

## Texas Legislative Update March 15–27, 2021

### Texas Issues

As of March 27th, there were 66 days left in the Texas Legislative session. The time to get bills out of House Committees, through the Calendars Committee and to the House floor for a vote is running short. After a House floor vote, the bills must go still through the Senate process. In order for House bills to be successful, they need to be voted out of their respective Committees ideally the first week of April. Senate bills also need to make their way out of committees to be voted on and sent over to the House. We need all hands on deck to let our voices be heard.

### Children & Gender – Bills to Support

**HB 68 by Rep. Steve TOTH** – “The Innocence Protection Act,” has sat in the Texas House Public Health Committee for over a month. It would classify medical procedures to change a child’s sex, such as puberty blockers or genital surgeries, as child abuse. Read more here – [thetexan.news](https://www.thetexan.news)

**HB1399 by Rep. Matt Krause** – Relating to professional liability insurance coverage for and prohibitions on the provision to certain children of procedures and treatments for gender transitioning, gender reassignment, or gender dysphoria.

**HB 4014 by Rep. Cole Hefner and SB1646 by Senator Charles Perry** – Relating to the protection of children, including the definition of child abuse and the prosecution of the criminal offense of abandoning or endangering a child.

**SB1311 by Senator Bob Hall and HB 2693 by Rep. Steve Toth** – Relating to the provision of and professional liability insurance coverage for gender transitioning or gender reassignment medical procedures and treatments for certain children– Parents and health care providers who request, prescribe, or perform these medical treatments are maiming children for life. Senator Bob Hall and Representative Steve Toth have filed legislation to prohibit health care providers from performing or prescribing these medical treatments. In addition, it would require the Texas Medical Board or other appropriate state agencies to revoke the license of any provider offering sex change treatments to minors. Finally, it would prohibit health insurance from covering these procedures.

**ACTION:** In the House, please email or call Public Health Chairwoman Stephanie Klick and ask her to please schedule a committee hearing ASAP for HB 68, HB 1399, HB 4014 and HB 2693 to protect Texas children! 512-463-0599, [Stephanie.Klick@house.texas.gov](mailto:Stephanie.Klick@house.texas.gov)

In the Senate, please email or call Senator Bryan Hughes in State Affairs and ask him to please schedule a committee hearing ASAP for SB 1646 and SB 1311 to protect Texas children! 512-463-0101, [bryan.hughes@senate.texas.gov](mailto:bryan.hughes@senate.texas.gov)

**HB 1458 by Rep. Valoree Swanson** – Relating to the separation based on biological sex of athletics teams sponsored by a public school or institution of higher education.

**ACTION:** Call or email House State Affairs Chairman Chris Paddie and let him know we need immediate action and a hearing for HB 1458 and there are 75 co-sponsors on this bill. 512-463-0556, [chris.paddie@house.texas.gov](mailto:chris.paddie@house.texas.gov)

## Parental Rights – Bills to Support

**HB 803 – Equal Parenting Bill** – Children need both a mother and a father in their lives as long as both parents are fit, willing, safe and able. For more information read here – [equaljusticetaskforce.com](http://equaljusticetaskforce.com)

**ACTION:** Please call or email Chairwoman Victoria Neave ([victoria.neave@house.texas.gov](mailto:victoria.neave@house.texas.gov), 512-463-0244) and ask her to set the bill for a hearing so it has time for passage.

**SB 442 by Senator Bryan Hughes and HB 3872 by Rep. Harold Dutton** – Relating to local school health advisory councils and health education provided by public schools, including requirements regarding human sexuality instruction. These bills would create changes to the Student Health Advisory Council, (SHAC), a committee that recommends health programming for local school districts that includes, alcohol abuse, drugs, vaping, sexting, human sexuality and other topics. Currently, too many SHAC's have little accountability. Advocates for Planned Parenthood and other radical and harmful organizations seek to be appointed to these committees and then meet in secret and keep parents in the dark when it comes to curriculum that may have graphic and inappropriate content. SB 442 and HB 3872 would provide much needed changes and accountability such as: submitting meeting minutes on school district websites, holding public meetings to inform parents of content and to provide feedback, providing detailed descriptions of human sexuality curriculum, and requiring all content of instruction on website and available to parents.

**ACTION: 1.** Pray that SB 442 and its companion HB 3872 will become law. **2.** The Public hearing for SB 442 was March 18, 2021 and it has passed out of the Education Committee. Please call or email your senator and let them know it is very important to pass this bill through the Senate ASAP, then please contact your House Representative and ask them to support SB 442 and HB 3872.

Find who represents you here [wrm.capitol.texas.gov/home](http://wrm.capitol.texas.gov/home)

**SB 977 by Senator Bob Hall** – Relating to defenses to prosecution for certain offenses involving material or conduct that may be obscene or is otherwise harmful to children.

Current provisions in Texas Law allow children to be exposed to harmful and obscene materials if the exposure is for educational, medical, psychological, or legislative purposes. Obscenity is not constitutionally protected speech, and has no place being shown or made available to children for any purpose. Unfortunately, the material that falls under these categories is currently accessible to children in many school and public libraries.

In addition, there are loopholes in statute which currently provide a defense to prosecution for someone who solicited a child to a sexual performance or conduct, if the individual is able to show that it was for a bona fide "educational, medical, psychological, or psychiatric purpose." This unthinkable scenario has taken place in court. There is NO legitimate educational, medical, psychological, psychiatric, or any other reason to traumatize a child with lewd or obscene material.

Senator hall's bill would remove all of these exemptions from statute – including the exemptions for judicial and legislative purposes. The only one it would leave is the law enforcement exemption, so that officers may carry out appropriate investigational duties as needed.

**ACTION:** Please email or call Senator John Whitmire, Chair of Senate Criminal Justice and ask him to set a hearing ASAP to protect Texas children! 512-463-0115, [john.whitmire@senate.texas.gov](mailto:john.whitmire@senate.texas.gov)

## Life – Bills to Support

**SB 8 by Senator Bryan Hughes and HB 1515 by Rep. Slawson** – Texas Heartbeat Act – Bans abortion on children who have a detectable heartbeat and other Pro-Life legal tools to stop abortion. SB 8 has passed out of the Senate and will be sent to the House.

**SB 9 by Senator Angela Paxton and HB 1280 by Rep. Caprigilione** – Trigger Abortion Ban – Bans abortion in Texas whenever the Supreme Court overrules Roe v. Wade wholly or partly. SB9 has passed out of the Senate and will be sent to the House.

**SB 1173 by Senator Kelly Hancock and HB 3218 by Rep. Matt Schaefer** – Preborn NonDiscrimination Act (PreNDA) – Bans remaining late-term abortions & abortions motivated by the sex, race, or disability of the child as well as connecting families with perinatal palliative care if their child has a disability. SB 1173 has passed out of the Senate and will be sent to the House.

**SB 1647 by Senator Charles Perry and HB 3760 by Rep. Tom Oliverson** – Texas Abolition Strategy Omnibus Bill – Includes PreNDA, Heartbeat, complete ban on elective abortions, and other Pro-Life policies that go into effect at various dates. SB 1647 has passed out of the Senate and will be sent to the House.

**SB 394 by Senator Lucio and HB 2337 by Rep. Stephanie Klick** – Regulating Abortion-Inducing Drugs – Puts into Texas law FDA regulations on abortion-inducing drugs that have been or are expected to be repealed by the Biden administration. SB 394 has passed out of the Senate and will be sent to the House.

**SB 650 by Senator Donna Campbell and HB 1173 by Rep. Candy Noble** – Ban taxpayer-funded abortion “logistical support” – Follow up on SB 22 from last session since the city of Austin tried to go around it and fund transportation, court fees, other costs not directly paying for the abortion. SB 650 has passed out of the Senate and will be sent to the House.

**SB 802 by Senator Angela Paxton and HB 2313 by Rep. Jeff Leach** – Every Mother Matters Act (EMMA) Requires pre-abortion counseling outside the abortion clinic. SB 802 has passed out of the Senate and will be sent to the House.

**ACTION:** Please call or email your Texas House member (find who represents you here [wrm.capitol.texas.gov](http://wrm.capitol.texas.gov)) and tell them how important it is to pass SB 1647 (companion bill HB 3760), SB 1173 (companion bill HB 3218), SB 8 (companion bill 1515), SB 9 (companion HB 1280), SB 394 (companion bill HB 2337), SB 650 (companion bill HB 1173), SB 802 (companion bill HB 2313) and protect life and save Texas children!

**SB 25 by Senator Lois Kolkhorst and HB 892 by Rep. James Frank** – Relating to the right of certain residents to designate an essential caregiver for in-person visitation

**SJR 19 by Senator Lois Kolkhorst and HJR 46 by Rep. James Frank** – Proposing a constitutional amendment establishing a right for certain residents receiving care in residential settings to designate an essential caregiver for in-person visitation.

On Wednesday, March 17 the Texas Senate unanimously passed SB 25 and SJR 19, meaningful legislation that guarantees you will be able to visit, care for, and advocate for loved ones in long-term care facilities and cannot be kept from your loved ones for more than seven days even in a declared emergency/pandemic .

Read more here – [thetexan.news](http://thetexan.news)

**ACTION:** Now it is up to the Texas House to pass these bills as well. Call or email your Texas House member (find who represents you here – [wrm.capitol.texas.gov/home](http://wrm.capitol.texas.gov/home)) and tell them how important it is to pass SB 25 ([capitol.texas.gov](http://capitol.texas.gov)) and SJR 19 ([capitol.texas.gov](http://capitol.texas.gov)).

## **Religious Liberty Bills to Support**

**HB525 Rep. Matt Shaheen** – Relating to the protection of religious organizations. Left pending in House State Affairs committee (Rep. Chris Paddie Chair)

**HB 1218 by Rep. Tom Oliverson and SB 797 by Senator Bryan Hughes** – Relating to the display of the national motto in public schools and institutions of higher education.– HB 1218 Referred to House Public Education (Chairman Harold Dutton)and SB 797 Referred to Senate State Affairs (Chairman Bryan Hughes) but no scheduled hearings.

**ACTION:** Call or email House Public Education Chairman Harold Dutton and let him know we need immediate action and support for HB 1218 (Harold Dutton – 512-463-0510, harold.dutton@house.texas.gov) – and call or email Senate State Affairs Chairman Bryan Hughes and let him know we need immediate support for SB 797 (Bryan Hughes – 512-463-0101, bryan.hughes@senate.texas.gov)

**HB 1424 Oliverson** – Relating to a health care provider’s right to object to participation in a medical procedure that violates the provider’s ethical, moral, or religious beliefs – Referred to House Public Health Committee (Chairwoman Stephanie Klick) but no scheduled hearing.

**ACTION:** Email or call Public Health Chairwoman Stephanie Klick and ask her to please schedule a committee hearing ASAP for HB 1424 – 512-463-0599, Stephanie.Klick@house.texas.gov

**HB 1239 by Rep. Scott Sanford and SB 26 by Senator Angela Paxton** – Relating to prohibited suspension of laws protecting religious freedom and prohibited closure of places of worship. HB 1239 left pending in House State Affairs committee (Chairman Chris Paddie). SB26 was passed out of Senate and is headed to the House.

**SJR 27 by Senator Kelly Hancock and HJR 72 by Jeff Leach** – Proposing a constitutional amendment to prohibit this state or a political subdivision of this state from prohibiting or limiting religious services of religious organizations. – SJR 27 was passed out of the Senate and headed to the House. HJR 72was left pending in State Affairs committee (Chairman Chris Paddie).

**HCR1 by Rep. Stephenson** – Supporting prayers, including the use of the word “God,” at public gatherings and displays of the Ten Commandments in public educational institutions and other government buildings. Left pending in House State Affairs committee (Chairman Chris Paddie).

**HB 1691 by Rep. Tony Tinderholt** – Relating to the protection of religious freedoms and religious institutions during a declared state of disaster. Left pending in House State Affairs committee (Chairman Chris Paddie).

**SB 573 by Senator Drew Springer and HB 1291 by Rep. Keith Bell** – Relating to notice of the right to object to participation in an abortion procedure for health care personnel of a hospital or health care facility. SB 573 is in Senate State Affairs with no scheduled hearing and HB 1291 is in House Public Health with no scheduled hearing.

**ACTION:** Email or call Public Health Chairwoman Stephanie Klick and ask her to please schedule a committee hearing ASAP for HB 1291 – 512-463-0599, Stephanie.Klick@house.texas.gov

Call or email Senate State Affairs Chairman Bryan Hughes and let him know we need immediate support for SB 573 (Bryan Hughes 512-463-0101, bryan.hughes@senate.texas.gov)

**HB 1487 by Rep. Dean** – Relating to the protection of religious organizations. No action has been taken in House State Affairs (Rep. Chris Paddie is Chairman)

**HB 1569 by Rep. Schofield** – Relating to regulation by a property owners' association of certain religious displays. Referred to House Business and Industry with no scheduled hearing. (Rep. Chris Turner is Chairman)

**HB 1579 by James White and SB 654 by Senator Paul Bettencourt** – Relating to the protection of the free exercise of religious rights of inmates and ensuring access to volunteer and faith-based chaplains and chaplaincy services.

HB 1579 has been referred to House Corrections Committee but no scheduled hearing (Rep. Andrew Murr is Chairman) and SB 654 has been referred to Senate Criminal Justice Committee but no scheduled hearing (Senator John Whitmire Chairman).

**ACTION:** Call or email Rep. Andrew Murr [andrew.murr@house.texas.gov](mailto:andrew.murr@house.texas.gov), 512-463-0536 to please take immediate action on HB 1579 and support this bill. Call or email Senator John Whitmire to please take immediate action on SB 654 and support this bill – [john.whitmire@senate.texas.gov](mailto:john.whitmire@senate.texas.gov), 512-463-0115

**ACTION:** Call or email House State Affairs Chairman Chris Paddie and let him know we need immediate action and support for HB 1569, HB 1487, HB 1691, HCR1, HJR 72 and SJR 27, HB 1239 and SB 26, and HB 525. (Chairman Chris Paddie – 512-463-0556, [chris.paddie@house.texas.gov](mailto:chris.paddie@house.texas.gov))

## Human Trafficking

**HB 465 by Rep. Matt Shaheen** – Relating to changing the eligibility for release on parole of certain inmates serving sentences for trafficking offenses involving one or more child victims. Left Pending in House Corrections Committee.

**ACTION:** Please call or email Chairman Andrew Murr and let him know he needs to pass this out of committee immediately and we need to protect victims of human trafficking. [andrew.murr@house.texas.gov](mailto:andrew.murr@house.texas.gov), 512-463-0536

## Gambling

The gambling bills below are making their way through the House and are ones to be very concerned about because they open the door for expansions of gambling in Texas that are problematic. They all claim they're something they are not, and are some of the most dangerous this session. All of these bills would take the State to Class III gaming, and should require a constitutional amendment to be legal in our State. There are currently over 60 well-paid gambling lobbyists in the Austin Capitol.

**ACTION:** Please call or email your Texas Representatives and Senators and ask them to vote NO on these bills. You can find out who represents you and their contact info here – [wrm.capitol.texas.gov](http://wrm.capitol.texas.gov)

## Daily Fantasy Sports

**HB 393** by Rep Moody – Read Text here – [capitol.texas.gov](http://capitol.texas.gov)

**SB 592** by Sen. Kolkhorst (companion bill)

House bill 393 amends definition of bet to exclude participation in Daily Fantasy Sports from definition. This bill passed last session with 100+ votes in House. Here is an article on DFS – [stoppredatorygambling.org](http://stoppredatorygambling.org)  
The SBTC also has a statement strongly opposed to DFS.

## Keno

**HB 394** by Rep Moody

**HB 817** by Rep Moody

Both of these bills have already been voted out of committee. They would allow drawings every four minutes, equalling 285 draws a day. Game would be predominantly played in bars, and restaurants, 7 days a week. (HB 394 allows drawings on Sunday). Keno is VERY ADDICTIVE.

"Keno addicts seem to get out of control within two to three weeks," she says, noting by contrast that gamblers who become addicted to horse racing typically go to the races for two to five years before getting hooked." Read more here: [baltimoresun.com](http://baltimoresun.com) and here [statesman.com](http://statesman.com)

### **Statewide Electronic Raffles**

**HB 2168 by Rep. Matt Krause** – A form of ONLINE gambling that Texas has never had before. This would be a dangerous inroad and set-up for future sports betting.

This bill had a hearing on March 24. It would allow electronic facsimiles game of chance (raffles) to be purchased on-line/mobile phone. Also allows credit cards to be used to make the purchase. This is a first, and is a bad bill. With 50/50 paper raffles having been purchased at sports stadiums in the past, and 50% of it goes towards a designated non-profit, HB 2168 would allow you to purchase raffles, even if you are not at a game, on your phone or mobile device. This would EXPAND the raffle to electronic devices.

This is not the same as paper raffle tickets at ball parks. This would allow a statewide electronic raffle and people across the state can place a wager which we currently do not have the ability to do. How do you verify if someone participating is a minor? There would also be the risk of out-of-state players.

The proponents are pushing the narrative that "50% of the money will go to charities" and these charities need it having had deficits from the past year. They also cite that because of COVID not as many people want to go to sport stadiums. The answer is not online raffle sells, rather the legislature needs to pass legislation preventing government from being able to shut everything down again.

The sport stadiums in Texas can open up now – they need to solve the problem regarding how they'll get people to their stadium. This is an expansion of gambling.

**More reading:** From Financial Times - Millennial Money: Gambling via apps drains my friends' finances: [ft.com](http://ft.com)

Illegal gambling also tends to increase when states legalize gambling. [stoppredatorygambling.org](http://stoppredatorygambling.org)

The TERLC and SBTC addresses our gambling position, as well as others, here in our legislative priority statement – [sbtexas.com](http://sbtexas.com)