



## Summary of the 87<sup>th</sup> Regular State Legislative Session

On Monday, May 31<sup>st</sup>, the 87<sup>th</sup> State Regular Session completed its 140-day session seeing a total of 9,966 bills and resolutions were introduced in both the House and Senate Chambers and 2,958 completed the entire legislative process, or 30 percent. The Visit San Antonio Government Relations Team monitored about 300 bills since the beginning of the Regular Session.

The Covid-19 pandemic and February freeze significantly impacted and shaped the 87<sup>th</sup> State Regular Session. As the Session began, Governor Greg Abbott provided legislators with his 5 legislative “priority” issues, including;

- Broadband internet access for all Texans,
- Laws prohibiting cities from defunding police,
- Reforms to keep violent and/or repeat offenders from being released on bail,
- Election integrity laws, and
- Legal liability protections for businesses operating in good faith during COVID.

Not to be out done, Lt. Governor Dan Patrick laid out 31 issues that were priority issues for him. In both cases, several issues passed, and many fell short. This will result in potentially more than one “Special” Session.

The Texas Constitution grants the Governor the power to call a special session of the Legislature on extraordinary occasions. During these periods, lawmakers can only consider specific subjects designated in the Governor's Proclamation.

During special sessions, lawmakers are only allowed to consider legislation on subjects selected by the Governor. Governor Abbott said that if he initiates a special session, he would not load up the agenda with multiple items for lawmakers to address at once but would “go one item at a time.”

The 30-day special session(s) may include, but not limited to:

- Redistricting,
- Elections reforms,
- Transgender issues,
- Taxpayer funded lobbying,
- Social media censorship, and
- Issues related to the state’s power grid.

Visit San Antonio State Legislative Program focused on two (2) priority issues. The first issue included “Economic Recovery, Growth, and Sustainability.” Visit San Antonio sought to help San Antonio’s travel

and tourism industry by supporting full funding for the Texas Economic Development and Tourism Office (EDT), located within the Governor's Office, and specifically Texas Travel and the Events Trust Fund.

Travel Texas is responsible for promoting Texas as a premier travel destination. This office works in concert with its partners across the state in convention and visitors' bureaus, local chambers of commerce, private travel-related organizations, and travel-related associations to promote travel to non-Texans in both the domestic and international tourism marketing arenas. The advertising, research, public relations, and marketing provided by Travel Texas is valuable in bringing positive attention to all that Texas has to offer travelers and ultimately securing new businesses and jobs.

The Events Trust Fund program is comprised of separate funds: Events Trust Fund, Major Events Reimbursement Program and Motor Sports Racing Trust Fund. Each program can assist Texas communities with paying costs related to preparing for or conducting an event by depositing projected gains in various local and state taxes generated from the event in a dedicated event-specific trust fund to cover allowable expenses.

The second issue was to monitor and prevent legislation amending/expanding the state's Hotel Occupancy Tax (HOT) statute (Chapter 351 of the Tax Code) for activities and/or purposes not currently allowed in the Tax Code.

Working with partners such as the Texas Travel Alliance, Visit San Antonio successfully advocated for full state funding for tourism promotion and preventing the expansion of the state HOT statute.

### **State Budget**

As previously reported, SB 1, *the General Appropriations Bill*, the 1,948-page document outlining the \$250 billion budget for the fiscal years 2022-2023 contains significant funding for the hospitality industry. The state budget passed with a full appropriation of \$69.5 million for the biennium (\$33.9 million for 2022, \$35.6 million for 2023). With the inclusion of a rider that allows access to prior unexpended balances, there is a total of about \$140 million that is available over the next two years for promotion of Texas as a tourism destination. This full appropriation, which represents about a \$10 million increase over the prior biennium was achieved despite a significant drop in hotel tax collections in 2020 and 2021.

### **Hospitality Related Legislation**

#### **PASSED/ADOPTED**

##### **Franchise Tax Forgiveness**

- HB 1195 by Geren, *Relating to the forgiveness of a loan made under the Paycheck Protection Program for franchise tax purposes*. HB 1195 will bring much needed assurance and certainty to Texas businesses by clarifying that federal loans and grants under the CARES Act, including the PPP loans, are exempt from the state franchise tax. It was signed by the Governor on May 8<sup>th</sup>.

##### **Alcohol To-Go**

- HB 1024 by Geren; *Relating to the pick-up and delivery of alcoholic beverages from certain premises for off-premises consumption*. The bill amends current law relating to the pickup and delivery of alcoholic beverages from certain premises for off-premises consumption. It was signed by the Governor on May 12<sup>th</sup> and became effective immediately.

### **Business Liability Protections**

- SB 6 by Hancock; *Relating to the liability of or certain claims during a pandemic or other disaster or emergency*. SB 6 was approved by both the House and Senate with 2/3rds vote and becomes law without action by the Governor.

### **Business Preemption Protections**

- SB 14 by Creighton; *Relating to the regulation by a municipality or county of certain employment benefits and policies*. SB 14 was approved by both the House and Senate and sent to the Governor's Office.

### **Major Events Reimbursement Program**

- HB 1472 by Bucy, *Relating to the eligibility of the Concacaf Gold Cup for funding under the Major Events Reimbursement Program*. H.B.1472 amends the Government Code to make the Confederation of North, Central America, and Caribbean Association Football (CONCACAF) Gold Cup eligible for funding under the Major Events Trust Fund program. HB 1472 was "Filed" without signature by the Governor and with the earliest effective date.

### **State Scenic Byways**

- HB 1908 by Morales, *Relating to the adoption of a state scenic byways program* was heard in the House Transportation Committee. The bill amends the Transportation Code to require the Texas Department of Transportation (TxDOT) to establish a program for designating highways as State Scenic Byways that includes a process by which TxDOT receives proposals from political subdivisions or other community groups for funding projects. HB 1908 was signed by the Governor on May 28<sup>th</sup> and is effective on September 1, 2021.

### **FAILED**

### **Amusement Rides**

- HB 205 by Ortega, *Relating to safety requirements for amusement ride operators*. HB 205 sought to strengthen the regulation of amusement rides by setting a minimum age requirement for an operator, requiring training, and prohibiting an operator from operating an amusement ride while intoxicated. HB 205 was passed by the full House, but was never referred in the Senate where it died.
- HB 1268 by Ashby, *Relating to the definition of amusement ride for purposes of amusement ride regulation*. The bill amends the Occupations Code to exclude from the definition of "amusement ride" for purposes of provisions regulating those rides a waterslide, including one operated by a mechanical device, in which passengers are carried along a course that is less than 200 feet in length, is substantially constructed from vinyl or vinyl coated polyester, and is not mechanically inflated using a continuous airflow device. HB 1268 was passed by the House on April 16<sup>th</sup> and was passed out of Senate Business and Commerce Committee on May 20<sup>th</sup>. However, it died on the Senate Local and Uncontested Calendar.

### **Hotel Occupancy Tax**

- HB 2345 by Zwiener, *Relating to the authority of certain counties to impose a hotel occupancy tax*. The bill would have amended the Tax Code to authorize the commissioner's court of a county that contains a headquarters and visitor center for a national historical park dedicated to a former

U.S. president to impose a county hotel occupancy tax. The tax does not apply to a hotel located in a municipality that imposes a municipal hotel occupancy tax applicable to the hotel. HB 2345 was passed by the House on May 21<sup>st</sup>, the bill was passed out of the Senate Natural Resources and Economic Development Committee and recommended for the Senate Local & Uncontested Calendar. Eventually, it was removed from the Senate Local & Unconsent Calendar on May 26<sup>th</sup> where it died.

- HB 2433 by Zwiener, *Relating to the use of municipal hotel occupancy tax revenue by certain municipalities*. HB 2433 would amend the Tax Code to expand the municipalities that may use revenue from the municipal hotel occupancy tax for the promotion and preservation of dark skies to include any municipality that is located in a county that has a population of less than 300,000 and that is adjacent to the county in which the State Capitol is located. The bill changes the manner in which the cap on the amount of that revenue the municipality may use for those purposes is determined from a cap based on a determination of the amount of area hotel revenue attributable to dark skies- related events and activities for five years after the date the municipality first uses the revenue for the promotion and preservation of dark skies to a cap based on a good-faith estimate of the annual amount of area hotel revenue attributable to these events and activities, based on reasonable documentation. The committee substitute to HB 2433 prohibited a municipality that uses municipal hotel occupancy tax revenue to preserve and promote dark skies from reducing the percentage of revenue from that tax allocated for advertising and conducting solicitations and promotional programs to attract Tourists and convention delegates or registrants to the municipality or its vicinity to a percentage that is less than the average percentage allocated for those purposes during the 36-month period preceding the date the municipality begins using revenue for the preservation and promotion of dark skies. HB 2433 was passed by the House on May 8<sup>th</sup> and was referred to Senate Natural Resources and Economic Development on May 12<sup>th</sup> where it died.
- HB 2977 by Morrison, *Relating to the use of hotel occupancy tax revenue by certain municipalities and the authority of certain municipalities to pledge that revenue, and to receive and pledge certain other revenue, for the payment of obligations*. The bill would have applied to the City of Victoria. Victoria would be entitled to receive state sales and use tax and state hotel tax revenue generated, paid, and collected by a qualified hotel, swimming facilities owned or operated by the qualified hotel, and each restaurant, bar, and retail establishment not more than 1,000 feet from the hotel or qualified convention center. Entitlement to state tax revenue would be for a period of 10 years after the qualified hotel is open for initial occupancy. HB 2977 was left pending in the Committee on April 19<sup>th</sup> where it died.

#### **Texas Economic Development and Tourism Office**

- HB 2978 by Hull, *Regarding to required agreement provisions and eligibility of certain games and events for funding administered by the Texas Economic Development and Tourism Office*. HB 2978 would amend the Government Code requiring agreement provisions and eligibility of certain games and events for funding. This bill was reported favorably out of the House Culture, Recreation, and Tourism Committee on April 15th. HB 2978 died in the House Calendars Committee.

#### **The Alamo**

- HB 3013 by Biedermann, *Relating to the preservation and maintenance of the Alamo by the General Land Office was heard in the House Cultural Recreation and Tourism Committee*. The

bill would amend the Natural Resources Code to require present and future museums located in the Alamo and Alamo Complex focus solely on the 1836 battle. HB 3013 was passed in the House and received in the Senate but was never referred to a committee. HB 3013 died in the Senate.

### **Outdoor Lighting**

- HB 298 by Zwiener, *Relating to regulation of outdoor lighting by certain municipalities; authorizing the imposition of a civil penalty.* HB 298 amended the Local Government Code to authorize the governing body of a municipality that has received an International Dark Sky Community designation by ordinance to regulate the installation and use of outdoor lighting in the municipality and the municipality's extraterritorial jurisdiction. HB 298 died on the House Calendar Committee.

### **Franchise Tax Credit - FMLA**

- HB 361 by Sherman, *Relating to a franchise tax credit for taxable entities that provide paid family care leave.* The bill would provide for a taxable entity with an average of not more than 1,500 employees to qualify for a credit if it provides paid family care leave to an employee, according to a policy adopted by the taxable entity, under which an employee is entitled to at least four weeks of paid leave. HB 361 was left pending in the House Ways & Means Committee on April 14<sup>th</sup> and died in the House Ways & Means Committee.

### **Texas Education Agency Rule Adoption**

- HB 370 by Gervin-Hawkins, *Relating to the implementation of certain rules regarding public school accountability adopted by the commissioner of education or the Texas Education Agency.* The bill would amend the Education Code to authorize the delay of the implementation of a rule adopted by the commissioner of education or the Texas Education Agency (TEA) that affects methods or procedures for administering statutory provisions relating to public school system accountability until the second school year after the school year the rule is adopted unless the commissioner or TEA is required by law to adopt and implement such a rule in a shorter period. The House Public Education Committee passed HB 370 out of the committee on April 15<sup>th</sup> but did not get out of House Calendars Committee where it died.

### **Lobbying**

- HB 749 by Middleton, *Relating to the use by a political subdivision of public funds for lobbying activities.* This bill is dubbed the "Taxpayer Funded Lobby Bill." HB 749 would amend the law to restrict the use of public funds by political subdivisions for lobbying activities and to repeal the authority of a county commissioner court to spend money from the county's general fund for membership fees and dues of a non-profit state association of counties. HB 749 was heard in the House State Affairs Committee on March 26<sup>th</sup> but was left pending, where it died.

### **Texas Parks and Wildlife Department Sunset**

- HB 1615 by Cyrier, *Relating to the continuation and functions of the Texas Parks and Wildlife Department heard in the House Cultural Recreation and Tourism Committee.* This was the sunset bill for the agency which recommended continuation for another 12 years. HB 1615 was left pending in the House Cultural Recreation and Tourism Committee on April 19<sup>th</sup> where it died.

### **Texas Historical Commission**

- HB 1644 by Sherman, *Relating to determinations by the Texas Historical Commission (THC) regarding the relocation of historical markers.* The bill would amend the Government Code to

require the THC to establish guidelines for an application that would be used for the relocation of a historical marker, monument, or medallion. THC would be required to review the applications and make a determination regarding the relocation. HB 1644 was left pending in the House Cultural Recreation and Tourism Committee on April 19<sup>th</sup> where it died.

### **School Start Date**

- HB 3846 by Krause, *Relating to the scheduling of the first day of school for students by school districts and open-enrollment charter schools*. HB 3846 was left pending in the House Public Education Committee where it died.

### **PENDING**

### **Hotel Occupancy Tax**

- HB 4305 by Morales, *Relating to the use of hotel occupancy tax revenue by certain counties and municipalities*. A central Texas bill related to funding for “dark skies” events and activities. On May 12<sup>th</sup>, the bill was referred to the Senate Committee on Senate Natural Resources/Economic Development. HB 4305 was approved by both the House and Senate and sent to the Governor’s Office.

### **General Interest Legislation**

### **PASSED/ADOPTED**

### **“Permitless” Carry of Firearms**

- HB 1927 by Schaefer; *Relating to provisions governing the carrying of a firearm by a person who is 21 years of age or older and not otherwise prohibited by state or federal law from possessing the firearm and to other provisions related to the carrying, possessing, transporting, or storing of a firearm or other weapon; creating criminal offenses*. The bill allows both open and concealed carry without a license and if any part of the gun is visible it must be in a holster and not a belt or shoulder holster. If a person carrying is on someone else’s property, their property, their rules. Private businesses can prohibit unlicensed carry by giving notice under the Penal Code 30.05 and provides a Class C misdemeanor and a maximum fine of \$200. Prohibited places include schools, including college premises, polling places, courts or offices utilized by the court, racetracks, airports past security, bars, sporting events, correctional facilities, hospitals, nursing homes, mental hospitals, amusement parks, and government open meetings. Any prohibited place listed in Penal Code 46.03 may post a newly defined sign to give clear notice that the location is prohibited, but the sign is not required to make the place off-limits. HB 1927 is dubbed the Constitutional Carry Bill. The bill passed along party lines in both chambers. It was signed by the Governor on June 16<sup>th</sup>.

### **Abortion**

- SB 8 by Hughes, *Relating to abortion, including abortions after detection of an unborn child's heartbeat; authorizing a private civil right of action*. As summarized by Legislative Council, “the fetal heartbeat is a key medical predictor of whether an unborn child will reach live birth. A fetal heartbeat can be detected as early as six weeks. Current Texas law generally bans abortions after 20 weeks of pregnancy. This bill would prevent abortions from being performed or induced once a fetal heartbeat is detected unless there is a medical emergency as defined under Health and Safety Code Section 171.002(3).” The bill was signed by Governor Abbott on May 19<sup>th</sup>.

## **Human Trafficking**

- HB 390 by S. Thompson; *Relating to requirements for human trafficking awareness and prevention in commercial lodging establishments; authorizing a civil penalty.* The bill would amend the Business & Commerce Code to require commercial lodging establishments to require that employees complete a state approved annual training program in human trafficking awareness, as well as assign a civil penalty to commercial lodging establishments that violate the provisions laid out in Chapter 114 of the Business & Commerce Code. HB 390 was approved by both the House and Senate with 2/3rds vote and becomes law without action by the Governor with the earliest effective date.

## **Broadband Internet**

- HB 5 by Ashby; *Relating to the expansion of broadband services to certain areas.* The COVID-19 pandemic has highlighted, more than ever, the critical importance of a robust broadband infrastructure network to maintaining basic quality of life. Hundreds of thousands of Texans are currently without access to quality broadband and this bill seeks to move Texas forward to bridge the digital divide. HB 5 was approved by both the House and Senate with 2/3rds vote and becomes law without action by the Governor.

## **"Keep Texas Trucking"**

- HB 19 by Leach, *Relating to civil liability of a commercial motor vehicle owner or operator, including the effect that changes to that liability have on commercial automobile insurance.* C.S.H.B. 19 amends the Civil Practice and Remedies Code to provide a framework for trial procedures, the use of evidence, and the determination of liability in certain civil actions involving commercial motor vehicles. The Governor signed the bill on June 16<sup>th</sup>.

## **Protecting Churches from Closure During Disasters**

- HB 1239 by Sanford; *Relating to the prohibited suspension of laws protecting religious freedom and prohibited closure of places of worship.* HB 1239 would ban public officials from closing churches or other places of worship during a disaster declaration. The Governor signed the bill on June 16<sup>th</sup>.

## **Automated External Defibrillators**

- SB 199 by Nelson, *Relating to automated external defibrillators.* SB 199 extends current liability protections regarding AED usages to businesses and property owners. The bill also repeals burdensome requirements to better align training with current AED technology. It also updates the inspection requirements of AEDs. The Governor signed the bill on June 14<sup>th</sup>.

## **Airports**

- SB 1550 by Nelson, *Relating to airport police forces, including the authority to commission peace officers and the rights, privileges, and duties of those officers.* This bill clarifies in statute that airports may appoint peace officers the same privileges as commissioned peace officers of incorporated cities. SB 1550 was signed by the Governor on June 7<sup>th</sup>.

## **Peer-to-Peer Car Sharing**

- HB 113 by Oliverson relating to peer-to-peer car sharing programs. The bill establishes insurance coverage requirements for peer-to-peer car sharing programs. The Governor signed the bill on June 6<sup>th</sup>.

## Medicaid Expansion

- HB 133, by Rose; *Relating to the provision of certain benefits under Medicaid and the Healthy Texas Women program, including the transition of case management for children and pregnant women program services and Healthy Texas Women program services to a managed care program.* HB 133 would ensure mothers on Medicaid have health coverage for six months postpartum — a measure intended to reduce the state’s maternal mortality rate and offer a lifeline to moms grappling with postpartum depression or other health complications in the half-year after giving birth. The Governor signed the bill on June 15<sup>th</sup>.

## Marijuana

- HB 1535 by Klick, *Relating to the medical use of low-THC cannabis by patients with certain medical conditions and the establishment of compassionate-use institutional review boards to evaluate and approve proposed research programs to study the medical use of low-THC cannabis in the treatment of certain patients.* HB 1535 expands eligibility for the Texas Compassionate Use Program to people with cancer and post-traumatic stress disorder. The Governor signed the bill on June 15<sup>th</sup>.

## Homelessness

- HB 1925 by Capriglione; *Relating to prohibitions on camping in a public place and to a political subdivision's designation of property for camping by homeless individuals; creating a criminal offense.* HB 1925 would make camping in an unapproved public place a Class C misdemeanor, punishable by a fine of up to \$500. Municipalities may not opt out of the ban or discourage enforcement of it. The bill also bans cities from using public parks as homeless encampment sites - which Austin recently announced it would do. Municipalities would first have to seek approval from Texas Department of Housing and Community Affairs (TDHCA) before they could use public parks, and these rules would apply retroactively - meaning Austin and cities with similar programs would need to get permission to continue using the parks as sites. The bill calls for law enforcement officers to redirect homeless people to available local resources - such as shelters or nonprofit groups - “before or at the time” they issue a citation. The Governor signed the bill on June 15<sup>th</sup>.

## Education

- HB 3979 by Toth; *Relating to civics instruction public school students and instruction policies in public schools.* The Senate substantially changed SB 3979 by stripping out more than two dozen requirements that students study the writings or stories of multiple women and people of color. The bill says teachers cannot be compelled to discuss current events and must explore various viewpoints without giving deference to either side. And the Senate's move Friday also revived the requirement that various historical women and people of color and their writings be studied. The Governor signed the bill on June 15<sup>th</sup>.

## Winter Strom Response

ERCOT/PUC/ELECTRIC/WEATHERIZATION Storm Uri hitting the state in early February caused numerous bills to be filed on the subject. The Legislature approved sweeping legislation to overhaul the state’s power grid with the passage of several key pieces of legislation, including:



- **SB 2** by Handcock, *Relating to the governance of the Public Utility Commission of Texas, the Office of Public Utility Counsel, and an independent organization certified to manage a power region*. SB 2 would reduce the number of seats on the ERCOT board of directors from 16 to 11 and 8 of those would be appointed by a selection committee set up by the Governor, Lieutenant Governor, and Speaker of the House. The Governor signed the bill on June 8<sup>th</sup>.
- **SB 3** by Schwertner, *Relating to preparing for, preventing, and responding to weather emergencies and power outages; increasing the amount of administrative and civil penalties*. SB 3 requires power generators and transmission lines to be “weatherized.” SB 3 also includes a requirement to study and implement an emergency alert system similar to the Amber Alert System. The Governor signed the bill on June 8<sup>th</sup>.
- **HB 4492** by Paddie, *Relating to financing certain costs associated with electric markets; granting authority to issue bonds; authorizing fees*. HB 4492 will loan \$800 million to ERCOT through the State’s Economic Stabilization Fund, known as the “Rainy Day Fund,” to pay for debts to the grid operator. The Governor signed the bill on June 16<sup>th</sup>.

#### **National Anthem**

- SB 4 by Buckingham, *Relating to provisions in agreements between governmental entities and professional sports teams requiring the United States national anthem to be played at team events*. SB 4 require any professional sports teams with contracts with the state government to play the national anthem before the start of a game. The Governor signed the bill on June 16<sup>th</sup>.

#### **Small Business Disaster Recovery Loan Program**

- SB 678 by Alvarado, *Regarding to the creation of the small business disaster recovery loan program* was set on the Senate Intent Calendar on April 20<sup>th</sup>. This bill would amend Chapter 403 of the Government Code to establish the Small Business Disaster Recovery Loan Program and authorize the Comptroller to make loans to small businesses affected by a natural disaster declared by the Governor. The Governor signed the bill on June 16<sup>th</sup>.

#### **FAILED**

#### **Voting Rights**

- SB 7 by Hughes, *Relating to election integrity and security, including by preventing fraud in the conduct of elections in this state; increasing criminal penalties; creating criminal offenses*. The Conference Committee Report to SB 7 failed to pass the House of Representatives on May 30<sup>th</sup> when House Democrats left the House Floor beginning at 10:30 p.m., prior to the final vote on SB 7, thus not providing the House the quorum required to take official actions, effectively kill the bill.

#### **Business Protections - Paid Leave**

- SB 14 by Creighton, *Relating to the regulation by a municipality or county of certain employment benefits and policies*. SB 14, if passed, would prohibit a municipality or county from adopting any policy that exceeds or conflicts with federal or state law relating to any form of employment leave, hiring practices, employment benefits, scheduling practices, or other terms of employment. SB 14 was left pending further action in the Senate on May 30<sup>th</sup>.

## Transgender Issues

Several pieces of legislation related to the transgender community were not successful and did not become law. However, Governor Abbott indicated that this issue may make it into a Special Session, however, no specific action has been taken by the Governor. In particular, SB 29 by Perry; *Relating to requiring public school students to compete in interscholastic athletic competitions based on biological sex*, failed to pass through the legislative process. This bill would require the University Interscholastic League to force students to play on the sports teams based on their biological sex instead of their gender identity.

## Gambling

- HB 2070 by Huberty; *Regarding the regulation of sports wagering*. The bill would require the Texas Department of Licensing and Regulation (TDLR) to regulate the state's sports wagering program, including issuing permits to interactive sports wagering operators. HB 2070 would require TDLR to certify sports wagering revenues and expenses to the Comptroller of Public Accounts on a monthly basis. This bill was left pending in the House State Affairs Committee on April 14th.
- HJR 97 by Huberty; *Proposing a constitutional amendment authorizing the Legislature to legalize sports wagering in this state*. The resolution would amend Article III of the Texas Constitution to allow the legislature by law to authorize and regulate the placing of wagers on sports events. The proposed constitutional amendment would be submitted to the voters at an election to be held on November 2nd. This joint resolution was left pending in the House State Affairs Committee on April 14th.
- HJR 133 by Kuempel, *Proposing a constitutional amendment to foster economic development and job growth and to provide tax relief and funding for education and public safety by creating the Texas Gaming Commission, authorizing, and regulating casinos*. The amendment would require the Legislature to establish the Texas Gaming Commission and authorize issuance of not more than four Class I casino gaming licenses for resort destinations in metropolitan statistical areas of the state with estimated population of two million or more, not more than three Class II licenses for limited casino gaming to holders of an active license for pari-mutuel wagering on horse racing at a racetrack in a metropolitan statistical area with population of two million or more, and not more than three Class III licenses for limited casino gaming to holders of an active license for pari-mutuel wagering on greyhound racing at a racetrack in a metropolitan statistical area with population less than two million. The amendment would require that a federally recognized Indian tribe be allowed to operate slot machines or casino gaming on its Indian land, subject to agreement or law requiring the tribe to remit a portion of its gaming revenue to the state. The proposed constitutional amendment would be submitted to voters at an election to be held November 2<sup>nd</sup>. This joint resolution was left pending in the House State Affairs Committee on April 14<sup>th</sup>. It died in House State Affairs.

## PENDING

## Winter Strom Response

- **SB 2154** by Schwertner, *Relating to the membership of the Public Utility Commission of Texas*. This bill approved an increase on the Public Utility Commission's membership from 3 to 5. The Governor will continue to appoint the members which will be required to go through Senate confirmation. SB 2154 was sent to the Governor's Office on June 1<sup>st</sup>.