



# Legislative Study Group

## Texas House of Representatives

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Desk 3

### CSHB 3790 Amendment Analysis - Analysis by Jasie Boyd, Ashley Reeder, & Phillip Martin

**A Note on the Amendments** – Members, many of the amendments for CSHB 3790 present a choice. The choice is between raising revenues, fees, or taxes for a two-year period to pay for critical state services, or passing along severe cuts to our sons and daughters in public schools, our parents and grandparents in nursing homes, and Texas families and workers in every neighborhood across our state. It is important to remember that any increase in revenue, fees, or taxes will be sunsetted in two years, whereas many of the cuts proposed will have long-lasting effects on the people of Texas. The LSG recommends a balanced approach to solving our state’s \$23 billion shortfall, and is therefore favorable on many amendments below.

Author	Analysis	Recommendation
Aliseda	Allows liquor sales between noon and 6pm on Sundays. However, it also specifies that a person may not sell liquor on more than 6 days each week, and the days on which sales take place may change every six months, with notification to TABC. This allows package stores to craft a schedule based on higher traffic shopping days and maximizes competition with retailers who may be open 7 days a week for beer and wine sales.	Favorable
Aliseda	Allows package stores to sell liquor between 10am and 9pm on any day that is not New Year's, Thanksgiving or Christmas. It eliminates the Sunday sales restriction for both retailers and distributors. Some package store owners have indicated during testimony on HB 3685, which proposes similar changes, that 7 day a week sales could actually hurt business by increasing the overhead costs incurred by the owners without an appreciable increase in sales volume.	Will of the House
Alonzo	Gives priority to students pursuing "critical fields" such as engineering, science, mathematics, nursing, and bilingual education when determining recipients of student success scholarships. The Higher Education Coordinating Board is given the authority to remove or designate critical fields defined in statute beginning September 1, 2012.	Favorable
Alonzo	Strikes the "privatization clause", which allows agencies to contract with other agencies or private entities in order to carry out duties.	Favorable
Alonzo	Removes all of article 1, which are the cost saving measures that agencies may use.	Favorable

OK for Distribution – Rep Garnet Coleman

<b>Alvarado</b>	Increases the tax imposed on cigarettes, with all proceeds from the higher tax rate going to the property tax relief fund and general revenue.	<b>Favorable</b>
<b>Aycock</b>	Exempts state employees who are licensed professionals from continuing education over the biennium if they have been in good standing for the last 5 years for the purpose of reducing costs.	<b>Will of the House</b>
<b>Brown</b>	Directs state agencies to develop a plan to increase network security and manage bandwidth consumption. Requirements of the amendment are subject to fund availability and the determination that the expense will result in a positive return to the agency.	<b>Favorable</b>
<b>Brown</b>	Directs the Department of Information Resources to develop a standard contract so that state agencies can generate revenue by putting advertising on state websites. Because there are so many issues related to advertising on state websites, including content, potential security issues, etc. it would be better for this amendment to go through the process as a standalone bill with proper public input and debate.	<b>Unfavorable</b>
<b>Burnam</b>	Repeals the exemption for high-cost gas and well drilling that currently amounts to \$1.2B in the FY 2010-2011 biennium and is projected to be \$2.4B, according to the Comptroller, in FY 2012-2013.	<b>Favorable</b>
<b>Burnam</b>	Implements the LBB efficiency recommendation by increasing the timely filer discount from 0.5% to 0.75%. The amendment is predicted to generate \$84.3 million for the state in the FY 2012-13 biennium.	<b>Favorable</b>
<b>Burnam</b>	Currently, companies who drill oil and gas wells are compensated for their efforts. They can get a tax exemption for 10 years or until they've recouped 50% of their drilling costs. This amendment cuts the cap on the amount of costs a company can recoup from 50% to 25%.	<b>Favorable</b>
<b>Burnam</b>	Implements the LBB efficiency recommendation by increasing the timely filer discount from 0.5% to 0.75%. The amendment is predicted to generate \$84.3 million for the state in the FY 2012-13 biennium.	<b>Favorable</b>
<b>Cain</b>	This amendment alters the format of the general appropriations bill to make it more user friendly and transparent. It requires that each agency list programs funded, out of which revenue stream, and other information. In its current form, it can be difficult to determine from a "strategy" which particular programs are being funded, and this would help the public in general be able to interpret where money is going in the state.	<b>Favorable</b>
<b>Castro</b>	Requires the comptroller to determine additional general revenue attributable to changes in law made by HB 3790. Any undedicated portions will be transferred to the Foundation School Fund up to the amount used to fund the Foundation School Program during the FY 2010-11 base.	<b>Favorable</b>
<b>Chisum</b>	Definitions related to emergency communication-s and phone service carriers are updated to reflect current usage. The amendment adds a 9-1-1 surcharge of up to \$0.10 in addition to other established charges per line. Routine replacement costs for 9-1-1 communications is not funded in HB1, and this fee might help compensate for the loss. In addition, the amendment specifies the ways that collected fees must be used up to 100%. Currently much of the money collected via fees is used to certify the budget rather than for the intended purpose, and it is important to ensure that monies collected from this amendment will be used for emergency communications.	<b>Favorable</b>



<b>Christian</b>	Cockfighting and various other related activities are made a misdemeanor in this amendment. While the legislation would be favorable as a standalone bill with public testimony and debate, it does not sufficiently address state fiscal matters to be added as an amendment.	<b>Unfavorable</b>
<b>Christian</b>	Prohibits the use of tax revenue for abortion with the exception of a medical emergency. This amendment defines a medical emergency as a life-threatening condition arising from a pregnancy. It creates social policy and is not appropriate for inclusion on a fiscal matters bill.	<b>Unfavorable</b>
<b>Christian</b>	This amendment deals with the Public Integrity Unit and takes action out of the hands of the Travis County district attorney, where it currently resides. This is a bad policy decision, as well as not being germane to fiscal matters and appropriate as an amendment.	<b>Unfavorable</b>
<b>Coleman</b>	Strikes the content of CSHB 3790 as written and substitutes the contents of CSSB 1811 as engrossed by the Senate chamber on April 29th. CSSB 1811 generates more revenue than CSHB 3790, and would allow fewer cuts in the general appropriations bill, thus harming fewer Texans.	<b>Favorable</b>
<b>Cook</b>	Allows the comptroller, with consent of a state agency, to enlist a procurement consultant to be paid from realized savings.	<b>Will of the House</b>
<b>Cook</b>	It is unclear what this amendment is trying to do. The placement on page 23 disrupts a sentence, and the statute requiring the report in subsection 8 is unclear, as it does not exist in the tax code. Definitions in the Alcoholic Beverage Code are greatly expanded, and additional reporting requirements to the comptroller are instituted. Because of the ambiguity of the first section and the sweeping changes made in the latter section, this legislation should be open for public testimony and debate, and should not pass as an amendment.	<b>Unfavorable</b>
<b>Creighton</b>	Disallows the use of GR-D for general governmental purposes or to certify the budget. Because it does not specify a use for those funds, this amendment would essentially require deeper cuts to the budget bill.	<b>Unfavorable</b>
<b>Crownover</b>	By prohibiting smoking in all public places, with the exception of cigar bars and nursing homes, health risks including heart attacks, cancer, bronchitis, and low birth weights for infants would be significantly reduced. This amendment would decrease emergency room visits due to health risks linked to smoke related illnesses as well as increase the state's productivity and human capital as the reduction of exposure to smoke would allow for cleaner air and healthier people. While some businesses may experience a decrease in sales, the overall benefit to the state outweighs the costs of ignoring this public health issue. Amendment would also save the state an estimated \$30 million	<b>Favorable</b>
<b>Darby</b>	Allows the comptroller to sell securities "on receipt or from time to time" rather than just "from time to time". Because the language was so broad to begin with, it is unclear that the amendment substantially changes statute or that "time to time" would preclude sales on receipt.	<b>Will of the House</b>
<b>Davis, Yvonne</b>	Repeals 33 separate tax exemptions in state law, in order to provide more money for the state.	<b>Favorable</b>
<b>Davis, Yvonne</b>	Requires corporations and businesses to make public the dollar amount of any tax exemptions they are granted by the state.	<b>Favorable</b>




<b>Davis, Yvonne</b>	Requires the Sunset Advisory Commission to study tax exemptions, including property tax exemptions, at least once every six years. The study must name the entity receiving the exemption, as well as the overall economic conditions of the state at the time the exemption is reported and studied. The report must recommend whether or not keeping the exemption best serves the public interest.	<b>Favorable</b>
<b>Eiland</b>	Equalizes a 6.25% tax on satellite TV customers, to bring them in line with the tax rates that cable subscribers currently pay. The fiscal note for HB 259 by Rep. Eiland states that taxing satellite subscribers at the same rate we tax cable subscribers would bring in \$170 million in FY 2012-2013.	<b>Favorable</b>
<b>Eiland</b>	This amendment is identical to Rep. Eiland's other amendment.	<b>Favorable</b>
<b>Elkins</b>	Requires that sales tax be collected on the lease and rental of tangible personal property when there is not any obligation to purchase the property at the end of the lease term.	<b>Favorable</b>
<b>Farias</b>	Requires a study of the federal earned income tax credit.	<b>Favorable</b>
<b>Flynn</b>	Identical to Rep. Elkins' amendment.	
<b>Gallego</b>	Abolishes the Texas Emerging Technology Fund.	<b>Favorable</b>
<b>Gallego</b>	Requires an agency with more than 1,500 employees to have a link on their website for employees to offer suggestions on cost efficiencies and allow the members of the public to vote for their favorite submissions.	<b>Favorable</b>
<b>Gallego</b>	Prohibits the issuance of a driver's license to anyone under the age of 24 that does not have a high school diploma or its equivalent. Allows TxDOT to issue a restricted license to anyone younger than 24 so they can travel to school, work, school sponsored activities, religious services, essential family duties, or for emergency medical care.	<b>Will of the House</b>
<b>Gallego</b>	Transfers the powers and duties of the Texas Facilities Commission to the General Land Office.	<b>Favorable</b>
<b>Gallego</b>	Creates a 20-month budget for the foundation school program, front-loading its funding into the first 20 months of the FY 2012-2013 biennium. This amendment will ensure the state doesn't have to make unnecessary cuts to Texas' public schools. Much as Chairman Pitts' other bills use deferrals to get the Legislature through the upcoming biennium, the amendment allows the Legislature to grant the Foundation School Program the remainder of its funding in an emergency appropriations bill in 2013, when the state will have a better sense of its financial revenues. To date, Governor Perry has proclaimed that the state of Texas shall rebound strongly from the current financial recession. Additionally, Senator Steve Ogden and others have projected the Rainy Day Fund will grow by at least \$3 billion in the coming years. The payment deferrals and earlier tax collections in the bill employ a similar strategy of frontloading savings. The only difference is that Rep. Gallego's amendment would do so honestly and transparently instead of burying deferrals into complex legislation	<b>Favorable</b>
<b>Gallego</b>	Ensures that any business person(s) that does not turn an operating net profit is not taxed by the franchise tax.	<b>Favorable</b>

<b>Gallego</b>	Requires any document prepared by the LBB for the committee appropriations process be made available online in an open standard format.	<b>Favorable</b>
<b>Gallego</b>	Allows an interscholastic league to collect a fee for the purpose of conducting a background check. Also provides a list of offenses which would allow an interscholastic league to refuse to certify or revoke privilege of officiating.	<b>Favorable</b>
<b>Gallego</b>	Requires the Ethics Commission to be available to speak or communicate with the filer and respondent, upon request, including a direct phone number for the 16 hour period preceding a filing deadline. Amendment creates a \$1.00 fee for each time services are used under this provision.	<b>Favorable</b>
<b>Gallego</b>	Changes the distribution of funds collected by state bar fees. A percentage is allocated to newly created Legislative Fellows Program and for the purpose of legal education as defined by Section 65.49, Education Code.	<b>Favorable</b>
<b>Gallego</b>	Provides that in lieu of establishing a department as required by Sec. 76.002, Government Code, programs and services (community supervision and corrections) may be provided in a judicial district through a contract with a department established for another judicial district.	<b>Favorable</b>
<b>Gallego</b>	Repeals an exemption of open-end-investment companies.	<b>Favorable</b>
<b>Gallego</b>	Restores language such that a county with more than five district courts and a district judge who serves as a local administrative district judge is entitled to annual supplement of \$5,000.	<b>Favorable</b>
<b>Gonzalez</b>	Increases state traffic fines from \$30 to \$45.	<b>Favorable</b>
<b>Gooden</b>	Allows the annual amount the state contributes to TRS to be less than the amount contributed by members during each fiscal year of the coming biennium.	<b>Unfavorable</b>
<b>Guillen</b>	Authorizes the adjutant general to operate up to three post exchanges to sell goods to active and retired members of the state and federal military forces, their dependents, and full-time employees. Goods sold at these post exchanges will be exempt from taxation.	<b>Favorable</b>
<b>Guillen</b>	Requires that the supplemental optional benefits of the Employee Retirement System include a qualified transportation benefit.	<b>Favorable</b>
<b>Guillen</b>	Allows students to attend a campus with a flexible school day program if the district determines it would benefit the student.	<b>Favorable</b>
<b>Guillen</b>	Requires TEA to allocate state and federal dollars to each county for adult basic education for those adults not enrolled in school who are at least 18 years old and still lack a high school diploma or its equivalent. States that the agency shall use a competitive procurement process to award the contracts to the provider of the courses.	<b>Favorable</b>
<b>Guillen</b>	Implements a recommendation made by LBB to have TxDOT maximize federal funding dollars it receives by working with local districts. Also requires the TX DMV to create a uniform program for transporting hazardous waste materials.	<b>Favorable</b>



<b>Guillen</b>	Allows the Health and Human Service Commission to create a pilot program that would establish a comprehensive access point system for long-term services and support staff to work in collaboration to provide all necessary services from the intake process to the start of service delivery.	<b>Favorable</b>
<b>Guillen</b>	Requires the Sunset Commission to complete a report of all reports required by state agencies, and determine whether or not the report is still necessary and required to be produced.	<b>Favorable</b>
<b>Guillen</b>	Moves the sales tax holiday for clothes and shoes up from the third Friday in August to the first Friday in August.	<b>Favorable</b>
<b>Guillen</b>	Requires TDCJ, UTMB, and TTUHSC to create training and certification processes for correction aides working in nursing homes.	<b>Favorable</b>
<b>Guillen</b>	Expands the definition of who can qualify as a historically underutilized business to include disabled veterans.	<b>Favorable</b>
<b>Guillen</b>	Allows the state to lease to private individuals any parking spaces in state-owned lots or garages in Austin that are unused by state employees.	<b>Favorable</b>
<b>Hartnett</b>	Creates the judicial access and improvement account through the Texas Supreme Court to use money not to exceed \$1 million yearly. This account will be listed in the General Revenue fund. It creates a electronic system to handle fillings for efficiency.	<b>Favorable</b>
<b>Hartnett</b>	States that fees collected upon conviction shall no longer go to the fugitive apprehension account. The percentage of fees that had been directed to the account shall, instead, be distributed to the fair defense account and the comprehensive rehabilitation account.	<b>Favorable</b>
<b>Hartnett</b>	Changes the records archive fee from \$5 to \$8.	<b>Favorable</b>
<b>Hartnett</b>	Implements HB 1841 by Rep. Hartnett, which was passed unanimously by the House on the Local & Consent Calendar, which clarifies the state's laws on the taxability of internet hosting.	<b>Favorable</b>
<b>Hilderbran</b>	Grants immunity to a person from being prosecuted by the Ethics Commission if the person was following written rule or opinion from the Ethics Commission.	<b>Favorable</b>
<b>Hilderbran</b>	Moves back notification that a teacher's employment has been terminated from 45 days before the last day of instruction to August 1.	<b>Unfavorable</b>
<b>Hilderbran</b>	Allows local mental health authorities to transfer funds allocated by DSHS among programs.	<b>Will of the House</b>
<b>Hilderbran</b>	Permanently extends the small business tax exemption for businesses making \$1 million or less, as opposed to letting it go back to \$600,000, as is currently provided in statute. The amendment would cost the state approximately \$150 million from the Property Tax Relief Fund, which would have to be replaced with general revenue dollars.	<b>Will of the House</b>
<b>Hilderbran</b>	Extends the small business tax exemption for small businesses making \$1 million or less through the FY 2012-2013 biennium.	<b>Will of the House</b>



<b>Hilderbran</b>	Prohibits state agencies from appropriating money authorized by HB 1 for any unfunded federal mandates.	<b>Unfavorable</b>
<b>Hilderbran</b>	Requires the LBB to conduct a study of the effectiveness of wind development projects in Texas.	<b>Favorable</b>
<b>Hilderbran</b>	Requires the state to appropriate \$39M to DSHS to ensure mental health community hospitals remain funded at their current levels.	<b>Favorable</b>
<b>Hilderbran</b>	Speeds up collections from utility deposits that are left unclaimed or unattended by utility users.	<b>Favorable</b>
<b>Isaac</b>	Suspends annuity payments for state employees that retire then return to work. The amendment corresponds to HB 3081 by Rep. Isaac, which has not received a hearing in over six weeks in the Pensions, Investments, & Financial Services Committee.	<b>Unfavorable</b>
<b>Isaac</b>	Prohibits state agencies from adopting and collecting fees in order to cover agency costs required by law. Overall, there are concerns that there is no cap to how high a fee a state agency could charge individuals that may need basic state services. Additionally, the agency would be able to adopt an unlimited number of fees without legislative authorization. On the other hand, if a state agency needs to provide an essential state service, it should be allowed to raise fees to pay for that service.	<b>Will of the House</b>
<b>Isaac</b>	Creates a cap on the retirement annuities for state employees that return to work. Tens of thousands of state employees could retire as a result of HB 1, and it is important for the state to maintain what little benefits it can offer to employees it may have to bring back into its workforce. The amendment corresponds to HB 3084 by Rep. Isaac, which has not received a hearing in over six weeks in the Pensions, Investments, & Financial Services Committee.	<b>Unfavorable</b>
<b>King, P.</b>	Allows for the direct employment of rural physicians by hospitals in counties with a population of 10,000 or less.	<b>Favorable</b>
<b>King, P.</b>	Allows students who attend the Texas ChalleNGe Academy to be counted as regular ISD students, thereby allowing them to receive federal matching dollars for their education.	<b>Favorable</b>
<b>King, P.</b>	Allows DPS to appoint reserve law enforcement officers.	<b>Favorable</b>
<b>King, P.</b>	Requires a financial audit created by the supreme court and conducted by the supreme court and all county courts at law of how many state funds were spent for attorneys representing minors seeking to get a court order that allows them to bypass parental notification of an abortion.	<b>Unfavorable</b>
<b>King, S.</b>	Grants the Texas Board of Nursing self-directed and semi-independent authority. The board is responsible for its own existence and operation, but cannot cost money to the general revenue fund. The board may set fees, penalties, charges and revenues permitted by statute. Grants numerous other provisions to the Texas Board of Nursing, including power to be audited, reporting requirements, administrative hearings, and more.	<b>Will of the House</b>
<b>Martinez-Fischer</b>	Directs the comptroller to use the physical fitness ratings created by TEA in the obesity prevention program in evaluating annual progress in improving student fitness. Directs school districts to provide results of student performances on fitness assessments for compilation and ratings.	<b>Favorable</b>



<b>Martinez-Fischer</b>	Allows a state agency to consider the failure of a contractor that is a historically underutilized business to adequately implement a subcontracting plan when making future decisions about awarding contracts. This allows agencies to protect themselves from sub-par workmanship.	<b>Favorable</b>
<b>Martinez-Fischer</b>	Requires the approval of the majority of the governing body of a municipality to repeal sales tax exemptions for telecommunications services in certain municipalities. Revenue from the repeal would be used to fund transportation services to persons with disabilities.	<b>Favorable</b>
<b>Martinez-Fischer</b>	Implements an 18 month rather than a 24 month budget, reducing appropriations for FY2013 by 50%.	<b>Favorable</b>
<b>Martinez</b>	Abolishes the major events trust fund, the motor sports racing trust fund, and an event trust fund. All balances are transferred to the comptroller identity theft protection fund, which is created in this amendment for the prevention of identity theft and the payment of costs incurred by state employees whose identities have been stolen as a result of a security breach.	<b>Favorable</b>
<b>Martinez</b>	Appropriates additional general revenue during the fiscal year gained as a consequence of HB 3790 to HHSC to fund Medicaid reimbursements to nursing facilities.	<b>Favorable</b>
<b>Miller, Sid</b>	Removes the language suspending the sales tax holiday in the face of a comptroller-determined deficit situation.	<b>Favorable</b>
<b>Murphy</b>	Repeals the partial beer tax exemption for microbreweries that produce less than 75,000 barrels a year. It should not have an adverse impact, and will protect the state from lawsuits, as it may be in violation of the federal interstate commerce clause. HB 2582, also by Murphy, has already passed the House and is being heard in the Senate.	<b>Favorable</b>
<b>Oliveira</b>	Removes the language suspending the sales tax holiday in the face of a comptroller-determined deficit situation.	<b>Favorable</b>
<b>Oliveira</b>	Personal property that is being sold for internal transfer to the federal government is eligible for reimbursement from the government.	<b>Will of the House</b>
<b>Otto</b>	Expands the definition of retailer and what constitutes doing business in the state of Texas for the purposes of capturing sales tax from certain online retailers. HB 2403 by Otto has previously passed the House and has been sent to the Senate for consideration.	<b>Favorable</b>
<b>Otto</b>	Exempts properties necessary for providing audio broadcasts.	<b>Will of the House</b>
<b>Otto</b>	Dismantles the state boot camp program. Ending an entire program deserves consideration and debate as a stand-alone bill.	<b>Unfavorable</b>
<b>Otto</b>	Repeals funding for the Texas Wine Marketing Assistance program. Ending an entire program deserves debate as a stand-alone bill.	<b>Unfavorable</b>
<b>Otto</b>	Disallows labor costs associated with elective abortions to be included in the cost of goods sold when calculating franchise tax obligations.	<b>Unfavorable</b>
<b>Paxton</b>	Requires the inclusion of the comptroller's website address for the pamphlet explaining taxpayer remedies on notices sent by the chief appraiser.	<b>Favorable</b>



<b>Phillips</b>	Allows the DMV to require lienholders to participate in the electronic lien and titling system. HB 2575 has already passed the House and been sent to the Senate for consideration.	<b>Favorable</b>
<b>Pitts</b>	Requires the governor's annual report on the Texas Emerging Technology Fund (ETF) to include the number of jobs actually created by the projects receiving funding and an analysis thereof. In addition to the governor appointed members of the advisory committee, this amendment also allows the Lt. governor and speaker of the house to each appoint 2 members, all of whom will file verified financial statements. Other matters related to the ETF and the advisory committee which allows greater oversight and transparency are included.	<b>Favorable</b>
<b>Pitts</b>	Strikes all of article 1, which authorizes agencies to reduce and recover costs in various ways. It qualifies electronic documents as acceptable taxpayer records, and makes the Collection Improvement Program statewide. It changes the notification dates for unclaimed property from June 1 to March 1. Other conforming changes are also made.	<b>Will of the House</b>
<b>Riddle</b>	Requires each state agency to provide a report detailing the amount of money spent during the preceding biennium to provide direct or indirect services to illegal immigrants.	<b>Unfavorable</b>
<b>Rodriguez, E.</b>	Requires the LBB to hold an annual public hearing in November on the financial condition of the state. If required, an interim budget reduction request may be made, and the agency must hold a public hearing about the cuts proposed, and may not implement changes until the conclusion of the hearing. The amendment also requires the comptroller to publish a fee schedule with information about amount, purpose, and fund into which the fee will be deposited. Other changes to increase transparency are also included.	<b>Favorable</b>
<b>Sheffield</b>	Strikes the pipeline inspection fee, which has a cap of \$100, thus limiting all gas regulation fees to \$100; a significant loss of revenue for the state.	<b>Unfavorable</b>
<b>Shelton</b>	Reduces the number of Correctional Managed Health Care Committee from 9 to 8, including 5 governor appointees, 2 department employees, and the state Medicaid director as a non-voting member. Additionally, the terms of office are defined for the committee and they are made the final authority regarding standards of care. Requirements for contracts entered into to implement managed health care are expanded. There is concern this amendment opens up the privatization of health care for prison inmates.	<b>Unfavorable</b>
<b>Shelton</b>	States that a person who causes a fraudulent Medicaid claim to be made commits an offense and updates the financial criminal charges for fraud. While this amendment appears favorable to prohibit Medicaid fraud, the amendment has vague implications for a person causing a fraudulent claim and should be heard as an independent bill.	<b>Unfavorable</b>
<b>Shelton</b>	Imposes a fee on tobacco products produced by manufacturers that are not part of the tobacco settlement agreement. This will put them in the same price bracket as other tobacco products, and the increase in price is likely to decrease the amount of underage tobacco users, as they are a very price sensitive group.	<b>Favorable</b>

<b>Simpson</b>	Exempts the sale of gold, silver, platinum, and other precious metals from all limited sales, excise, and use taxes. Currently, these metals are only exempt from sales tax. This will result in a further loss of revenue to the state.	<b>Will of the House</b>
<b>Smithee</b>	CSHB 3790 strikes the section that allows Class A insurance assessments to be counted each year as a credit for premium taxes. This amendment restores the annual credit for Class A insurance assessments, which are a guaranty association assessment that covers the administrative and overhead costs of the association in the liquidation of an insurer. This amendment allows for more tax credits, decreasing state revenue.	<b>Unfavorable</b>
<b>Smithee</b>	Restores the insurance tax credits that are taken away by CSHB 3790, resulting in further loss of revenue to the state when the goal of CSHB 3790 is to reduce the shortfall.	<b>Unfavorable</b>
<b>Smithee</b>	A surplus lines agent with a managing underwriter must collect, report, and pay taxes on surplus line insurance. Surplus line insurance is a policy purchased out of state and typically not licensed by Texas. Surplus lines insurance has fewer fees, which gives it the freedom needed to purchase out of state insurance for people who are unable to purchase in-state insurance.	<b>Will of the House</b>
<b>Taylor, V.</b>	Requires the child health plan, financial, medical, and nutritional assistance programs to report the immigration status of persons receiving assistance. If a person is a sponsored alien--someone legally and permanently living in America and sponsored by an individual, the sponsor may be required to reimburse the state for services being received by their benefactor.	<b>Unfavorable</b>
<b>Taylor, V.</b>	In determining eligibility for indigent health care, this amendment allows the inclusion of the income and resources of the person who supported the application of a sponsored alien. Counties who do not adopt such a policy become ineligible to receive state assistance for indigent health care.	<b>Unfavorable</b>
<b>Turner</b>	Strikes section 3 - the privatization clause - and section 4 - which allows agencies to modify eligibility requirements - from Article 1.	<b>Favorable</b>
<b>Turner</b>	Strikes section 3 - the privatization clause, section 4 - which allows agencies to modify eligibility requirements, and section 6 - which allows the collection of fees, from Article 1.	<b>Favorable</b>
<b>Turner</b>	Removes the language suspending the sales tax holiday in the face of a comptroller-determined deficit situation.	<b>Favorable</b>
<b>Veasey</b>	If the LBB does not recommend funds for a public institution, including colleges and hospitals, the LBB must inform the member representing that district before the decision is made public.	<b>Favorable</b>
<b>Villarreal</b>	Suspends high cost natural gas exemption when the Foundation School Program funding per Average Daily Attendance falls below FY 2011 levels.	<b>Favorable</b>
<b>Villarreal</b>	Suspends the high cost natural gas exemption when price reaches \$6 per mcf (thousand cubic feet).	<b>Favorable</b>
<b>Villarreal</b>	Comptroller may charge a fee on applications for high cost natural gas exemptions to pay for audits.	<b>Favorable</b>



<b>Villarreal</b>	Specifies how the Comptroller adjusts school-district property values to take into account property tax abatements given under Chapter 313 of the Tax Code, continuing with the current method of adjusting school-district property values to avoid inflicting additional cost on our already underfunded school finance system.	<b>Favorable</b>
<b>Villarreal</b>	Creates a scholarship program for students who graduate from high school under new HB 3 program. The scholarship program is funded by the savings from early graduation. School districts also receive economic incentives from the savings.	<b>Favorable</b>
<b>Villarreal</b>	Authorizes the Comptroller to participate in the Federal-State Administrative Offset Program and the US Treasury Offset program. Under this program, if a contractor owes the state \$10,000 in delinquent taxes, and the federal government owes the contractor \$10,000, then the federal government would send the \$10,000 directly to Texas.	<b>Favorable</b>
<b>Villarreal</b>	Vendors contracting with the state must have a non-discrimination policy.	<b>Favorable</b>
<b>Villarreal</b>	Requires the Comptroller to post interactive "tax receipt" for citizens on website.	<b>Favorable</b>
<b>Villarreal</b>	Establishes a Fiscal Stability Commission to make recommendations to the Legislature on how to provide quality education and address the structural revenue shortfall.	<b>Favorable</b>
<b>Villarreal</b>	Eliminates \$10 million/year for economic development tax refund.	<b>Favorable</b>
<b>Walle</b>	Eliminates the Texas Enterprise Fund and moves money into the General Revenue, Skills Development Fund, and Training Stabilization Fund.	<b>Favorable</b>
<b>Weber</b>	Strikes article 6, which allows agencies to adopt and collect fees to cover costs.	<b>Unfavorable</b>
<b>Weber</b>	Strikes article 6, which allow agencies to adopt and collect fees to cover costs.	<b>Unfavorable</b>
<b>Zerwas</b>	Directs HHSC to operate a women's health program to expand access to health and family planning services.	<b>Favorable</b>
<b>Zerwas</b>	Defines "little cigars" and specifies that they be taxed at the same rate as cigarettes. Any additional revenue generated by the little cigar tax rate change will be credited to the property tax relief fund by the comptroller	<b>Favorable</b>
<b>Zerwas</b>	Adds tobacco cessation coverage to state employees' health insurance, and assesses a monthly fee on participants who use tobacco products. Because of the well know health costs associated with tobacco use and the provision of treatments to aid in quitting, this amendment will likely reduce costs to the state over time.	<b>Favorable</b>

