

Texas House of Representatives



**Lyle Larson**

State Representative - District 122

## **What's New in District 122**

Good morning! It's hard to believe we're less than a week out from Sine Die, the last day of the Legislative Session. At this point, many of the over 4,000 bills filed in the House have died, but there is still plenty of important business to take care of before the legislators prepare to head home to their districts for the next year and a half.

Last week, it was my honor to host the Texas House Pastor of the Day, Pastor Robert Emmitt from Community Bible Church. At this point in session, his words of prayer were especially appreciated in the Texas House! Also enjoyed having folks from the U.S. Coast Guard Auxiliary with us as I adopted a resolution designating the week of May 8th-14th of 2013 as National Boat Safety Week. Finally, I had the chance to meet with Mayor Cheryl Landman, who serves as mayor of Fair Oaks Ranch, one of the municipalities in District 122 during her visit to the Capitol.

## **83rd Legislative Session Update**

### **The Only Task the Legislature Must Complete**

As you are likely aware, the Texas Legislature is only constitutionally required to do one thing each biennium: pass a budget. While state government is involved in various other facets of our lives, funding its essential functions are the chief responsibility of the 181 members who gather in Austin every odd numbered year.

Thanks to a booming oil and gas industry and a business friendly environment, the state collected more revenue than initially projected this biennium. That means the Legislature is dealing with a much different set of circumstances than last session, when we faced a \$27 billion shortfall. Last session, we lived within the available revenue, and made the tough decision to cut \$15 billion from the budget - the largest budget cut made by the Legislature since World War II.

After months of working toward a compromise, the budget conferees representing both the House and Senate reached an agreement last week that relies on the passage of multiple pieces of legislation, namely [SJR 1](#) and [HB 1025](#).

The Legislature will be asked to pass Senate Joint Resolution (SJR) 1, a constitutional amendment proposal that will create revolving funds to lend money to various entities, at much lower rates than can be obtained on the open market, so that communities throughout the state can build projects to bolster our water supply. SJR 1 doesn't appropriate any money, but it provides that revenue can be received from the Economic Stabilization Fund, also called the Rainy Day Fund.

Because it would amend the Texas Constitution, SJR 1 must pass each chamber with a 2/3 vote and be approved by Texas voters. If it passes the Legislature, SJR 1 will be on the November ballot. The Senate passed SJR 1 earlier this Session and the House will consider it today.

HB 1025 is a supplemental funding bill for the current budget that the House passed earlier this session. The proposal includes a \$2 billion appropriation from the Rainy Day Fund to provide seed money for the water fund. The ball is now in the Senate's court as they must pass HB 1025 to ensure this piece of the puzzle falls into place.

Other highlights of the budget agreement include:

- \$4 billion total increase in education funding
- \$1 billion in tax relief
- \$330 million increase in the Teacher Retirement System pension fund
- Ending \$400 million in gas tax fund diversions, providing the funding instead to TxDOT

These key votes will take place in the next few days leading up to Sine Die. Governor Perry has intimated on a number of occasions that if the Legislature fails to act on water infrastructure funding and tax relief, he will call a special session, and the Legislature will stay in Austin until these priorities are achieved.

## **The Fate of Term Limits in Texas**

George Mason said at the Virginia Ratifying Convention in 1788, "Nothing so strongly impels a man to regard the interest of his constituents as the certainty of returning to the general mass of the people, from whence he was taken, where he must participate in their burdens."

Along with George Mason, other framers of the Constitution, including Thomas Jefferson and Benjamin Franklin, argued for including term limits in the Constitution for all elected officials. Though they were eventually overruled by other delegates at the Constitutional Convention, the idea of term limits continued to influence policy at the state level.

Today, 38 states have some form of term limits for statewide elected officials. 36 of these states have term limits on the governor. 25 states have term limits for the lieutenant governor, and 24 on other state officials. 15 states also have legislative term limits. This Session, we attempted to make Texas the 39th state to limit the terms of statewide elected officials.

Last Wednesday, the House voted down a constitutional amendment proposal, [Senate Joint Resolution \(SJR\) 13](#), that would enact term limits for statewide elected officials, including the Governor, Lieutenant Governor, Attorney General, Comptroller, and the Agriculture, Land, and Railroad Commissioners.

As a constitutional amendment, the bill would have to pass both houses with a two-thirds majority. If it had been successful, it would have appeared on the ballot in November for approval by voters.

Authored by Senator Kevin Eltife, the bill passed the Senate in March by a margin of 27-4. The House voted 61-80 against term limits. Unfortunately, too many members were swayed by special interest groups with their own reasons for opposing term limits. Many of those who opposed the initiative are first term candidates who ran on an anti-incumbency platform. Maybe next time, the House will display more courage in advocating for the interests of their constituents.

## **Protecting the Teacher Retirement System**

Of the 8 statewide retirement plans in the nation, the Texas Teacher Retirement System (TRS) is the largest, valued at \$116.3 billion. More than 1.3 billion current and retired teachers receive benefits from the system, which is supported by a 6.4% contribution from each active teacher's salary.

TRS is a system that many of our public school educators rely on. The Legislature must ensure that the system is efficient and actuarially sound. Recently, the Texas Comptroller determined that TRS has unfunded liabilities of \$27.4 billion and that the state must make changes to ensure the health of the fund and protect the retirees who depend on it moving forward.

This Session, the Legislature took on the challenge of returning the TRS to actuarial soundness. As presented, [SB 1458](#) included provisions that grant retirees a cost-of-living adjustment by implementing several changes, including requiring educators with less than five years of TRS service credit to reach age 62 before becoming eligible for full retirement benefits. The bill also raised the state and active member contribution rates and created a new employer contribution at the district level.

The House passed an amendment that exempts current school employees from the new minimum age of 62 for full retiree pension and healthcare benefits. The amendment also provides an immediate benefit increase for current retirees.



Laying out HB 2578, encouraging the development of brackish groundwater, last week on the House floor.

### **Larson Legislation**

Of our 52 bills, 40 were granted hearings in various committees. At this point, Team Larson has passed 16 bills out of the House, 10 of which have also passed the Senate. The Governor has signed 3 of the bills that have passed. For a complete list of the bills we filed and the status of each, please visit the

Texas Legislature Online. Some of our key bills that have passed both chambers, and await the Governor's signature, include:

**[HB 120](#): Specialty Military License Plates for Defense Superior Service Medal Honorees**

In Texas, there are over 60 specialty license plates acknowledging various military awards, medals and recognitions. You have likely seen, or maybe you personally have, a license plate depicting the Purple Heart, Bronze Star or Legion of Merit. Currently, the Texas Department of Motor Vehicles' Special Plates Program does not provide for the issuance of a specialty plate recognizing the Defense Superior Service Medal (DSSM). The Defense Superior Service Medals are awarded to members of the United States Armed Services who perform "superior meritorious service in a position of significant responsibility." [HB 120](#) recognizes the exemplary service of Defense Superior Service Medal recipients by providing for the issuance of special plates.

**[HB 150](#): Flying Flags at Half-Staff in Remembrance of Fallen Service Members from Texas**

To provide a way to honor Texan service members who are killed in action, [HB 150](#) requires both the United States and Texas flags at the Capitol building to be flown at half-staff in recognition of a member of the United States Armed Services from Texas who has been killed in action. [HB 150](#) requires the flags to be displayed at half-staff for one day following the notification of the service person's family.

**[HB 252](#): Ensuring Water Utilities Can Supply Their Customers**

HB 252 requires that a water utility keep an accurate and up-to date projection of available water - something most, if not all, utilities are already doing. If a utility is reasonably certain that it cannot provide its customers with water for more than 180 days, it must report this to the Texas Commission on Environmental Quality (TCEQ). The goal is to keep the citizens of Texas and regulatory agencies informed regarding a utility's ability to serve its customers' water consumption needs, and allow these agencies to assist in times of emergency.

**[SB 166](#): Creating Greater Efficiency at Medical Clinics** SB 166 allows health care providers to swipe their driver's license to check in at their doctor's office, instead of filling out forms. This is an effort to improve and streamline patient access to their health care provider and increase medical record efficiency and accuracy for health care providers

### **HB 630: Allowing State Political Parties to Self-Govern**

HB 630 seeks to change quorum requirements for filling political party precinct chair vacancies. This bipartisan issue was brought forward by several county party organizations, indicating they experienced challenges in filling these vacancies because state law requires the assembly of precinct chairmen to have a quorum of 50 percent. A quorum is nearly impossible to achieve in many counties, especially large counties like Harris and Bexar. In these large counties, a quorum requires the attendance of hundreds of individuals. Without a quorum to vote, precinct chair positions are left vacant, compounding the problem as counties become even further removed from quorum. HB 630 allows state party organizations to determine the percentage of committee membership that constitutes a quorum to fix this problem.

### **SB 1101 and SB 1102: Advancing the Cybersecurity Industry in Texas**

In 2011, State Senator Leticia Van de Putte and I passed legislation to create the Texas Cybersecurity, Education, and Economic Development Council. The Council is charged with improving the infrastructure of the state's cybersecurity operations, examining strategies to accelerate the growth of cybersecurity as an industry in Texas, and encouraging the industry to make Texas its home. The Council produced a report in late 2012 with multiple recommendations that would achieve these goals. SB 1102 seeks to implement some of the recommendations of the report, including establishing a cybersecurity coordinator, who will be responsible for overseeing cybersecurity issues in Texas. SB 1101 will extend the Texas Cybersecurity, Education, and Economic Development Council that we established last session for an additional two years.

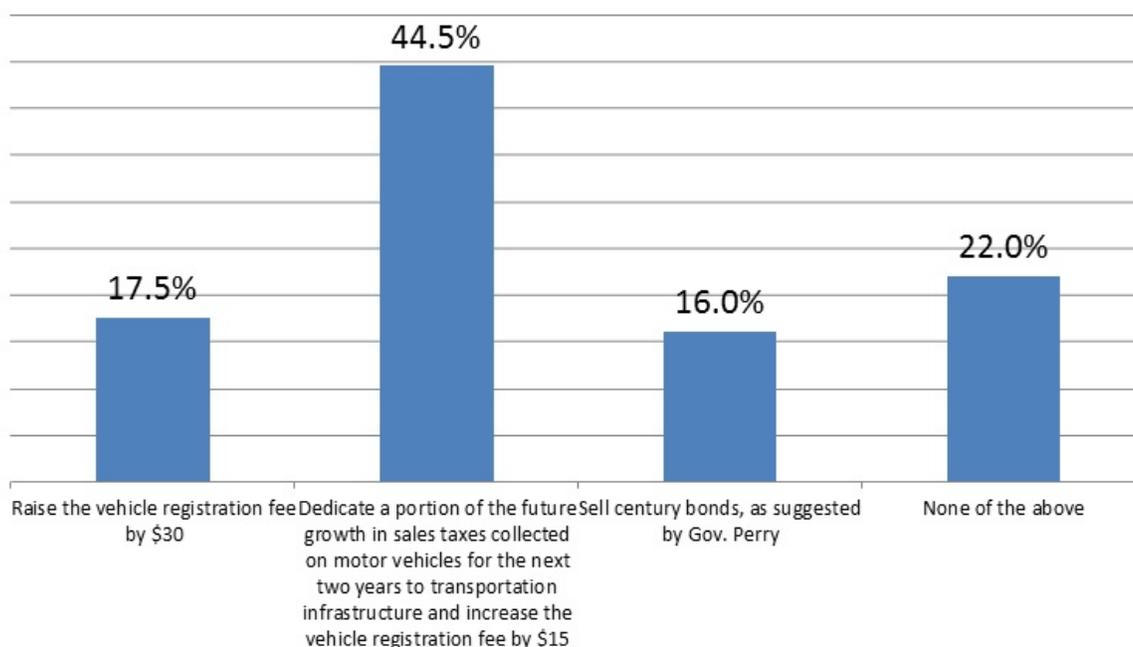
### **Merry Christmas Bill Moves Forward**

HB 308, the Merry Christmas Bill, was sent to the Governor for his signature this week. HB 308, which I coauthored, allows teachers and school administrators to acknowledge and celebrate holidays like Christmas, without the threat of being sued. Many argue that political correctness in schools has become extreme and educators have been discouraged from incorporating federal holidays into activities done in the classroom. With the passage of HB 308, educators will be able to say things like "Merry Christmas" and "Happy Hanukkah" and decorate a Christmas tree, instead of a Holiday tree.

### **Survey Says**

In our last newsletter, we asked what you thought about different transportation funding strategies presented by various individuals this session. Here's what you thought:

**Of the options presented to the Legislature by the Governor and Appropriations Committee, which one do you believe is the best solution to funding our state's transportation needs?**



### **In the News**

Austin American-Statesman: [Senate: Don't require SSNs for gun permits](#)

Texas Observer: [Guv for Life: Why the Texas House Ran Away from Term Limits](#)

Austin American-Statesman: [House rejects term limits for top state officials](#)

KUT News: [Texas Term Limit Bill Fails](#)

Dallas Morning News: [Term limit proposal goes down in the House](#)

Houston Chronicle: [Texas House defeats term limits referendum](#)

KVUE: [Euthanasia, cyber security measures among 35 bills signed by governor so far](#)

Fort Worth Star-Telegram: [Texas House says 'no' to term limits on statewide offices](#)

Beaumont Enterprise: [Term Limits in Texas? Not this legislative session](#)

The New York Times: [Texas Bill Would Let Doctors Get Data From Drivers' Licenses](#)

Waco Tribune-Herald: [Lyle Larson, guest columnist: Democrats set to torpedo Texas Legislature's bipartisan gains](#)

As always, please feel free to contact me if I may ever be of assistance to you by phone at (210) 402-5402 or by email at [lyle.larson@house.state.tx.us](mailto:lyle.larson@house.state.tx.us).

Best,

A handwritten signature in black ink, appearing to read "Lyle", with a stylized flourish at the end.

Lyle Larson