



## **Senator Brian Birdwell's Capitol Update (3-24-17)**



*It was an honor to join community leaders from Waco in visiting with Governor Abbott and Lt. Governor Patrick on Waco Day at the Capitol.*

Greetings from your Texas Capitol! Since our last Capitol Update, we have officially passed the constitutional 60-day threshold before which bills cannot be voted out of the Texas House or Senate. Since that time (March 10th) my colleagues and I have been busily reviewing and debating a wide array of legislation in both chambers of the legislature, and things will only continue to ramp up. I have a good bit of information I want to share with you in this edition of the Update, so here we go.

### **Senate Passes the Texas Privacy Act**

Because the media has made it the single most discussed issue of this legislative session, you likely know that the Texas Senate recently passed Senate Bill 6, otherwise known as the Texas Privacy Act. This commonsense legislation was filed in response to the Obama administration's unprecedented edict that mandated school districts to allow students to use the bathroom, changing facility or other intimate space corresponding to their gender identity, or their "internal sense of gender". Provoking the situation further, the administration threatened that noncompliance with this directive would result in the loss of multiple sources of federal funding. As a result, the Senate passed SB 6 directing school districts, governments and publicly-owned entities to set policies that allow a person to use a restroom or changing facility which corresponds to the sex stated on the person's birth certificate, while still allowing for accommodations for a person's private needs on a case-by-case basis. Notably, SB 6 prohibits a publicly-owned entity from requiring a private business or other non-governmental entity to adopt a privacy policy counter to its preferred mode of operation, allowing private businesses the freedom to decide their respective policy. Currently, SB 6 has been favorably voted out of the Senate and awaits consideration in the House. I am hopeful the leadership in the Texas House of Representatives sees the importance of this issue and sends SB 6 to the Governor to be signed into law.

### **Addressing Local Property Tax Reform**

Throughout the interim, my colleagues on the Senate Select Committee on Property Tax Reform & Relief conducted a tour of the state to hear directly from constituents on the issue of property taxes. This select committee was chaired by Senator Paul Bettencourt (R-Houston), whom I had the privilege of joining at the committee's hearing in Plano. As any property owner in Texas knows, property taxes can place a serious financial strain on homeowners and business owners alike. This message was conveyed loudly and clearly to the select committee by Texans who are seeking relief from an ever-growing property tax burden.

As a result of the work of this select committee, Sen. Bettencourt authored Senate Bill 2, which we first heard in the Senate Finance Committee. Under current law, the voters in any kind of taxing district have the ability to trigger a tax-ratification election by petition, if and when a taxing entity chooses to raise their tax rate more than 8% over the effective rate of that taxing year. As filed, SB 2 would require an *automatic* tax-ratification election for any property tax-rate growth over 4%, putting the decision to raise taxes in the hands of the voters and removing the current onerous policy requiring citizens to quickly collect signatures and petition their local government for attention. The bill also makes important reforms to the appraisal and appraisal review process, intended to bring more fairness to the process for everyday Texans.

After hearing a great amount of feedback from local elected officials, including police and fire chiefs, I worked with my colleague, Sen. Joan Huffman, to amend SB 2 and raise the proposed rollback trigger from 4% to a higher percentage. Ultimately, the committee agreed on 5%, which brings the state back to the original rate consistent with the pre-inflationary property tax law written in 1979. Both in private discussions and public debate, I also fervently conveyed to Sen. Bettencourt and my Senate Finance Committee colleagues the concerns facing the diverse Senate district I serve. Specifically, I focused my comments on the unique circumstances that face the numerous small cities and counties in Senate District 22, as well as the challenges that would face cities or counties faced with large disasters, such as the West fertilizer explosion in 2013 and the flexibility they would need to adequately deal with such situations.

While SB 2 will not cure all woes that property tax-payers face, I believe the bill includes tangible, needed reforms, and most importantly, the bill puts more power in the hands of the citizens. Likewise, I am committed to continue working on property tax issues while ensuring that we do not unnecessarily tie the hands of our local governments.



*Pictured here with Sheriffs Roger Deeds of Hood County and Ricky Scaman of Falls County, two great law enforcement leaders in Senate District 22.*

### **UPDATE: The 2018-19 Texas Budget**

On Wednesday the Senate Finance Committee unanimously approved Committee Substitute to Senate Bill 1 (CSSB 1) by Senator Jane Nelson (R-Flower Mound), establishing the Senate-proposed version of the Texas state budget for the next two years. CSSB 1 establishes a \$106.3B Fiscal Year 18-19 budget, which is well within the state's "population growth times inflation" metric and our constitutional spending limit. As this was my first full legislative session as a member of the Senate Finance Committee, I am humbled to have seen the incredible amount of work that Chairwoman Nelson, the committee members, the Legislative Budget Board and all associated staff members collectively put into the budgeting process. I have heard from constituents on a wide variety of budgetary items and each has been considered carefully in what was an unexpectedly difficult budget cycle. CSSB 1 now moves to the full Senate for consideration. The bill remains a working document, and once passed out of the full Senate, it will then go to the House. The process of the budget is fluid and I will continue to work to meet the priority needs of our state to keep Texas moving in the right direction. I am pleased with the general direction this budget takes us, and I look forward to providing more detailed updates on the bill as we continue through the legislative process.

### **Key Issues Still Ahead**

On Tuesday we passed the halfway mark of the 140-day regular legislative session. While many issues have already passed the Senate and moved to the House, there are a number of key issues—from the newsworthy to the mundane—that will likely come before the full Senate for debate. Some of those issues include:

- Raising the age of "adult" criminal responsibility from 17 to 18
- Public school finance and issues of school choice (e.g. Education Savings Accounts)
- Protecting religious liberty at the state and local level

- Identifying and preventing sexual assault on university campuses
- Mental health reforms and repairing/improving our state hospitals
- Managing the skyrocketing costs of higher education and associated student debt
- High-speed rail issues including eminent domain clarity and taxpayer protections
- Statewide vs. local ordinances on modern issues (e.g. ridesharing, plastic bag bans, texting-and-driving)



*We got a visit from the West Dancers, Miss West & Miss Westfest, and Mayor Tommy Muska last week in celebration of West Day at the Texas Capitol. The mayor and I felt a bit underdressed!*

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](http://www.capitol.state.tx.us) or via my Senate website by clicking the screenshot below.

God bless,

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