBLIC HEALTH

SB 16

Sen. Ray Farabee, D-Wichita Falls
Rep. Nancy McDonald, D-El Paso

Requires Texas hospitals to establish a protocol
for identifying potential organ or tissue donors
and informing the relatives of the opportunity to
donate.

PUBLIC HEALTH

SB 720

Sen. Hugh Parmer, D-Fort Worth
Rep. Patricia Hill, R-Dallas

Establishes within the Texas Department of Human
Services a mammography screening program for women
on an income eligible basis. Access to this pro-
gram would provide screening for women who would
otherwise not be screened. Early detection for
these women would increase the opportunity for suc-
cessful treatment and reduce subsequent medical costs.
Also requires insurance companies to offer coverage
for mammography screening.

PUBLIC HEALTH

SB 1403

Sen. Chet Brooks, D-Pasadena
Rep. Lena Guerrero, D-Austin

Requires Texas hospitals to provide an itemized
statement to the patient no later than 10 days
after the date requested.

PUBLIC MEETINGS

SB 168

Sen. Kent Caperton, D-Bryan
Rep. Juan Hinojosa, D-McAllen

Requires governmental bodies to tape record or prepare
certified minutes of closed meetings, and provides for
the video taping of public meetings. This measure makes
it easier to obtain criminal prosecution for abuse of the
open meetings law by lowering standards from "willful
violation" to "knowing violation."

70th Session Legislation

SUBJECT

MEASURE

AUTHORS

PUBLIC SAFETY

HB 162

Rep. Erwin Barton, D-Pasadena
Sen. Gonzalo Barrientos, D-Austin

Requires hotel operators to maintain smoke detectors for the hearing impaired.

PUBLIC SAFETY

HB 412

Rep. Allen Hightower, D-Huntsville
Sen. Bob McFarland, R-Arlington

Amends the penal code to make it a third-degree felony for a person to possess or conceal a deadly weapon in a TDC institution, as well as to carry a weapon. Currently, law does not allow for the prosecution of an inmate who has stored a weapon in his/her cell, but does not have it on his/her body at the time of the discovery of such weapon. This corrects that problem.

PUBLIC SAFETY

HB 441

Rep. Mark Stiles, D-Beaumont
Sen. Bob McFarland, R-Arlington

Creates a felony offense for possession of dangerous drugs or controlled substances within the Texas Department of Corrections, increasing severity of drug possession. Is intended to significantly deter drug use and reduce major source of power for prison gangs.

PUBLIC SAFETY

HB 457

Rep. Tony Polumbo, D-Houston
Sen. Don Henderson, R-Houston

Allows a county with more than 2.2 million (Harris County) to charge a fee whenever its Sheriff's office responds to a false alarm.

PUBLIC SAFETY

HB 878

Rep. Mike Millsap, D-Fort Worth
Sen. Carl Parker, D-Port Arthur

Expands the Crime Victims' Compensation Act to include new beneficiaries (ie: immediate family members in addition to dependents) and raises benefit levels. It removes the financial stress test that currently requires victims to prove that they would suffer financial stress if not compensated.

70th Session Legislation

<u>SUBJECT</u>	<u>MEASURE</u>	<u>AUTHORS</u>
PUBLIC SAFETY	HB 911	Rep. Bill Carter, R-Fort Worth Sen. Roy Blake, D-Nacogdoches
Creates an advisory commission on state emergency communications to implement a statewide 911 emergency reporting service by September 1, 1995. The commission would have 17 members who would serve six year terms.		
PUBLIC SAFETY	HB 1826	Rep. Dan Morales, D-San Antonio Sen. Frank Tejada, D-San Antonio
Requires certain probationers convicted of sexual offenses to pay a percentage of their income to the victim for the victim's cost of psychological counseling required as a result of the offense.		
PUBLIC SAFETY	SJR 27	Sen. Roy Blake, D-Nacogdoches Rep. Barry Connelly, R-Houston
If approved by the voters would authorize the legislature to provide for the creation of emergency medical services districts throughout the state. SB 669 by Blake/Connelly is the enabling legislation which provides for the establishment, operation and dissolution of such districts.		
SALES TAX	HB 1606	Rep. Stan Schlueter, D-Killeen Sen. Roy Blake, D-Nacogdoches
Repeals the sales tax on newspapers and magazines.		
SCIENCE & TECHNOLOGY	HB 102	Rep. Wilhelmina Delco, D-Austin Sen. Chet Edwards, D-Duncanville
Establishes programs such as scholarships and academic and career counseling to encourage women and minorities to enter fields of science, mathematics and engineering.		
SCIENCE & TECHNOLOGY	HB 1405	Rep. Bob Richardson, R-Austin Sen. Kent Caperton, D-Bryan
Allows funding of the Texas Engineering Experiment Station's Technology Business Development Division and the University of Texas' Center for Technology Development and Transfer for the purpose of commercializing university-related research.		

70th Session Legislation

<u>SUBJECT</u>	<u>MEASURE</u>	<u>AUTHORS</u>
SCIENCE & TECHNOLOGY	HB 1407	Rep. Bill Blackwood, R-Mesquite Sen. Chet Edwards, D-Duncanville

Allows matching the amount of appropriations received from the federal government and other sources to assist in the effort to locate the National Center for Manufacturing Sciences in Texas.

SCIENCE & TECHNOLOGY	SB 705	Sen. Frank Tejeda, D-San Antonio Rep. Frank Madla, D-San Antonio
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Allows counties to create research and development authorities to facilitate scientific research and development and commercialization of research to aid in the economic diversification and expansion of the Texas economy.

SPACE RESEARCH	HB 1511	Rep. Ashley Smith, R-Houston Rep. Randy Pennington, R-Houston Sen. Buster Brown, R-Lake Jackson
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Creates the Texas Space Commission for the purpose of encouraging economic development in this state by fostering the development of industries related to the commercialization of space.

STATE AIRCRAFT	HB 42	Rep. Dick Burnett, D-San Antonio Sen. Bill Sims, D-San Angelo
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Requires that all state aircraft, except aircraft used for law enforcement, be marked with the state seal on either side of the vertical stabilizer and "The State of Texas" on each side of the fuselage.

STATE AFFAIRS	SB 1249	Sen. Bill Sarpalius, D-Canyon Rep. Lena Guerrero, D-Austin
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Requires the Texas Commission for the Deaf to design and provide for the issuance of a symbol or device to be attached to a motor vehicle regularly operated by a hearing impaired person.

SUNSET	HB 524	Rep. Mark Stiles, D-Beaumont Rep. Lena Guerrero, D-Austin Sen. Buster Brown, R-Lake Jackson
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Abolishes the Texas Amusement Machine Commission and transfers its powers and responsibilities to the Comptroller's office.

70th Session Legislation

SUBJECT

MEASURE

AUTHORS

SUPERCONDUCTING
SUPER COLLIDER

HB 1909

Rep. Al Luna, D-Houston
Sen. Chet Edwards, D-Duncanville

Authorizes the Texas National Research Laboratory Commission to issue up to \$500 million in general obligation bonds (subject to passage of constitutional amendment - HJR88) and \$500 million in revenue bonds upon securing the location of the Superconducting Super Collider in Texas. Authorizes the Commission to submit at least two site proposals to the federal government.

SUPERCONDUCTING
SUPER COLLIDER

HB 2085

Rep. Mark Stiles, D-Beaumont
Sen. Chet Edwards, D-Duncanville

Authorizes cities, counties and other public entities to form together a research authority for the purpose of establishment, construction and maintenance of a Superconducting Super Collider facility. Establishes creation, organization, powers, duties and financing of such authorities.

SUPERCONDUCTING
SUPER COLLIDER

HB 2448

Rep. Paul Colbert, D-Houston
Sen. Bill Sarpalius, D-Canyon

Authorizes the commissioner of the General Land Office to trade state agency land for other land for the purpose of aggregating a sufficient area of land for the site of the Superconducting Super Collider.

SUPERCONDUCTING
SUPER COLLIDER

HB 2597

Rep. Paul Colbert, D-Houston
Sen. Don Henderson R-Houston

Relating to the creation of a Texas center for superconductivity at the University of Houston/University Park.

SUPERCONDUCTING
SUPER COLLIDER

HJR 88

Rep. Al Luna, D-Houston
Sen. Chet Edwards, D-Duncanville

Permits the issuance of up to \$1 billion in bonds to lure this project if voters approve the constitutional amendment in November.

70th Session Legislation

SUBJECT

MEASURE

AUTHORS

TAXATION

HB 1694

Rep. Mark Stiles, D-Beaumont
Sen. Grant Jones, D-Temple

Allows land which is contiguous to land which has open-space or agricultural use productivity valuation to qualify for special appraisal even if it has not been devoted to agriculture for five of the last seven years under certain conditions.

TAXATION

HJR 48

Rep. Stan Schlueter, D-Killeen
Sen. Grant Jones, D-Abilene

If approved by voters would provide that school ad valorem taxes imposed on the residence homestead of a person 65 years of age or older may not be increased while it remains the residence homestead of a surviving spouse.

TAXATION

SB 367

Sen. Carl Parker, D-Port Arthur
Rep. Hugo Berlanga, D-Corpus Christi

Exempts recreational boats from ad valorem taxation.

TELECOMMUNICATIONS

SB 444

Sen. Ray Farabee, D-Wichita Falls
Rep. David Cain, D-Dallas

Grants the Public Utility Commission authority to regulate local exchange companies with greater flexibility in the areas of competitive services. Prohibits pricing in an unreasonably discriminating manner.

TELEPHONE DEREGULATION

SB 229

Sen. John Montford, D-Lubbock
Rep. Bill Haley, D-Center

Requires Public Utility Commission hearings before AT&T sets its own long-distance rates in Texas. The PUC is ordered to hold an evidentiary hearing on the extent of competition in the long distance industry by 12/31/88. AT&T cannot be deregulated before it is proven that the company is not the "dominant carrier." The company has some flexibility in raising or lowering rates during that period. AT&T would be prohibited from engaging in predatory or discriminating pricing, and may not abandon service to any area of the state without PUC approval.

70th Session Legislation

<u>SUBJECT</u>	<u>MEASURE</u>	<u>AUTHORS</u>
TORT REFORM (Special Session - 1st Called)	SB 2	Sen. Grant Jones, D-Temple Rep. John Gavin, D-Wichita Falls

Creates a consumer protection division and public counsel at the State Board of Insurance. Provides authority for the creation of a number of pools for organizations unable to obtain liability insurance. Mandates detailed reporting requirements for property and casualty insurance companies and provides public access to these records.

TORT REFORM (Special Session - 1st Called)	SB 5	Sen. John Montford, D-Lubbock Rep. Mike Toomey, R-Houston
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Allows a court to impose sanctions on an attorney and client who file a frivolous lawsuit. Amends comparative responsibility area of law to allow claimant in tort suits based on negligence to recover damages only if they were no more than 50 percent responsible for causing damages. In cases based on strict liability, strict products liability or breach of warranty, claimants could recover only if they were less than 60% responsible. Provides for defendants in multi-party lawsuits to be liable only for their damages if their percentage of fault for injury is less than 20%. This bill sets a cap on punitive damages at \$200,000 or up to four times the amount of actual damages. SB 5 prevents a claimant from recovering punitive damages for a drug-related injury if the drug has been approved for marketing by the Food and Drug Administration, was generally recognized as safe and effective by federal regulations, or was a vaccine for a childhood disease. This measure limits the liability of governmental entities to \$250,000 per person and \$500,000 per occurrence for personal injury and \$100,000 per occurrence for property damages.

TORT REFORM (Special Session - 1st Called)	SB 6	Sen. John Montford, D-Lubbock Rep. Mike Toomey, R-Houston
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Allows for the accrual of prejudgement interest beginning 180 days prior to the notice of the claim or date suit was filed.

TORT REFORM (Special Session - 1st Called)	SB 7	Sen. John Montford, D-Lubbock Rep. Mike Toomey, R-Houston
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Amends the Texas Civil Practice and Remedies Code by deleting the provision that permits a suit to be brought against a railroad in any county through or into which the railroad extends or is operated.

70th Session Legislation

SUBJECT

MEASURE

AUTHORS

TORT REFORM

SB 8

(Special Session - 1st Called)

Sen. Ray Farabee, D-Wichita Falls
Rep. Paul Colbert, D-Houston
Rep. John Gavin, D-Wichita Falls

Creates a division of risk management in the Industrial Accident Board. The division would develop and administer a system to identify property and liability losses in each state agency, evaluate the exposure of each agency to claims for losses, assess the cost of risk management and reduce losses by state agencies. The division would also make recommendations to the Legislature on methods to reduce state exposure to the risks of losses.

TORT REFORM

SB 9

(Special Session - 1st Called)

Sen. Ray Farabee, D-Wichita Falls
Rep. John Gavin, D-Wichita Falls

Allows certain nonprofit organizations to form an insurance pool to provide liability coverage.

TOWING

HB 160

Rep. Debra Danburg, D-Houston
Sen. Don Henderson, R-Houston

Imposes a penalty on those towing companies that knowingly, intentionally, or recklessly violate the rights of a vehicle owner by unlawfully removing and storing his/her vehicle.

TRANSPORTATION

HB 1678

Rep. Charles Evans, R-Hurst
Sen. John Whitmire, D-Houston

Authorizes the Texas Turnpike Authority to study the feasibility of operating a high-speed rail system in Texas.

TRUCKING DEREGULATION

SB 595

Sen. Hugh Parmer, D-Fort Worth
Rep. Jack Vowell, R-El Paso

Partially deregulates the trucking industry within Texas by allowing intrastate general commodity haulers to charge rates 15% above or below rates set by the Railroad Commission.

70th Session Legislation

<u>SUBJECT</u>	<u>MEASURE</u>	<u>AUTHORS</u>
TRUCKING SAFETY	HB 908	Rep. David Cain, D-Dallas Sen Ted Lyon, D-Rockwall

Requires the Department of Public Safety to adopt motor carrier safety regulations consistent with federal laws and regulations. Requires proof of liability insurance, proper maintenance of trucks and buses, declaration of hazardous materials, and includes an inspection provision.

VETERANS	HB 285	Rep. Bill Hollowell, D-Grand Saline Sen. Cyndi Krier, R-San Antonio
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Extends vehicle registering privileges by allowing surviving spouses of deceased prisoners of war to register one vehicle free of charge, and receive specially designed license plates indicating their P.O.W. status. This privilege would continue as long as the spouse remains unmarried.

WATER	HB 938	Rep. State Holzheuser, R-Victoria Rep. Sam Russell, D-Mt. Pleasant Sen. Kenneth Armbrister, D-Victoria
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Requires the executive director of the Texas Water Commission to notify the county judge and county health officer of potential health hazards caused by the contamination of usable groundwater within the county.

WATER	SJR 54	Sen. John Montford, D-Lubbock Rep. Terral Smith, R-Austin
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If approved by the voters authorizes the Water Development Board to issue \$400 million in general obligation bonds for water projects, addressing water supply, water quality and flood control needs. SB 1406, by Montford/Smith, T., is the enabling legislation making the necessary changes to the Water Code.

70th Session Legislation

SUMMARY OF SUNSET LEGISLATION

The following state agencies were reviewed through the sunset process and continued:

1. Texas Adult Probation Commission
HB 83 Rep. Pat Hill, R-Dallas
Sen. John Montford, D-Lubbock
2. Texas Board of Corrections
SB 245 Sen. Bob McFarland, R-Arlington
Rep. Al Granoff, D-Dallas
3. Texas Commission for the Deaf
HB 550 Rep. Jack Vowell, R-El Paso
Sen. John Montford, D-Lubbock
4. Texas Diabetes Council
SB 244 Sen. Bob McFarland, R-Arlington
Rep. Jack Vowell, R-El Paso
5. Texas Department of Human Services
SB 298 Sen. Chet Edwards, D-Duncanville
Rep. Jack Vowell, R-El Paso
6. Texas Juvenile Probation Commission
SB 17 Sen. Ray Farabee, D-Wichita Falls
Rep. Al Granoff, D-Dallas
7. Texas Department of Mental Health and Mental Retardation
SB 257 Sen. Ray Farabee, D-Wichita Falls
Rep. Bruce Gibson, D-Godley
8. Texas Board of Pardons and Paroles
SB 341 Sen. Ray Farabee, D-Wichita Falls
Rep. Al Granoff, D-Dallas
9. Texas Board of Private Investigators and Private Security
HB 888 Rep. Pat Hill, R-Dallas
Sen. Carl Parker, D-Port Arthur
10. Texas Youth Commission
SB 33 Sen. Ray Farabee, D-Wichita Falls
Rep. Al Granoff, D-Dallas

70th Session Legislation

SUMMARY OF FINAL HOUSE ACTION

Number of Bills Introduced:	2,632
Number of Bills Passed:	711
Constitutional Amendments Introduced:	114
Constitutional Amendments Passed:	12

SUMMARY OF FINAL SENATE ACTIONS

Number of Bills Introduced:	1,547
Number of Bills Passed:	474
Constitutional Amendments Introduced:	57
Constitutional Amendments Passed:	11

This report was compiled by the Office of the Speaker.