



Senator Brian Birdwell's Capitol Update (5-10-19)

Greetings from your Texas Capitol! We're down to the wire, and through the legislature will not formally adjourn *sine die* until May 27th, several critical deadlines for the passage of bills will arise in the next couple of weeks, so things are busy on all fronts. Many numerous key issues remain unfinished; however, I believe the House and Senate are working together to finish our important business.

Now, on to the Update...



The Texas Senate honored the Baylor Lady Bears basketball team for their 2019 NCAA Championship! What an incredible team and I am proud to have them in Senate District 22.

Senate passes property tax relief and school finance reform bill (HB 3)

The Senate passed House Bill 3 sponsored by Senator Larry Taylor (R-Galveston) on Monday after a nine-hour debate. The original proposal of HB 3 that was brought up on the Senate floor included an assumption of a sales tax increase, which based on projections, would cause 80% of citizens to pay more in taxes. I was vehemently opposed to any proposal that included a sales tax increase, which is why I and some of my other conservative colleagues were adamantly opposed to bringing the bill forward until there was an agreement to remove the provisions of the bill that made this assumption. I am pleased that the necessary amendments were added to remove any provisions linking the bill to a potential tax increase. I also supported amendments that provided for increased property tax relief. House Bill 3 provides essential reforms to our school finance system and most importantly offers much-needed property tax relief to Texas taxpayers. For these reasons, I supported House Bill 3 as amended. The bill will now go to a conference committee to determine the final version of the legislation, and I am hopeful that I can vote for the final version when it returns to the Senate Floor. Some other major highlights of the Senate version of HB 3 include:

- The Senate version of HB 3 **reduces** STAAR testing by eliminating the writing test requirement for 4th and 7th grade. Instead, students will be given a few writing questions on their existing reading STAAR test.
- HB 3 increases the basic allotment (funding per student enrolled) to \$5,880 from the current allotment of \$5,140, while also removing the outdated Cost of Education Index (CEI).
- The bill provides for full-day Pre-K to eligible 4-year-olds, as opposed to current funding that allows for half day Pre-K.
- This bill gives every teacher and librarian a \$5,000 pay raise in addition to what the increase they would have received in the 2018-2019 salary schedule. Additional funding has also been added to cover the subsequent benefit increases associated with the pay raises.

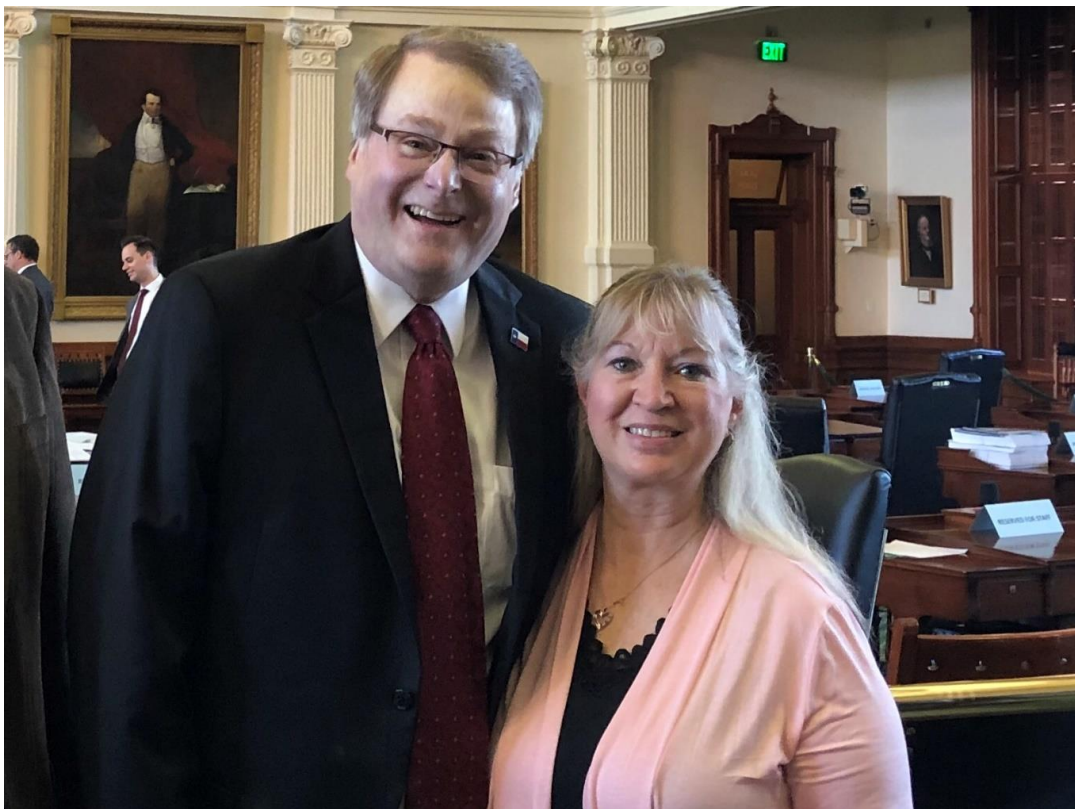
- This bill increases funding for students with dyslexia.
- Provides uniform tax relief through a \$0.10 compression on Tier 1 Maintenance & Operation taxes (\$0.90 from \$1.00). The current average school tax rate is around \$1.39, including Maintenance and Operation (M&O) and Interest and Sinking (I&S) rates. The M&O tax rate provides funds for maintenance and operations and is how the State calculates the amount of State funding going to each school. The I&S tax rate provides funds for payments on the debt that finances a district's facilities, which is decided on only by local bond elections. Under this bill, the average rate would be reduced to \$1.29. Therefore, depending on each individual home price, all homeowners and businesses will see an **overall reduction** in the school property tax bill.

Senate Passes Important Annexation Reform (HB 347)

On Wednesday the Senate passed House Bill 347 by Representative Phil King, which I sponsored in the Senate. HB 347 eliminates forced annexation statewide, giving all property owners the same right to consent to annexation. Forced annexation is a legal process by which property owners living in a city's extraterritorial jurisdiction (ETJ) become part of the municipality against the property owner's will. This means they find themselves subject to the jurisdiction and taxing authority of a municipality without their consent, and when they intentionally chose to live outside of this jurisdiction and taxing authority limits. Additionally, upon being forcefully annexed, property owners must abide by regulations and city ordinances they consciously chose to avoid. Most importantly, these same owners then become responsible for paying for a portion of bond debt and service for which they neither voted nor approved. In this respect, forced annexation is taxation without representation.

The effect of this change will require a city seeking to annex an area with a population of **less than 200** to obtain consent through a **petition** signed by more than half of the registered voters in the area, half of which must be landowners. Similarly, a city seeking to annex an area with a **population of 200 or more**, will need to: obtain consent through **an election** at which a majority of votes received were in favor of annexation; and if registered voters did not own more than half of the land in the area, obtain consent through a petition signed by more than half of area landowners, to ensure landowners are making the decision regarding annexation and not predominantly renters. Simply put HB 347 grants all property owners in the state the same protections and ability to consent to annexation, rather than allowing consent for some and not for others.

The success of this bill is a reflection of the hard work of my constituents, and citizens throughout the state, that have fought tirelessly to be granted the same rights and protections currently afforded to property owners living in more populous counties. I would like to particularly highlight the work of Paul and Peggy Jones and all the members of the Stop Forced Annexation in Johnson County Coalition. This group has been on the front lines, leading the charge to protect all property owners in Johnson County from forced annexation, successfully I might add. It is because of their efforts, and the efforts of all my constituents, fighting for the ability to determine the fate of their private property, that I am proud to announce HB 347 is heading to the Governor's desk and soon will become law!



Pictured here with Peggy Jones from Johnson County while she was in Austin to testify in support of HB 347 when it was heard in State Affairs. She and her husband, Paul, were very helpful in the passage of this legislation.

Senate Passes School Safety Bill (SB 11)

Senate Bill 11 by Senator Larry Taylor (R-Friendswood) was passed out of the Texas Senate with a vote of 29-2. The bill aims to better prepare and equip schools to handle security threats and provide resources to support the mental health of public school students. Specifically, SB 11 requires:

- The Texas Education Agency to ensure that building standards provide a safe and secure environment.

- Offers loan repayment assistance to those who serve as school counselors and licensed specialists on school psychology.
- Offers a grant program for one-time facility hardening for schools.
- Requires that teachers, including substitute teachers, receive safety training and have access to a phone or electronic device to allow for quick connection to first responders in the event of an emergency.
- Requires that mental health authorities employ a non-physician mental health professional to serve as a resource and provide training to school district personnel.
- Requires that schools adopt a multi-hazard emergency operations plan and appoint a school safety committee.
- Requires that schools establish Safe and Supportive Care teams comprised of school personnel.
- Trains educators on methods of interacting with students coping with past trauma.

The bill was filed in response to the May 2018 shooting at Santa Fe High School, and this bill will afford school personnel the ability to identify and interdict a problem before it manifests itself into a tragic event.

Important Pro-Life Legislation Passes the Senate

SB 24 by Lucio - Current data shows a significant mismatch in the number of informational and resource materials, required to be given to a woman seeking an abortion (informed consent laws), shipped and downloaded in contrast to the number of abortions performed each year. Furthermore, clarification is needed to ensure pre-procedure informational consultations by telephone are conducted in private, not in a group, to ensure personal attention in an intimidation-free setting. SB 24 provides technical corrections to Code to ensure telephone consultations are private and to ensure the responsibility of an abortion provider in supplying information and resource material to a pregnant woman (must hand them in person on the day of the consultation)—meeting the intent of the informed consent laws enacted by previous legislatures. Lastly, SB 24 assures state-mandated materials be provided in advance of an abortion and allows for a reasonable exception for patients that live more than 100 miles away from an abortion facility.

SB 1033 by Hancock - The State of Texas currently has no laws in place to prevent discriminatory abortions performed due to the race, ethnicity, sex, probability of having or diagnosis of Down syndrome, or probability of having or diagnosis of a severe disability of a preborn child. When a diagnosis of a severe fetal disability is made, abortion is not the only option. Even in the most extreme cases, when a preborn child is unlikely to survive outside the womb, programs exist to support families facing a diagnosis of a severe disability or abnormality. SB 1033 closes the late-term abortion loophole and stops discriminatory abortions, while also maintaining an exception for medical emergencies. SB 1033 additionally requires that information regarding programs that can support women and families who receive a fetal abnormality diagnosis to be provided at the time of diagnosis.

SB 2243 by Paxton - SB 2243 seeks to provide more for the women of Texas with Comprehensive Informed Consent, equipping the woman not just with what "may be available" but with what is available. S.B. 2243 is aimed at real support that allows women to assess their options, care for their physical and mental health, and connect to local and state resources that can provide for a woman's family needs prior to having to make a very difficult decision by requiring a pregnant woman be provided counsel by a third party prior to an abortion.

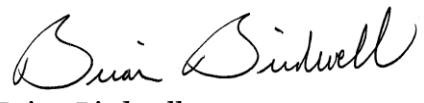


Picture here with the Ellis County Chief Appraiser Kathy Rodrigue, who testified in front of the Committee on Property Tax about legislation she brought to me to help surviving spouses of disabled individuals.

As always, I hope our Capitol Update is informative and that you'll share it with your friends, family and colleagues in Senate District 22, who may subscribe to the Capitol Update [by clicking here](#). You can follow us on Twitter and Facebook, or keep in touch with legislative happenings via www.capitol.state.tx.us.

Thanks for your interest!

God bless,

A handwritten signature in cursive script that reads "Brian Birdwell".

Brian Birdwell
State Senator, District 22

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