

Current Articles & Research Resources, January 16

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In this weekly post, we feature helpful research tools and recent articles of interest to the legislative community.

- Read about how to **file** your taxes for free. (ProPublica, January 10, 2020)
- Consider how the political climate in Texas may change as more people **move** here from out of state. (Stateline, January 13, 2020)
- Consider a recent Fifth Circuit **ruling** related to the Affordable Care Act. (Health Affairs, January 13, 2020)
- Review **toll** increases. (Texas Department of Transportation, December 23, 2019)

Members of the Texas legislative community may request the articles below **here** or by calling 512-463-1252.

- 20.01.17 / "To be better citizens, students sue for the right to learn civics." By Stacy Teicher Khadaroo. *Christian Science Monitor*, December 30, 2019, pp. 6-7.
Discusses a **class-action lawsuit** currently before a United States District Court in Rhode Island in which students argue they have a constitutional right to an adequate civics education to prepare them for successful participation in a democracy.
- 20.01.18 / "**Project Blitz 2.0**." By Rob Boston. *Church & State*, January 2020, pp. 4-5.
Provides an example of state legislation promoted by the Project Blitz campaign to weaken church-state separation, the **Ohio Student Religious Liberties Act of 2019**.
- 20.01.19 / "**New law news: House Bill 2820 eliminates TRS's 403(b) registry**." *Classroom Teacher (Texas Classroom Teachers Association)*, Fall 2019, p. 5.
Discusses why **HB2820**, 86th Legislature, which removed the Teacher Retirement System's regulatory authority over 403(b) investment products, was enacted. Addresses potential problems with the new law.
- 20.01.20 / "Sex education in Texas schools: TexEd." *Economist*, January 4th-10th, 2020, pp. 18-19.
Discusses the Austin Independent School District's [AISD] revised **Human Sexuality & Responsibility** Curriculum. Notes the controversy surrounding AISD's decision may foreshadow a larger battle when the State Board of Education considers revising state health and sex education standards in 2020.
- 20.01.21 / "Sexual assault: Her word against his." *Economist*, January 4th-10th, 2020, pp. 42-44.
Explains why few rapists are convicted. Uses a fictional case study to illustrate the difficulty of weighing "he-said-she-said" evidence.
- 20.01.22 / "**Tax trends at the dawn of 2020**." By Jared Walczak. *Fiscal Fact (Tax Foundation)*, January 6, 2020, pp. 1-21.

Looks at trends in state tax policy in 2020, including sales taxes on e-commerce after *Wayfair v. South Dakota*, legalization and taxation of marijuana, and taxation of sports betting.

- 20.01.23 / "California sets off privacy scramble." By Jeff John Roberts. *Fortune*, January 2020, pp. 18-19.
Discusses national implications of the new [California Consumer Privacy Act](#) on businesses and consumers. Notes over twenty other states are copying the California law.
- 20.01.24 / "Out-of-network billing and negotiated payments for hospital-based physicians." By Zack Cooper, et al. *Health Affairs*, January 2020, pp. 24-32.
Estimates that specialists' ability to bill out of network raises total health care costs for people with employee-sponsored insurance by approximately 3.4 percent (\$40 billion). Proposes that hospitals be required to sell a package of facility and physician services to protect patients and provide a competitively determined price.
- 20.01.25 / "Structural urbanism contributes to poorer health outcomes for rural America." By Janice C. Probst, Jan Marie Eberth, and Elizabeth Crouch. *Health Affairs*, December 2019, pp. 1976-1984.
Argues that biases in current models of health care funding treat health care as a service for an individual, rather than as infrastructure for a population. Suggests conceptualizing rural health care as infrastructure — similar to roads, telecommunications, and electricity — and adopting funding models accordingly.
- 20.01.26 / "[Texas higher education law aims to improve outcomes for students in developmental education.](#)" By Bricio Vasquez. *IDRA Newsletter (Intercultural Development Research Association)*, November-December 2019, pp. 1-2, 6.
Explains that too many community college students are placed in non-credit remedial classes due to reliance on a single measure of college readiness with the unintended consequence of hindering progress and raising student attrition. Cites [HB2223](#), 85th Legislature, R. S.; presents alternative approaches to college placement.
- 20.01.27 / "Marijuana update for practitioners: There is a bright line, a grey one." By Janel Greiman. *Journal of MultiState Taxation and Incentives*, January 2020, pp. 10-34.
Analyzes the changing landscape of state laws legalizing recreational and medical marijuana and the tax implications. Includes a state-by-state list of marijuana or cannabis statutes, regulations, and voter-approved ballot initiatives, as well as a table of marijuana cultivation application and license fees across the states.
- 20.01.28 / "[State and local government spending on public employee retirement systems.](#)" *National Association of State Retirement Administrators*, Updated December 2019, pp. 1-6.
Describes nationwide spending on public pensions and trends in pension costs and financing. Notes Texas' pension contribution was 3.07 percent of all state and local government direct general spending in fiscal year 2017, compared to the United States average of 4.71 percent.
- 20.01.29 / "[Scoot over: How electric scooters violate the ADA and what cities can do to maintain Title II compliance.](#)" By Jo Ann Mazoch. *SMU Law Review*, Fall 2019, pp. 871-893.
Highlights the ways in which electric scooters violate the *Americans with Disabilities Act* and the problems that electric scooters create for cities.

Introduces solutions that allow cities to keep sidewalks accessible for people with disabilities.

- 20.01.30 / "*Neighborhood Centers, Inc. v. Walker*: The curious outcomes of new charter school legislation in Texas." By Brittny Mandarino. *South Texas Law Review*, Summer 2019, pp. 639-645.

Discusses Texas legislation related to open enrollment charter schools and efforts to provide increasing protection for students and employees.

Examines *Neighborhood Centers, Inc. v. Walker* and how a recent change in the applicability of laws to charter schools, [HB1170](#), 84th Legislature, has affected the protection of employees under the *Texas Whistleblower Act*.

- 20.01.31 / "[Electric cars will challenge state power grids](#)." By Alex Brown. *Stateline (Pew Charitable Trusts)*, January 9, 2020, pp. 1-6.

Examines whether states will be able to sufficiently boost power production to meet the [increase in consumption](#) from [electric vehicles](#).

- 20.01.32 / "[Taking privacy to a new level](#)." By Sean Price. *Texas Medicine*, January 2020, pp. 28-29.

Outlines the new privacy protections set out by [HB4390](#), 86th Legislature, which dropped the threshold for breach reporting from 500 patients to 250, requires medical entities to report breaches to the Texas attorney general's office within 60 days, and established the Texas Privacy Protection Advisory Council.

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