

Current Articles & Research Resources, April 30

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

- Find resources with infection prevention and control guidance for keeping America [open](#). (Centers for Disease Control and Prevention, updated April 28, 2020)
- Consider how [population loss](#) in rural areas could affect the COVID-19 response. (Pew Charitable Trusts, April 16, 2020)
- Read about the latest U.S. Supreme Court decision regarding [copyright](#) issues related to statutory annotations. (National Conference of State Legislatures, April 28, 2020)
- Review [projection models](#) of COVID-19 deaths by state or metropolitan statistical area. (The University of Texas COVID-19 Modeling Consortium, accessed April 29, 2020)

Members of the Texas legislative community may request the articles below [here](#) or by calling 512-463-1252.

- 20.04.66 / "[Class actions and pending rules could change colleges' sex assault procedures](#)." By Wendy Davis. *ABA Journal: The Lawyer's Magazine*, April/May 2020, pp. 18-19.
Discusses the rescission of the Obama-era guidelines for handling sexual assault allegations. Expects legal challenges and protracted litigation against the proposed regulations offered by United States Department of Education Secretary Betsy DeVos from multiple groups representing victims and accused students.
- 20.04.67 / "[Waiver of governmental immunity: Agency contested case proceedings and its application to settlements](#)." By Ron Beal. *Baylor Law Review*, Fall 2019, pp. 604-619.
Discusses the waiver of governmental immunity by the State of Texas and how it affects disputed settlement agreements, including settlements that occur prior to suit. Describes related issues with legal challenges in administrative contested case proceedings, including within licensing and permitting processes. Argues that *Texas A&M University-Kingsville v. Lawson* should be applied to the agency contested case process.
- 20.04.68 / "[COVID-19 lays bare vulnerabilities in U.S. food security](#)." By Olivia Chan and Jamila Taylor. *Century Foundation*, April 20, 2020, pp. 1-8.
Describes populations vulnerable to food insecurity, the increased demand on food banks and food pantries as a result of the COVID-19 pandemic, and recent federal relief efforts to address hunger. Notes some states have already expanded access to the Supplemental Nutrition Assistance Program [SNAP] and provides additional recommendations for increasing benefits. Related information at: <https://www.cbpp.org/research/food-assistance/most-states-are-easing-snap-participation-rules-and-providing-added>
- 20.04.69 / "How the \$500 million Family First Transition Fund will work." By John Kelly. *Chronicle of Social Change*, April 13, 2020, pp. 1-3.
Provides an update on the *Family First Prevention Services Act*, a major child welfare overhaul signed into law in 2018, and recent [guidance](#) from the Children's Bureau, an office of the Administration for Children and Families. Notes Texas will receive \$50.3 million in transition funding to state child welfare agencies.
- 20.04.70 / "[Juvenile detention population plummeted as the pandemic spread, survey suggests](#)." By Michael Fitzgerald. *Chronicle of Social Change*, April 23, 2020, pp. 1-4.
Describes a [survey](#) of juvenile justice agencies in 30 states by the Annie E. Casey Foundation showing that the number of juveniles in pretrial detention decreased by 24 percent in March 2020. Notes juvenile offender releases increased 11 percent in the same period, as attorneys in Texas and other states pursued large-scale releases relating to the COVID-19 pandemic.
- 20.04.71 / "[Helping foster youths in higher education: Texas programs assist vulnerable kids](#)." By Spencer Grubbs. *Fiscal Notes*, April 2020, pp. 1, 3-6.
Explores recent data on foster care youths exiting conservatorship in Texas, including permanency, family reunification, custody to relatives, adoption, or aging out. Notes students in foster care are more likely to be suspended and drop out of high school. Discusses tuition and fee waivers, transition living services, and other programs to assist former foster care youth in postsecondary education.
- 20.04.72 / "A 'green' silver lining to an oil-patch cloud." By Jeffrey Ball. *Fortune*, May 2020, pp. 40-42.
Discusses the effects the current oil crisis and the pandemic-driven economic slowdown are having on oil and gas companies, the Permian Basin, and renewable energy. Details why clean energy has become more attractive to the oil industry and its investors.
- 20.04.73 / "Buying health for North Carolinians: Addressing nonmedical drivers of health at scale." By Zachary Wortman, Elizabeth Cuervo Tilson, and Mandy Krauthamer Cohen. *Health Affairs*, April 2020, pp. 649-654.
Discusses initiatives by the North Carolina Department of Health and Human Services to incorporate whole-person care into their programs in order to address nonmedical drivers of health, including food, housing, transportation, employment, and interpersonal safety. Highlights aligning financial incentives for health care providers and Medicaid health plans, the use of a screening tool to identify patients with nonmedical health needs, the implementation of a shared statewide technology platform to link a network of health care and human services organizations, and a pilot program to use Medicaid funds to reimburse human services organizations for nonmedical health services.
- 20.04.74 / "[Higher education at a virtual crossroads](#)." By Mary Ann Cooper. *Hispanic Outlook in Higher Education*, April 2020, pp. 1-5.
Discusses how COVID-19 is affecting higher education brick and mortar schools that were hesitant to embrace digital learning.
- 20.04.75 / "[Changed science writs and state habeas relief](#)." By Valena E. Beety. *Houston Law Review*, Winter 2020, pp. 483-531 (Note Length).
Examines reform related to state-level changed science writs of habeas corpus, post-conviction relief petitions based on faulty scientific evidence, in light of the 2009 National Academy of Sciences [report](#) related to improving forensic science. Includes discussion of Texas' creation of a state-level forensics oversight agency, the Texas Forensic Science Commission, and the TFSC's licensing program for forensic analysts.
- 20.04.76 / "[Waters of the United States: Timeline of definitions](#)." By Brigit Rollins. *Issue Brief (National Agricultural Law Center)*, April 21, 2020, pp. 1-13.

Tracks the various changes to the definition of "waters of the United States" [WOTUS] since it was initially defined in the *Clean Water Act*. Notes that identifying when and where each definition of WOTUS is applicable can help bring clarity to a shifting regulatory landscape.

- 20.04.77 / "[Many health providers on brink of insolvency.](#)" By Christine Vestal and Michael Ollive. *Stateline* (Pew Charitable Trusts), April 22, 2020, pp. 1-7.
Reports many non-hospital medical businesses are at risk of failing, due to COVID-19-related restrictions imposed on elective surgeries and routine medical care. Provides a tool to compare actions states are taking to combat COVID-19.
- 20.04.78 / "[Tax policy after coronavirus: Clearing a path to economic recovery.](#)" By Scott A. Hodge, et al. *Tax Foundation*, April 22, 2020, pp. 1-14.
Presents long-term and comprehensive state and federal tax policy options to encourage investment, job creation, and economic revitalization as COVID-19-related mitigation measures ease. Includes state proposals such as tax modernization toward remote workers and teleworking, modifying nexus rules for New Economy business models, repealing burdensome business taxes, fixing unemployment insurance systems, and broadening the sales tax base.
- 20.04.79 / "[State employees criticize Texas' uneven approach to worker safety amid COVID-19.](#)" By Gus Bova. *Texas Observer*, April 22, 2020, pp. 1-8.
Argues the safety of state employees is being jeopardized by Texas' response to the COVID-19 pandemic. Focuses on policies within the Texas Health and Human Services Commission, the Texas Department of Criminal Justice, and at university libraries.
- 20.04.80 / "[Truth-in-taxation: New tax rate limits.](#)" *Texas Taxpayers and Research Association*, April 2020, pp. 1-2.
Discusses the new limits on property tax revenue for cities, counties, and special districts in [SB2](#), 86th Legislature. Outlines rules for the voter-approval tax rate and de minimis rate.

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