



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

Greetings from your Texas Capitol! Or, in this case, from Senate District 22! Yes, the 85th 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 in-person with each one of the 810,000+ constituents I serve, so our newsletter serves as an excellent tool to help us reach the overwhelming majority of you.

Well before the newsletter reaches the homes of SD-22, however, my fellow legislators and I will return to Austin for a special session called for July 18th. We'll dive into the special session later in the Update, but for now, let me walk you through some final notes from the 85th *regular* legislative session.

The Biennial Texas Budget

Of all the actions taken by the Texas Legislature in any given session, the most critical is the crafting of the biennial state budget. Indeed, our state constitution mandates the passage of a budget as the sole requirement of the legislature at its regular convening every other year. That's why it was such an honor for me to be appointed as a member of the Senate Finance Committee this session. Though many people were involved in the extremely rigorous budget-writing process, I applaud my friend and colleague, Senate Finance Chair Jane Nelson (R-Flower Mound), for her steady leadership in her second session as chair. Working with the House Appropriations Committee, we passed a responsible budget (SB 1) for FY 2018-19 and made appropriations to the key functions and needs of our state—transportation, public education, health care, public safety and more. SB 1 was ultimately passed by a 30-1 vote in the Senate, and was widely agreed to be a fiscally responsible budget for our state. Of note, SB 1 does the following:

- Reduces general revenue spending by \$200M+ (\$107.98B in FY 16-17 to \$107.76B in FY 18-19);
- Includes 4% reductions to several agency budgets;
- Keeps total spending well under population-times-inflation and all spending limits;
- Hires 600 new Child Protective Services caseworkers to better protect abused and neglected children;
- Continues funding for public education at current levels;
- Directs \$5 billion in sales tax revenue to address transportation needs;
- Provides property tax relief for the families of fallen first responders;
- Includes \$800M to continue border security operations and hire 250 new troopers;
- Allocates \$25M for protective vests for law enforcement;
- Strengthens the ban on public funds to Planned Parenthood;
- Provides \$47M for veteran education programs;
- and Sunsets outdated or superfluous higher education "special items."

I spoke at length with Chair Nelson throughout the budget-writing process about the appropriate use—if any—of the Economic Stabilization Fund (ESF), or what is often referred to as our state's "rainy day fund." Ultimately, the House and Senate agreed upon a thoughtful, measured use of the ESF in our 2018-19 budget to fund critical, non-recurring needs.

An additional element of the budgeting process each session is the proposal and implementation of a supplemental appropriations bill. Since Texas budgets on a two-year cycle, it is almost always necessary to address unforeseen or altered financial needs of the state. That's the function of our supplemental appropriations bill—HB 2 this session—which for the remainder of FY 2017 provides funds for our Medicaid shortfall, expanded and emergency funding for the Department of Family & Protective Services, correctional managed health care, disaster grants and reimbursements, and responsible action on debt service. Importantly, each of these items was handled without busting the state spending cap.

Quick Updates on Key Bills

- **SB 524, Abuse of Corpse** (Birdwell, Geren) – The atrocious act of abusing a corpse has previously been punishable as a Class A misdemeanor in Texas, on par with far less-offensive crimes such as theft of cable services or promotion of gambling. SB 524 properly increases this penalty to a state jail felony, bringing the punishment for abusing a corpse or human remains in line with the heinous nature of the crime.
- **SB 670, HHSC Appointments** (Birdwell, Price) – This legislation requires the commissioners of the Department of Family & Protective Services and the Department of State Health Services—whose agencies

collectively represent roughly one-third of the state budget—to be appointed by the Governor and confirmed by the Senate, providing a tether between these highly-sensitive state positions and Texas taxpayers by providing sufficient ability for citizens to express their opinions through their elected representatives.

- **SB 975, High Speed Rail Security** (Birdwell, Schubert) – To ensure public safety during the operation of any future, privately operated high-speed rail system in Texas, SB 975 outlines the safety and security requirements to operate such a system and creates a framework for communication with state and local law enforcement, ultimately benefitting rail users and citizens living and working around the rail site.
- **SB 1893, Administrative Judicial Regions** (Birdwell, Smithee) – As concerns have long existed about the increased workloads for certain administrative judicial regions, and because several district courts are split between these regions, often resulting in two different presiding judges for a single court, SB 1893 would create the Tenth and Eleventh Administrative Judicial regions, adding two additional administrative judges to provide needed relief to citizens engaged with our judicial system.
- **HB 1542, Expansion of Foster Care Options** (Price, Birdwell) – Because the state lacks the capacity to take care of the growing foster child population in traditional foster homes, HB 1542 would help children caught in the system with nowhere to go by qualifying a cottage home for children—particularly sets of siblings—who could not otherwise be placed with a relative or designated caregiver.
- **HB 1355** (Wray, Birdwell) & **HB 1570** (Burns, Birdwell) – HB 1355 and HB 1570 would improve public safety and reduce road damage by allowing local law enforcement officers in Midlothian (Ellis County) and Alvarado (Johnson County), respectively, to enforce commercial vehicle safety standards when state law enforcement is unable to do so, ensuring proper management of the overweight truck traffic passing through these areas at an abnormally high volume due to industrial activity and routing to energy corridors.



Gathered in the Lieutenant Governor's Reception Room just behind the Senate chamber for our biannual staff photo. Pictured here (L-R) are Ben Stratmann, Jarred Shaffer, John Ryan Isaacson, Mallory Coon, Mic Davis, Anna Barnett, Lauren Bowman, Liz Sanchez, Megan Lehmann, Shelly Verlander, Isaiah Venzant, Matt Cope and Robert Haley.

Senate Committee on Nominations

This session, I had the pleasure of once again serving as Chairman of the Senate Committee on Nominations. During the regular legislative session, the committee had the opportunity of recommending for confirmation several individuals to critical positions in state government, including but not limited to boards of regents at our public universities, boards of directors for our state river authorities, the State Board of Education, the Texas Alcoholic Beverage Commission, Texas Education Commissioner, Texas Secretary of State, the Water Development Board, and various judicial and public safety appointments. This is just a small sampling of the 502 nominees that were considered by the committee and ultimately confirmed by the Senate.

Among these men and women, the committee invited 55 individuals to appear for in-person testimony and questioning. Because the legislature only meets for 140 days every odd-numbered year, there is simply not enough time to have every nominee appear before the committee. Nevertheless, I appreciate the diligent consideration given to all nominees—appearing and non-appearing—by the members of our committee. Vice-

Chairman Kirk Watson and Senators Dawn Buckingham, Craig Estes, Jose Menendez, Borris Miles and Van Taylor are to be commended for their fine work.

Lastly, I want to point out that this session did conclude with several critical positions still vacant, including the Inspector General for the Health and Human Services Commission, the Texas Commissioner of Insurance, and individual seats at the Public Utility Commission and Texas Alcoholic Beverage Commission. Because the Senate Committee on Nominations considers people and not bills, when the special session convenes on July 18th, the committee can and likely will meet to consider any appointments to the aforementioned vacancies or appointments to vacancies which may arise between now and that time.

85(1) – The Special Session

NOTE: If you'd like to read more about the general makeup of a special session and its constitutional parameters, please take a look at [our most recent Capitol Update](#).

On Tuesday, Texas Governor Greg Abbott made a much-anticipated announcement of a special legislative session that will begin on July 18th and which will cover a wide and diverse array of topics. The overwhelming majority of these topics existed during the regular legislative session as one or more pieces of filed legislation, many of which were passed by the Senate and sent to the House of Representatives for consideration.

Just like in the regular session, my team and I want to hear from you on these issues leading up to and during the special session. Though I hear from countless citizens on many subjects, input from those I serve is always fully considered, regardless of differing politics or viewpoints.

The full list of Abbott's 20 subjects to be considered, [as listed on his official website](#), is as follows:

1. Sunset legislation
2. Teacher pay increase of \$1,000
3. Administrative flexibility in teacher hiring and retention practices
4. School finance reform commission
5. School choice for special needs students
6. Property tax reform
7. Caps on state and local spending
8. Preventing cities from regulating what property owners do with trees on private land
9. Preventing local governments from changing rules midway through construction projects
10. Speeding up local government permitting process
11. Municipal annexation reform
12. Texting while driving preemption
13. Privacy
14. Prohibition of taxpayer dollars to collect union dues
15. Prohibition of taxpayer funding for abortion providers
16. Pro-life insurance reform
17. Strengthening abortion reporting requirements when health complications arise
18. Strengthening patient protections relating to do-not-resuscitate orders
19. Cracking down on mail-in ballot fraud
20. Extending maternal mortality task force

Job Opportunity in Hood County

We recently said a fond farewell to my northern District Manager, Mallory Coon, who took a new career opportunity with a Fox News outlet in Oklahoma, moving her closer to her long-term professional goals in the media. Mallory was a valued member of our staff and will be missed by each of us. In the meantime, we have been fortunate to receive several highly-qualified applications of individuals seeking to fill this vacancy, and résumés are still being accepted as we speak. Those interested may contact our Capitol office via the email address or phone number listed below. Please note that all constituent communication is being fielded by our Waco and Capitol offices to ensure no interruption of service. We're excited to announce our new District Manager soon!

Before we close out this *sine die* edition of the Capitol Update, I want to thank the members of my staff—"Team Birdwell"—who help me in serving the constituents of this district. 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. I'm proud of the work they do for you each day.

As always, I hope our Capitol Update is informative and that you'll share it with your friends, family and colleagues in Senate District 22, who may subscribe to the Capitol Update [by clicking here](#). You can follow us on Twitter and Facebook, or keep in touch with legislative happenings via www.capitol.state.tx.us.

Thanks for your interest, and God bless,



Brian Birdwell
State Senator, District 22