



## **Senator Birdwell's 'Capitol Update'** **— SINE DIE EDITION —**

Greetings from your Texas Capitol! Or, in this case, from Senate District 22! Yes, the 84<sup>th</sup> legislative session has officially adjourned “sine die” and I am back in the district with Mel. As always, my team and I are hard at work on our post-session newsletter. This multi-page document will cover all the major activities that took place during the session, what legislative issues we tackled, and much more. It’s impossible to communicate with each of the 810,000 constituents I serve, but that newsletter will serve as an excellent tool to help us reach the overwhelming majority of you. Additionally, I’ll be traveling through all corners of the district in the coming weeks and months, so keep your eye out for me. In the meantime, here are some final updates from the conclusion of the legislative session.

### **The Biennial Texas Budget**

Though many people were involved in the grueling budget-writing process, I must applaud my friend and colleague, Senate Finance Chair Jane Nelson (R-Flower Mound). Under her stewardship, we passed a responsible budget for FY 2016-17 and made appropriations to the key functions and needs of our state—transportation, public education, border security, property and business tax relief, health care and more. Perhaps most importantly, we took strides to make the budgeting of your tax dollars more transparent and accountable in both the short and long terms. Texas is a growing and changing state, and this budget meets its needs—all while increasing spending by a mere three percent over the current budget (when adjusted for tax relief) and without busting our constitutional spending limit or “cap.” Two other key, budget-related items were tackled this session:

- **General Revenue Dedicated Account Reform**—Spending your tax dollars in areas other than where we tell you they’ll be spent? That’s just wrong. HB 7 reduces the state’s reliance on General Revenue-Dedicated accounts for budget certification, increasing transparency in the budget process and ensuring fees are spent on intended purposes. It also provides \$250 million in tax relief through repealing occupations taxes.
- **Supplemental Appropriations Bill**—Since Texas budgets on a two-year cycle, it is almost always necessary to address unforeseen or altered needs of the state. That’s the function of our supplemental appropriations bill. HB 2 provides these funds for the 2014-2015 budget, including \$768 million for TRS-Care (the state’s health care plan for retired teachers), and continuing Medicaid and border security operations. Again, this was done without busting the spending cap.

### **Property and Business Tax Relief**

I was proud to be a joint-author of several tax-relief bills, including SB 1/SJR 1. My constituents and citizens around the state asked for property tax relief—and the Senate listened. SB 1/SJR 1 ensures that Texas does not add a sales tax to the sale of home or business property. Texas is a leader for other states, so I’m particularly proud that we were the first in the nation to pass such legislation. SB 1/SJR 1 also increases the homestead exemption from \$15,000 to \$25,000. Another major piece of our property tax package is SB 1760, which will now require local taxing entities to have a supermajority vote to raise your property taxes over the previous year for homeowners and business property owners. Finally, we passed HB 32, which reduces the franchise tax on Texas businesses by 25 percent, increases the revenue threshold for businesses, and reduces the business

tax rate. These changes alone will provide \$2.56 billion in tax relief to businesses over the biennium. This was indeed a great session for Texas homeowners and businesses.

### **Quick Updates on Key Bills**

The bills listed below have been discussed extensively in one or more Capitol Updates, but I'd like to give you a quick post-session update on each.

- **Border Security (HB 11 by Bonnen/Birdwell)**—After seminal negotiations between the House and Senate, Representative Dennis Bonnen (R-Angleton) and I were proud to send our rigorous border security legislation to the governor. Our need for additional border security and the prevention of associated crimes are of key concern to most Texans, and I'm proud to have led the charge to tackle these problems.
- **River Authority Sunset (SB 523 by Birdwell/Keffer)**—Of particular interest to my constituents is the order in which the Sunset Advisory Commission will review the two major river authorities impacting SD-22: the Brazos River Authority will be reviewed in the interim of 2020, and the Trinity River Authority will be reviewed in the interim of 2022.
- **Hazlewood Act (SB 1735 by Birdwell/Zerwas)**—After its overwhelming bipartisan passage in the Senate, our legislation to update—and indeed, to save—the Hazlewood Act was profoundly changed in the House. While the House and Senate agreed on a change to the residency qualification in response to an ongoing lawsuit, this change would have actually expanded eligibility for the Hazlewood program—all without the Senate's version of proposed checks put in place to control the growth of the program. This change would have put Hazlewood on an even more accelerated unsustainable path, and I could not agree to such a course of action. I subsequently discharged the Senate conference committee on SB 1735, rendering the bill dead. I have said from the beginning of this debate and do maintain that this important benefit for our deserving veterans is speeding toward its end if we don't set up parameters which make the program financially sustainable for years to come. It is my hope that our inaction this session does not imperil the program further in the coming years.

### **Campus Personal Protection Act Passed, Sent to Governor**

SB 11, otherwise known as the Campus Personal Protection Act, passed the Senate and House this session and is awaiting Governor Abbott's signature. This piece of legislation has been very important to me since 2012, when my staff and I began hearing from hundreds of college students and faculty members, both from SD-22 and around the state. As passed, SB 11 allows for the concealed carry of handguns by CHL-holders\* on public college campuses in Texas. (Note: With respect for private property rights, private colleges will be allowed to make their own rules regarding concealed carry on campus—just like a private business can.) SB 11 allows for the leadership of a public university to identify, specify and justify specific areas in which they believe the carrying of a concealed handgun should be prohibited, setting those prohibitions and posting \$30.06 signage accordingly. This is done in consultation with students, staff and faculty. Upon implementation by university leadership, these rules must be submitted within 90 days to the institution's board of regents, who may then alter said rules with at least a 2/3 vote. While our intention with this language is to trust the discretion of university leadership to prohibit concealed carry in certain sensitive areas, the language in Senate Bill 11 very clearly states that an institution cannot establish a "general" policy prohibiting concealed carry all throughout campus or with a 'carte blanche' policy for every building. To ensure this, policies must be posted online and submitted in a written report to the legislature before each legislative session. The report must specifically outline the areas that each institution has declared "off limits"—and why. This law will take effect on August 1, 2016 for all four-year and technical colleges, an on August 1, 2017 for all junior and community colleges. SB 11 makes concealed carry on Texas college campuses the law of the land while allowing for very limited, reasonable prohibitions in unique campus locations. I'm proud of the legislature for passing this important legislation.

*\*To obtain a Texas concealed handgun license (CHL), one must be 21 or older, pass state and federal background checks, complete DPS-structured training—among other rigorous requirements. Since passage of the original Texas CHL law in 1995, CHL-holders are statistically the most law-abiding demographic in the state, representing a 20-year average crime conviction rate of **less than one-half of one percent.***

### **House Bill 942**

After the 2013 tragedy in West, numerous discussions and meetings took place to review the policies and practices for storing ammonium nitrate fertilizer in Texas. As a result, my friend and House counterpart for the

City of West—Representative Kyle Kacal (R-Bryan)—filed HB 942, which sensibly updates the law relating to the storage and reporting of ammonium nitrate agriculture products in Texas. Most notably, the bill shifts the oversight of these chemical products from the Department of State Health Services to the more fitting Texas Commission on Environmental Quality. Far too often, government overcorrects in the wake of a tragedy and implements unnecessary, redundant or confusing policies that impact the hardworking men and women of a particular industry. I was proud to sponsor HB 942, as I believe it is a measured, effective change to the law that will ensure the safe management of these dangerous chemicals without having a disparate business impact on our farmers and agribusinesses.

That wraps up this final “session” edition of the Capitol Update. I welcome you to share this newsletter with your friends, family and colleagues in Senate District 22. Additionally, they can subscribe to the Update here: <http://www.senate.state.tx.us/75r/Senate/members/dist22/Signup.htm>.

**Before I sign off, I want to thank the members of my team who help me in serving the constituents of Senate District 22. I answer to the citizens of 10 counties and more than 100 communities, and doing so would be far more difficult without the dedicated team we have in place.**



*‘Team Birdwell’ always gathers for a photo at the end of each session. Pictured here from left to right are (back row) Ben Stratmann, Karson Nance, Robert Haley, Michael Cicerone, Patrick Crosby and Matt Cope, as well as (front row) Liz Sanchez, Anna Barnett, Megan Lehmann and Inga Dedow. These men and women include my Capitol staff, Nominations Committee staff, and interns. Not pictured are my fine District Managers, Taylor Blackburn and Shelly Verlander, who were attending to district business at the time.*

As always, I hope you will take advantage of the opportunity to keep up with the happenings at your Texas Capitol. Please visit my official website at [www.senate.state.tx.us](http://www.senate.state.tx.us), follow us on [Facebook/Twitter](#), and for all other needs, please visit the Texas Legislature Online at [www.capitol.state.tx.us](http://www.capitol.state.tx.us). I’ll see you soon!

Sincerely,

A handwritten signature in black ink that reads "Brian Birdwell". The signature is written in a cursive, flowing style.

Brian Birdwell  
State Senator, District 22

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