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The State of Texas House of Representatives

Legislative Update from State Representative Charlie Howard

Dear Friend:

Representing your interest in Austin for the 2009 legislative session was both an honor and challenge.

Each legislative session has its own personality and challenges. The 2009 session can be characterized as "slow." There are many reasons for the slow pace of the 2009 session that ended on June 1: the "changing of the guard" with a new speaker, delayed committee assignments, the record number of bills filed, and certain members using the technique of "chubbing" (which is a form of filibustering).

This is one of a series of emails that I will be sending to give you a clear view of the session. Your questions concerning what went on during the session, particular bills or issues, or any other topics you would like covered in the emails can be sent to my capitol office. Your views, questions and concerns are important to me. I will attempt to address as many of your concerns as possible. For more detailed information about bills or issues discussed in these emails, please call my office. My staff and I are here to serve you.

The 81st Legislative Session of the Texas Legislature adjourned after 140 days of committee meetings, bill hearings and floor debates. There will now be much time spent reviewing the legislation passed this session, especially the effects of amendments introduced at the last minute.

Over 7,000 pieces of legislation were filed, and just over 1,400 have reached the governor's desk. Governor Perry has until June 21 to veto legislation.

What bills made it and what didn't

You may have heard by now that a crucial Sunset bill to continue state agencies such as the Texas Department of Transportation and Texas Department of Insurance did not pass.

Each state agency is reviewed every 12 years and during the review, attention is paid to whether or not the agency is still fulfilling the role it was created to accomplish. Without legislation to continue the agency, it no longer has the legislative authority to exist. The Sunset "safety net"



bill, HB 1959, which allows for the continuance of agencies under Sunset review, died at midnight on May 31. In an effort to salvage the legislation, the House passed a concurrent resolution to address many of the issues in the Sunset bill. The resolution was unsuccessful in the Senate, and the Legislature adjourned for the session with the continuation of these agencies still pending.

Governor Perry has announced that he will call a special session, most likely to occur this summer, to address these issues that did not make it through the process during the regular session. When the Legislature is called back to Austin for a special session, only issues specified by the governor may be considered.

BILLS THAT PASSED

Budget: The Legislature passed a budget without using money from the rainy day fund, accomplishing one of my goals of the session. By maintaining the fund, it ensures that money is available for emergency use. The \$182.3 billion budget reduces General Revenue spending by nearly \$1.6 billion, or 1.9 percent, compared to the 2008-2009 budget.

Hurricanes/Electricity: SB 769, which was signed into law on April 16, allows utilities to issue low-cost bonds to recover costs after hurricanes and other disasters, reducing the financial impact to electricity customers for rebuilding and restoration.

Veterans: In November 2007, Texas voters overwhelmingly approved a property tax exemption for disabled veterans. The legislation to enact this exemption was a victim of the stall tactics during this session. However, the language to allow our disabled veterans property tax relief was added as an amendment to HB 3613. It is important for us to honor those who have protected our future.

Military Children: The governor signed SB 90 into law, which will help make the transition to a new school easier for the children of our active duty military personnel.

Property Rights: HJR 14 is a constitutional amendment that will be on the November ballot for Texas voters to decide whether to amend the constitution to place limits on when local and state government can take private property.

College Admissions: SB 175 authorizes the University of Texas at Austin to limit the number of students accepted under the top ten percent rule to 75% of freshman admissions. While the bill was originally filed as a reform of the top ten percent law for all universities, UT-Austin is the state campus that has the highest percentage of top ten percent admissions.

School Funding: HB 3646 directs \$1.9 billion of new money to public schools, includes a pay raise for teachers and will allow districts to keep more money collected from property taxes. Additionally, the bill provides an additional \$50 career/tech allotment for students in sequences leading to certification and provides for funding of certification exam fees.

School Accountability: HB 3 aims to increase college readiness among Texas students. The bill requires students to demonstrate knowledge of material by passing an end of course exam rather than the TAKS test. Under the new plan, students will take six electives. This gives students who wish to take more technology or vocational classes the opportunity to do so. I have been working for several sessions to provide alternatives to the college preparation curriculum. We need to prepare our children for occupations that do not require a college degree, such as plumbers, electricians, welders, machinists and the list goes on.

Small Business Tax Relief: HB 4765 raises the revenue exemption for the franchise tax to \$1 million for the next two years, and will give approximately 40,000 of Texas' small businesses much needed relief. In a compromise between the House and Senate, the revenue exemption, after two years, will be \$600,000. Since cutting the state budget is my personal objective, I had several other bills that would have made the business tax more equitable. These bills failed to pass because chairmen of the House and Senate committees that make changes to the tax wanted more revenue for the state.

BILLS THAT DID NOT PASS

Voter Identification: A recent Rasmussen survey found 88% of Texans are in favor of voter identification. SB 362 would require proof of identity in order to vote. The bill was placed on a calendar for debate, but was brought down by parliamentary stall tactics during the last weeks of session.

Second Amendment Rights: HB 1893 would have allowed concealed handgun license (CHL) holders to carry their concealed weapon on public university campuses in Texas. In order to receive a CHL, a person must be 21, meet the statutory requirements and pass a criminal background check.

Protecting the unborn: SB 182 would have required a doctor to perform an ultrasound before an abortion procedure. This bill was another victim of the parliamentary stall tactics during the last weeks of session.

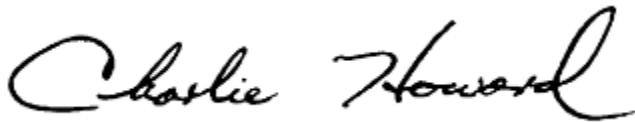
Casino Gambling: Several bills filed this session would have allowed Las Vegas-style casinos, slot machines at race tracks and casinos on American Indian reservations.

Trans Fats: SB 204 would have banned restaurants from packaging, storing or using trans fats to prepare or serve food.

The Legislature's website, <http://www.legis.state.tx.us>, is a useful tool to access legislation. You can search for bills by topic, keyword or author. Links are also available to find committee schedules and to access archive video of the House and Senate.

It remains my pleasure and honor to represent House District 26. My staff and I continue to welcome your input and your questions. You may contact me via email at <http://www.house.state.tx.us/members/dist26/howard.php>; by phone at (512) 463-0710 or (281) 565-9500; or by mail at P. O. Box 2910, Austin, TX 78768.

May God bless you and our great state of Texas,

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

Charlie Howard
State Representative, District 26