

Pre-Session Update on the 87th Texas Legislature



Last Monday Webinar
Anywhere in the Great State of Texas (Zoom)
November 30, 2020



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Meet the Team

- John Carlton
 - The Carlton Law Firm, PLLC
 - SAFE-D General and Legislative Counsel (2000-current)
 - Represents ESDs across Texas as General and Special Counsel
- Jaime Capelo
 - Capelo Law Firm
 - Legislative Advocacy on Health Care Policy
- Carolyn Merchan Saegert
 - Stalwart Strategies, Inc.
 - Legislative Advocacy on State Tax and Budget Policy



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SAFE-D's Legislative Team

John Carlton



- SAFE-D General and Legislative Counsel
– 2000-present
- Represented ESDs on legislative issues since 1997
- B.A., The University of Texas
- J.D., The University of Texas



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SAFE-D's Legislative Team

Jaime Capelo



- Specializes in health care policy and funding
- Served four terms as a State Representative from Nueces County (1998-2005)
 - House Public Health Committee, Chairman
 - Select Committee on State Health Care Expenditures
 - Civil Practices Committee
 - Judicial Affairs Committee
 - Joint Committee on Nutrition and Health in Public Schools,
 - Joint Committee on the Children's Health Insurance Program
- Served on Corpus Christi City Council (1997)
- B.A., Yale
- J.D., The University of Texas



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SAFE-D's Legislative Team

Carolyn Merchan Saegert



- 20 years of legislative, agency, and legal experience, with an emphasis on state tax policy
- Fiscal and Tax Counsel for the Lieutenant Governor for the 2019 legislative session.
 - provided guidance and strategy on all revenue related initiatives and legislation including significant work on the budget and school finance, SB 2 and HB 3
- Former Director for the House Committee on Ways and Means (2000-2010)
- B.A., University of Houston
- J.D., Southern Methodist University



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Important Legislative Dates

- November 9, 2020
 - Prefiling Bills for 87th Session Began
 - 400+ bills filed on the first day
- January 12, 2021
 - 87th Legislature convenes
- May 31, 2021
 - Sine Die, 87th Legislature adjourns



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87th Legislature

- Impact of Election?
- Impact of COVID19?
- Big Issues for 2021?



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House of Representative

- Presumptive Speaker – Dade Phelan, Beaumont
- Committee Leadership?
- Changes from 86th?



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Senate

- Lt. Governor – Dan Patrick
- Committee Leadership?
- Changes from 86th?



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Communication of Issues

- Reach out to Legislators about SAFE-D Issues
 - SAFE-D Platform at <https://www.safe-d.org/21-safe-d-platform/>
 - Let SAFE-D know before any planned meetings
 - Meet for coffee before Session
 - Let them know about the SAFE-D Legislative Team
 - Ask how you can reach them during Session



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SAFE-D Legislative Vision

- Emergency Services Districts are created by voters to provide more reliable funding for fire protection and emergency medical services. As a result, the primary mission of Emergency Services Districts is to protect the lives and property of their citizens when they are threatened by emergencies. In order to accomplish this critical and essential function, Emergency Services Districts must have a predictable, reliable and adequate level of revenue, and SAFE-D will support efforts to enhance this revenue and will oppose any efforts to diminish this revenue.
- SAFE-D will work for legislative outcomes that preserve or enhance the authority of Emergency Services Districts to provide the first line of defense for their communities in natural disasters and other emergencies recognizing that each ESD operates amidst its own unique set of traditions, expectations and requirements.



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SAFE-D Legislative Goals

- Propose and support legislation to:
 - Allow emergency services districts to provide **Mobile Integrated Healthcare/Community Paramedicine** to improve the medical care provided to Texans and to reduce the taxpayers' cost of emergency medical services.
 - ESDs to **collect sales tax on residential electric and gas sales.**
 - Clarify **ESDs' exclusive ability to determine which services to provide and to designate the service providers** necessary to accomplish the mission given to the districts by the voters who created them.
 - Pass a **constitutional amendment to allow a separate Interest-and-Sinking Tax Rate,** beyond the 10-cent-per-\$100 rate currently included in the State Constitution, for emergency services districts.
- Support efforts by others to:
 - increase funding to ESDs from allocation of insurance premium taxes.
 - assure that funds collected from insurance company assessments for the Rural Fire Department Assistance Fund are fully distributed to address fire department needs.
 - decrease or remove the required amount of debt to qualify an emergency services district for exemption from a full audit.
 - eliminate unnecessary and redundant reporting to state agencies.



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SAFE-D Legislative Goals

- Oppose any efforts to:
 - “defund emergency services” including reducing the funding for emergency services district to provide services that their taxpayers expect.
 - remove or limit local control of funding and service decisions by emergency services districts.
 - impair the ability of emergency services districts to provide services within their communities.
- Strive to preserve:
 - emergency services districts’ access to both property tax revenues and sales tax revenues to assure resources necessary for the safety of their citizens.
 - local control of taxpayer-provided resources, including the process for selection of individuals to serve on the governing body of emergency services districts.
- Monitor legislation:
 - affecting sales tax collection, including collection for online sales.
 - the sunset process for the Texas Commission on Fire Protection and propose legislation to add seats for representatives from emergency services districts to the commission.
 - refinements to the tax law changes made by 2019’s SB2.
 - SAFE-D will support adjustments to the schedule to extend the time available to adopt a tax rate less than the de minimis rate.
 - as well as additions to statutorily required tax rate notice language in order to cover all possible outcomes for ESD tax rate adoption.



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Online Resource for Legislative Information

<http://www.capitol.state.tx.us/>



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Questions?



www.safe-d.org



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