



# TexLine

TLA\*

## 86th Texas Legislature Wrap-Up | June 2019

Monday, May 27 was the last day of the Texas Legislative Session. More than 10,800 bills and resolutions were filed, and 4581 (42%) were passed. TLA was active on many fronts - advocating for the state library budget and reauthorization, including school librarians in proposed pay raises, funding for an Open Educational Resource repository and grant program at the Texas Higher Education Coordinating Board, including a library representative in new Governor's Broadband Council, adoption of the Uniform Electronic Legal Materials Act, and expanding access to the state's Skills Development Fund to include public libraries.

**THANK YOU** to everyone who testified, called, Tweeted, emailed and visited their Texas legislators to support our advocacy efforts!

*Final status, bill text etc. is available at [Texas Legislature Online](#).*

### **HB 1 Appropriations**

Lawmakers passed a \$250.7 billion two-year budget, an increase of almost 16% over the last biennial budget. The final budget includes the state library's request for \$68 million to fund current services plus a few exceptional item requests (*see below for details*). It also includes funding for an Open Educational Resources (OER) repository and grant program at the Texas Higher Education Coordinating Board.

### **SB 2 Property Tax Reform**

Property tax reform was a priority for leadership and many members of the Texas Legislature. SB 2 seeks to slow rising property taxes and make it easier for people to understand their tax bills. The bill requires cities, counties and other taxing units to receive voter approval before raising 3.5% more property tax revenue than the previous year. Originally, this percentage was 2.5%. Local governments argued that this requirement would stifle their ability to fund essential public services, including public libraries. TLA opposed this bill for that reason. *Sent to the Governor.*

### **HB 3 School Finance & Pay Raises**

Increasing public education funding and reducing school district taxes was another key priority for the state's leadership, and Texas legislators this session. The Senate and House had different priorities and plans which were negotiated by a conference committee. The final version of HB 3 includes money for free, full-day pre-K for eligible 4-year-olds, creates a more complex method of funding the cost of educating low-income students, pays school districts that want to offer merit pay programs for teachers, and creates a permanent state fund to lower school district tax rates.

Base funding per student increases from \$5,140 to \$6,160. The compromise on raises mandates that a portion of the additional per student funding districts receive must be spent on raises and benefits for teachers, librarians, nurses and counselors. *Sent to the Governor.*

### **SB 3 Pay Raises for Classroom Teachers & School Librarians**

This bill, one of Lt. Gov. Dan Patrick's priorities, gave classroom teachers a direct \$5,000 raise. TLA initially opposed the bill because it did not include school librarians, teachers in the largest classroom on campus. Thanks to an outstanding strategic advocacy plan carried out by school librarians across the state, the bill was amended to add school

librarians, and passed unanimously by the full Senate. However, the House took a different approach, providing funds to districts to offer raises to all employees and the conference committee on HB 3 followed that approach. SB 3 still is a tremendous victory for school librarians as the Texas Senate officially recognized that school librarians are teachers.

### **Texas State Library & Archives Commission**

**HB 1** includes the state library's request for \$68 million to fund current services plus a few exceptional item requests. The budget conference committee adopted TSLAC exceptional item requests for targeted salary increases for staff (\$400,000) and a new agency general counsel (\$240,294). The TSLAC request for \$4,400,000 to retrofit space in a state-owned building in Austin for a short-term solution for records storage was approved in the Supplemental Appropriations Bill. The TSLAC request for \$26.4 million to expand the State Records Center was not approved. The Senate adopted a rider "requiring the agency to study alternative records storage sites outside the downtown Austin area." That study is due to the Legislature by December 1, 2019.

The General Appropriations Act also did not include funding for the exceptional item requests for cybersecurity upgrades, TexShare/TexQuest ebooks, or a proposed outreach project. The final version of the budget did, however, contain riders appropriating a total of \$2,650,000 for library construction projects in Arlington and the Rio Grande Valley which had not been requested by TSLAC. *Sent to the Governor.*

**HB 1962** by Rep. Stan Lambert (*Abilene*), the TSLAC sunset bill, reauthorizes the agency for another 12 years. It gives the agency authority to advertise its programs and services; and the ability to sell reproductions of historical artifacts in its collection.

The bill was amended in the House and Senate to carve out Legislative records and establish that ownership and legal custody of those records remains with the legislative entity. It also states that the Legislative Reference Library is the depository for records created by members of the legislature and the lieutenant governor. The Legislative Reference Library is also responsible for the preservation legislative records placed in other approved depositories.

TLA strongly objected to the new section relating to Legislative records, however, we supported passage of HB 1962 because reauthorization of the state library is essential to Texas libraries. The bill passed the House and Senate as amended. *Sent to the Governor.*

## **Other Bills**

**HB 402** by Rep. Senfronia Thompson (*Houston*), relates to the adoption of the Uniform Electronic Legal Material Act (UELMA). It provides guidelines for states publishing official primary legal materials online, will make the legal system easier for laypeople and attorneys to access, and gives guidance on how to preserve amended or outdated legal materials. UELMA offers a technology-neutral, outcomes-based approach to ensuring that online state legal material deemed official is trustworthy, will be preserved, and will be permanently available to the public. *Signed by the Governor.*

**HB 700** by Rep. Ryan Guillen (*Rio Grande City*), expands the types of organizations that can apply for grants from the Texas Workforce Commission Skills Development Fund to include public libraries and local workforce development boards. The bill passed the House, but was amended on Senate floor to remove public libraries on request from the Governor's office and passed as amended. Rep. Guillen refused to concur with amendment and a conference committee was appointed. The conference committee was unable to add public libraries back to the final bill, but did add a requirement that TWC study and develop recommendations for increasing the effectiveness of the fund, including expanding participation in opportunities available through the fund. *Sent to Governor for signature.*

**HB 703** by Rep. Cody Harris (*Palestine*) extends the length of time before birth records enter the public domain from 75 years to 125 years. After objection from TLA, the Texas State Genealogical Society and others, the bill was amended to extend the time to 90 years and passed out of committee. However, it was never scheduled for the House floor.

*Died*

**HB 1960** by Rep. Four Price (*Amarillo*) creates a Governor's Broadband Council. TLA advocated for a representative from the library community to be included in the Council membership, and Rep. Price agreed. The bill, as amended, passed the House and Senate. *Signed by Governor.*

**HB 3730** by Rep. Valoree Swanson (*Spring*) requires that school districts and vendors must certify compliance with the Children's Internet Protection Act (CIPA) to be eligible to participate in TexQuest. TLA opposed this bill. It was passed by the House Committee on Culture, Recreation & Tourism, and placed on the calendar for consideration. However, the bill was not considered before the deadline for the House to pass House bills; therefore, it did not advance. *Died*

**HB 4181** by Rep. Charlie Geren (*Fort Worth*) makes monumental changes to how official records of the Texas legislature are managed, creating a legislative branch carve out from public scrutiny, undermining the public's right to know, and limiting government accountability. TLA strongly opposed this bill; however, it was passed by the House and Senate. *Sent to the Governor for signature.*

**SB 29** by Sen. Bob Hall (*Rockwall*) prohibits the use of public money by certain political subdivisions for specific lobbying activities, and significantly limits the ability of cities, counties, and school districts to pay for membership fees and dues to nonprofit state associations that lobby. TLA opposed this bill. It passed the Senate but was defeated in the House. *Died*

## Rep. Ryan Guillen Keynote at Annual Assembly

How did libraries fare in the 86<sup>th</sup> Texas Legislative Session? Our luncheon keynote speaker, Representative Ryan Guillen (Rio Grande City) is a long-time library supporter who serves as vice chair of the Ways & Means committee. Join us for a behind the scenes look at the process, and the impact key legislation will have on all libraries and our communities. Register for [Annual Assembly](#) (no cost for TLA members) and purchase your ticket (\$38.50) for the luncheon on July 10.

Register Today!



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