



My five cents...

A weekly column from Sen. Robert Nichols
by Sen. Robert Nichols, Senate District 3

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Contact: Sydni Mitchell
Tel: 512-463-0103

The saying goes that April showers bring May flowers, but at the Capitol April bills bring May thrills. With major issues like finalizing the state's budget and school finance reform ahead, May looks to be both busy and exciting.

Here are five things happening at your Capitol this week:

1. Anonymous Lottery Winners

Winners of large lottery prizes are often prone to negative side effects of their winnings, which can include theft and requests from distant friends and family due to heavy media attention. HB 59 addresses this issue by allowing lottery winners of \$1 million or more to remain anonymous. Texas would be following the example of six other states including Delaware, Kansas, Maryland, North Dakota, Ohio, and South Carolina. The anonymity does have its limits, as the Texas Lottery Commission remains subject to the Texas Public Information Act, and winners are not anonymous from child support or tax obligations. Those in support say the bill promotes privacy and peaceful living for the lucky winners, while opposition claims it damages the public integrity of the lottery system.

2. Top 10% Rule

Over the past few sessions, there has been much debate on whether the Top 10 Percent rule should exist for high school students. Currently, a student who graduates in the top 10 percent of their class at a Texas High School can attend the public university of their choice. This rule does not apply to the University of Texas at Austin, which allows UT to limit its automatically admitted students to 75 percent of the university's incoming freshman from Texas.

SB 2119 would allow all public universities in Texas, including UT Austin, to limit automatic admission to 30 percent of the incoming class, instead of the current 75 percent. I am a strong proponent of the Top 10 Percent Rule, as I have seen the benefits it gives to students from rural districts, who might otherwise not be able to attend the university of their choice.

3. Age of Criminal Responsibility

The Texas House recently approved HB 122 which would raise the age of criminal responsibility to 18 years of age. Texas is currently one of six states which tries 17 year olds as adults when they are convicted of most criminal charges and are sent into the adult criminal justice system. An advisory committee will be created to analyze the anticipated cost of \$45 million, for Texas and its counties, to house additional offenders in juvenile justice centers. The implementation of the law would not be until 2021.

Those in favor of the bill believe the rate of recidivism in the state would be greatly reduced for these minors if they are sent juvenile justice centers. They would be more likely to successfully complete rehabilitation and treatment programs, which could help them avoid further criminal behavior. These programs are not often offered in the adult systems.

4. School Bus Seat Belts

Texas passed a law during the 80th Legislature entitled "Ashley and Alicia's Law" which required each school bus and school activity bus to install a 3-point seat belt for every passenger and driver. The law sought to prevent student deaths which could have been prevented by these kind of seat belts. Grant funding was provided by the State, however, as many school districts were unaware they qualified for this funding, implementation was not successful.

The Senate has passed SB 693, of which I am a co-author, which expands the 2007 requirement to include multi-function school activity buses and school charter buses. While there is no grant money allocated for this requirement, school boards can vote to exempt themselves if their district budgets cannot afford the extra cost. I believe these measures are necessary to protect the lives of our students and bus drivers around the state.

5. Special Education Cap

Last Fall, a report was released regarding a performance based monitoring program the Texas Education Agency (TEA) has implemented since 2004, which sets an 8.5 percent benchmark for special education enrollment in public schools. The system was originally created to prevent schools from identifying students for special education when it was not required.

After criticisms arose as some believed this program was keeping certain students with special needs from receiving the educational resources they need, Senator Rodriguez filed SB 160 which would prohibit the TEA from adopting a policy evaluating school districts based on their special education enrollment. They would still have the ability to collect data on children receiving special education services.

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