



### House District 101 Online

Greetings!

After six months in Austin, it's good to be home. The 82nd Regular session came to a close on May 31st, but as you know, the Governor immediately called us back into special session. We just adjourned from that session on June 29th.

All in all, I am proud of what the 82nd Legislature has accomplished. When the session began, we faced numerous challenges as a state. The greatest challenge was balancing our budget in light of a more than \$20 billion shortfall. Of particular concern was how this shortfall might affect our state's largest line item: Education. I have addressed both our general budget difficulties and education funding in previous updates. Today, I wanted to outline several legislative accomplishments that I think were lost in the shuffle because of the way in which the budget dominated coverage of the session.

#### **Eminent Domain**

For years, the Legislature has attempted to clarify the eminent domain takings process. This year, we passed S.B. 18, which mandates that property can only be taken for a public use, as well as restricting what constitutes a public use. The measure also provides for repurchase provisions if the entity does not begin work on the condemned land within 10 years. Some people have expressed disappointment with the lack of language requiring a governmental entity to prove the necessity of the purpose used to condemn the land. I am disappointed as well, and I think the requirement should be adopted in the next legislative session.

#### **Tort Reform**

One of the many reasons Texas leads the nation in job creation is that its laws protect employers from frivolous lawsuits. This session we broadened those protections with HB 274, which directs the Texas Supreme Court to implement rules to dismiss cases which have absolutely no basis in law and to expedite proceedings for low-dollar cases. It also provides for charging attorney's fees against a party who rejected a reasonable settlement offer.

#### **Sonogram Bill**

Another law we passed this session, popularly known as the "sonogram bill," provides pregnant women with the opportunity to view the standard, pre-abortion sonogram before undergoing the



### HD 101 Website

### Special Session

The following items passed during the recent special session:

- School Finance and Flexibility Measures
- Medicaid Reform
- Congressional Redistricting
- Texas Windstorm Insurance Reform
- \$1 million franchise tax exemption

### Town Hall Schedule

**Many thanks to all of those who attended the town**

procedure. Before we passed the law, doctors were not required to show the sonogram to a woman seeking an abortion. It is important for women seeking an abortion to have access to all of the information before making such a life-changing decision. The Legislature also passed a bill creating the "choose life" license plate program, and through the budgeting process, returned more than \$34 million dollars to our hospital districts and rural clinics that previously went to Planned Parenthood.

### **TRS**

We worked hard this session to prevent regression in the minimum state contribution to the TRS pension trust fund. In fact, we were able to increase funding by \$100 million over the course of the budgeting process. The fund remains secure and can continue to make annuity payments past 2083.

Additionally, I signed on as a coauthor of HB 3542, which would provide a supplemental payment or a "13th check" to retired teachers if the board of trustees determines that the payment can be made while preserving the fund's financial soundness. The bill passed the House but unfortunately died in the Senate Committee on State Affairs.

Finally, I was also a coauthor on HB 2120, creating an "open seat" on the TRS Board. The position previously was reserved for a higher education representative; however, I agree with TRS that it makes more sense to have an open seat for which any TRS member is eligible to run.

### **Second Amendment**

On the Second Amendment front, we passed S.B. 321, which allows CHL holders to possess a gun and/or ammunition in their locked car in the parking lot or garage of their place of employment. This bill does not change any other laws regarding where a weapon can be carried and does not require an employer to allow weapons in work areas.

### **Voter ID**

We finally passed the voter ID bill this session, ensuring the integrity of the election process by addressing requirements to vote, including presenting a form of commonly used photo identification and increasing the criminal penalty for voter fraud. SB 14 is commonsense legislation that will increase the integrity of the election process.

### **Franchise Tax Exemption**

The legislature also extended the \$1 million exemption to the franchise tax. This exemption leaves small business owners with more money to reinvest in job creation.

### **Federal Healthcare Law**

Another big issue, of course, is how Texas should prepare for the effects of the federal healthcare act. Like many of you, I hope the legislation is overturned, and there have been several judges

**hall meetings in  
Sunnyvale and  
Balch Springs.**

**Tonight is the final  
scheduled town hall.**

**Mesquite - July 7th  
from 7:00 to 8:00 pm  
at the Mesquite Arts  
Center**

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recently who have done just that. However, while these cases are working their way through the process, we must prepare for the worst. We made great strides this session in lessening the cost of delivering healthcare through efficiency measures. And one of our largest accomplishments of the session was to pass a measure aimed at creating an interstate healthcare compact. The compact between the states would effectively transfer the authority to regulate healthcare from the federal government back to the states.

I also was a co-author of H.C.R. 50 which reaffirms the powers reserved for the states and the people by the 10th Amendment to the United States Constitution.

Again, please do not hesitate to contact me or my office with any questions or concerns.

In friendship,

A handwritten signature in blue ink that reads "Cindy Burkett". The signature is written in a cursive style with a large, stylized initial 'C' and a long, sweeping underline.