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BUSINESS LAW SECTION
STATE BAR OF TEXAS
TEXAS LEGISLATIVE UPDATE
February 17, 2017

Several Senate committees picked up the pace this week. The Senate State Affairs Committee took up a handful of bills, including the federal Constitutional Convention resolution, contentious abortion related bills, and one that would prevent payroll deductions for union dues. Senate Business and Commerce has not yet scheduled its first meeting.

The House Appropriations Committee commenced meetings to deliberate on the proposed \$109 billion initial House budget recommendations. As previously reported, the Comptroller has estimated \$104.87 billion in state funds available for the 2018-19 budget. The House budget writers are considering tapping the State's so called "Rainy Day Fund" to fill the gap, a move not embraced by budget conservatives or the Senate. Other House committees, although now appointed, continue to remain in the organizational stage. Bill committee referrals will now start to escalate.

Texas Business Law Foundation bills have started to flow out of the Legislative Council, and final mark-ups are underway. The TUTSA bill was actually filed in the House.

The BLS is tracking legislation in ten (10) general subject-matter categories. Periodic updates will come in two parts, the first part, below, is a summary of the categories. The second part contains a detailed list of all bills being tracked within the categories.

A -- Section Prepared Bills

Bills in this category are proposed by the Texas Business Law Foundation ("TBLF").

Business Organization Code -- Corporations and Nonprofit Associations

Substantive and technical amendments to the BOC developed by the BLS BOC Drafting Committee, addressing corporation, nonprofit corporation, and nonprofit association actions and matters, including share issuance, dividends, and ownership; director

voting; mergers and conversions; defective act ratification; records transparency; and notice uniformity. Bill draft remains pending in the Legislative Council. We expect the TLC draft any day. Discussions continue with Sen. Hancock and Rep. Oliveira on sponsorship.

Business Organization Code -- Partnerships and LLCs

Substantive and technical amendments to the BOC developed by the BLS BOC Drafting Committee, affecting partnership, limited liability company, and series LLC actions and matters, including company and partnership agreement enforceability; officer vacancies; series LLC status; liability clarification; business names; service of process; records transparency; and winding up. The TLC draft has been received and is under review by BOC drafting committee. Discussions also continue with Sen. Hancock and Rep. Oliveira on sponsorship.

Uniform Trade Secrets Act

Amendments to the TUTSA, conforming it to recent modifications to the uniform act and federal law.

[HB 1995](#) (Elkins) - Filed in the House, not yet referred. Senate sponsorship discussions continue.

Business Names

Adopts the “distinguishable name” standard rather than the current “deceptively similar” standard in the reservation of business names, as supported by the Secretary of State. Bill draft remains pending in the Legislative Council. Discussions continue with Sen. Watson and Rep. Villalba.

B -- Business Courts

Chancery Court

Initiative by Rep. Jason Villalba (R-Dallas) to establish a dedicated business court system in Texas to handle specified complex business litigation. Rep. Villalba continues discussions with stakeholders.

C -- Business Entities

Shareholder Oppression

Debate continues over the need to codify certain minority shareholder protections in the wake of *Ritchie v. Rupe*. During the legislative interim, the House Business and Commerce Committee studied the issue, receiving pro and con testimony. Byron Egan, on behalf of the TBLF, presented compelling testimony that adequate remedies exist under current law and that additional codification on the subject is not needed, and likely would cause harmful uncertainty in business entity organization. B&C declined to make a recommendation on the issue. Rep. Ron Simmons (R-Carrollton), the leading

proponent for action on the subject, is nonetheless considering filing another bill. No bill has yet been filed.

Ethics/Interests in Government Contracts

[HB 1295](#) (Capriglione) - Amendment package to previous HB 1295 to clarify and simplify business entity compliance with the bill's required disclosures when contracting with a government entity. The bill increases the number of business entities exempt from the registration requirements (publicly traded entities and “direct or indirect wholly owned subsidiaries”; FDIC insured institutions; certain utilities; and insurance companies). For those entities not exempt, a number of questions regarding the extent of the registration requirements remain unanswered. Additionally, the bill re-defines several terms, including “contract,” in ways that add confusion regarding the requirements and adds a civil penalty (\$500 for the first day; \$100 per day thereafter to a maximum of \$10,000) for an entity that fails to file the registration or the disclosures contained therein, enforceable by the Texas Ethics Commission or the Attorney General. These items were not included in the legislation drafted by stakeholders who worked with the author during the interim.

[HB 1610](#) (Kuempel) - An alternative amendment package to HB 1295. This bill would apply the registration only for contracts in excess of \$10 million and simplifies the registration requirements and is likely to be favored by a number of stakeholders. Discussion will be undertaken with Rep. Kuempel to determine his expectations for the bill so the extent of TBLF support can be gauged.

Activist Shareholders

Possible initiative to impose certain restrictions on activist corporate shareholders. Communications continue with legislative leaders on whether such a bill will be filed.

Health Organization Corporations and Partnerships

[SB 679](#) (Hancock) - Adds chiropractors to existing authorizations for doctors of medicine, osteopathy, and podiatry to establish business entities jointly owned and controlled by those types of practitioners.

D -- UCC

Awaiting the filing of additional bills and identification as to relevancy.

E -- Securities

Self Funding Status for State Securities Board

[HB 823](#) (Parker) - Gives the State Securities Board self-directed and semi-independent status, treating it similarly to the Texas Department of Banking.

F -- Financial Institutions

Electronic Notarization

[HB 1217](#) (Parker) - Initiative by the Texas Mortgage Bankers Association. TBLF endorsement has been requested.

G -- Business Liability

Director Liability Following Charter Revocation

Section 171.255, Tax Code, is designed to enforce the collection of corporate taxes by the Comptroller. The tax collection tool, however, exposes directors and officers to an excessive liability for *all* corporate debts during a revocation period should taxes not be paid. *Hovel v. Batzeri*, currently on appeal the Texas Supreme Court, supports a customary and reasonable approach as to when a debt is created under the statute. Should the Court, however, overturn the *Hovel* decision, there is concern that the uncertainty and negative impact of the statute could be significantly increased. Discussion continues on the need for legislation.

H -- Real Estate and Related Topics

Power of Attorney

[HB 1974](#) (Wray)/[SB 926](#) (Rodriguez) - Addresses significant modifications to the durable power of attorney provisions of Chapter 751, Estates Code, including mandatory acceptance. A stakeholder meeting this week with Rep. Wray included representatives from TBLF and BLS, REPTL, and impacted financial institution associations. The meeting produced significant progress on a consensus for the bill, with, TBLF/BLS draftspersons working on language for review by REPTL attorneys and vice-versa. Rep. Wray has committed to incorporate any agreed language in a committee substitute.

I -- Taxation and Related Topics

Franchise Tax

Numerous bills pertaining to franchise tax reform and cuts have been filed.

[SB 17](#) (Nelson) - Provides phased reduction and ultimate elimination of the franchise tax, based on revenue growth. Of the numerous filed bills, this bill likely will be the primary vehicle for Senate action.

Property Tax

The Senate leadership has declared property tax reform and cuts as key components of its legislative priorities.

[SB 2](#) (Bettencourt) - Designated package for ad valorem taxation reform, including an effective 4% cap on increases (without an election).

J -- Choice of Law

Application of Foreign and International Law

Efforts to restrict the impact in Texas courts of certain perceived repugnant foreign laws or doctrines, or so called “Anti-Sharia” laws, continue. Bills could impact foreign judgment enforcement, use of foreign laws, and contractual choice of law and venue.

[HB 45](#) (Flynn) - Amends the Civil Practice and Remedies Code to prohibit application of foreign laws or contractual choice of law or venue provisions requiring foreign laws, if the foreign laws would violate rights under the U.S. or Texas constitutions.

[HB 498](#) (Fallon) - Amends the Family Code and narrows application to marriages and parent-child relationships.

[SB 944](#) - Adopts the Uniform Foreign-Country Money Judgments Recognition Act.

SBOT BUSINESS LAW SECTION LEGISLATIVE TRACKING REPORT

02-17-2017 - 16:25:44



- Action in the date range



- Link to Related Information

() - Priority

A - Section Prepared

[HB 1995](#)

[Elkins, Gary\(R\)](#)

Relating to the Texas Uniform Trade Secrets Act.

Bill History: 02-16-17 H Filed

B - Business Courts

C - Business Entities

[HB 89](#) [King, Phil\(R\)](#) Relating to state contracts with and investments in companies that boycott Israel.

Companions: [SB 134](#) Creighton, Brandon (Identical)
1-25-17 S Introduced and referred to committee on Senate Business and Commerce

Bill History: 11-14-16 H Filed

[HB 225](#) [Johnson, Eric\(D\)](#) Relating to the prohibition of employment discrimination based on sexual orientation or gender identity or expression.

Bill History: 11-14-16 H Filed

[HB 228](#) [Thompson, Senfronia\(D\)](#) Relating to unlawful employment practices regarding discrimination in payment of compensation.

Companions: [HB 187](#) Thompson, Senfronia (Refiled from 84R Session)
[SB 65](#) Ellis, Rodney (Refiled from 84R Session)

Bill History: 02-13-17 H Introduced and referred to committee on House Business and Industry

[HB 258](#) [Anchia, Rafael\(D\)](#) Relating to a prohibition on the award of a state agency contract to a person in a state with laws allowing or requiring discrimination based on sexual orientation or gender identity or expression.

Bill History: 02-13-17 H Introduced and referred to committee on House State Affairs

[HB 317](#) [Canales, Terry\(D\)](#) Relating to the consideration by certain employers of the consumer credit reports of certain employees and applicants for employment.

Bill History: 02-15-17 H Introduced and referred to committee on House Business and Industry

[HB 334](#) [Collier, Nicole\(D\)](#) Relating to the consideration by employers of the consumer credit reports or other credit information of employees and applicants for employment.

Bill History: 02-15-17 H Introduced and referred to

| | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| HB 552 | White, James(R) | Relating to the regulation of occupations by this state. |
| Bill History: 12-09-16 H Filed | | |
| HB 1142 | Davis, Sarah(R) | Relating to prohibiting governmental contracts with a company doing business with Iran, Sudan, or a foreign terrorist organization. |
| Companions: SB 252 Taylor, Van (Identical) 1-30-17 S Introduced and referred to committee on Senate Business and Commerce | | |
| Bill History: 01-19-17 H Filed | | |
| HB 1222 | Rinaldi, Matt(R) | Relating to the suspension of certain licenses held by private employers for the knowing employment of persons not lawfully present in this state. |
| Bill History: 01-23-17 H Filed | | |
| HB 1295 | Capriglione, Giovanni(R) | Relating to the disclosure of interested parties by business entities contracting with governmental entities and state agencies. |
| Bill History: 02-03-17 H Filed | | |
| HB 1610 | Kuempel, John(R) | Relating to the disclosure of interested parties by business entities contracting with governmental entities or state agencies. |
| Bill History: 02-07-17 H Filed | | |
| SB 134 | Creighton, Brandon(R) | Relating to state contracts with and investments in companies that boycott Israel. |
| Companions: HB 89 King, Phil (Identical) 11-14-16 H Filed | | |
| Bill History: 01-25-17 S Introduced and referred to committee on Senate Business and Commerce | | |
| SB 252 | Taylor, Van(R) | Relating to prohibiting governmental contracts with a company doing business with Iran, Sudan, or a foreign terrorist organization. |
| Companions: HB 1142 Davis, Sarah (Identical) | | |

1-19-17 H Filed

Bill History: 01-30-17 S Introduced and referred to committee on Senate Business and Commerce

[SB 679](#) [Hancock, Kelly\(R\)](#)

Relating to the authority of chiropractors to form certain business entities with certain other professions.

Bill History: 02-15-17 S Introduced and referred to committee on Senate Business and Commerce

D - UCC

E - Securities

[HB 823](#) [Parker, Tan\(R\)](#)

Relating to the self-directed and semi-independent status of the State Securities Board.

Bill History: 01-04-17 H Filed

[HB 1090](#) [Meyer, Morgan\(R\)](#)

Relating to the criminal penalties for insider trading and other misuse of official information by public servants.

Companions: [SB 111](#) Taylor, Van (F) (Refiled from 84R Session)
[SB 140](#) Taylor, Van (Identical)
1-25-17 S Introduced and referred to committee on Senate State Affairs

Bill History: 01-17-17 H Filed

[HB 1701](#) [Parker, Tan\(R\)](#)

Relating to the presentation of the investment policy of certain governmental entities to a business organization that conducts investment transactions for the entity.

Bill History: 02-09-17 H Filed

[SB 140](#) [Taylor, Van\(R\)](#)

Relating to the criminal penalties for insider trading and other misuse of official information by public servants.

Companions: [SB 111](#) Taylor, Van (F) (Refiled)

[HB 1090](#) Meyer, Morgan
1-17-17 H Filed

from 84R
Session)
(Identical)

Bill History: 01-25-17 S Introduced and referred to
committee on Senate State Affairs

F - Financial Institutions

[HB 197](#) [Bernal, Diego\(D\)](#)

Relating to contracts and other documents
issued by credit access businesses.

Bill History: 02-14-17 H Introduced and referred to
committee on House Investments and Financial
Services

[HB 411](#) [Longoria, Oscar\(D\)](#)

Relating to requiring photo identification for
certain purchases paid with a credit card or
debit card.

Bill History: 11-18-16 H Filed

[HB 471](#) [Johnson, Eric\(D\)](#)

Relating to authorizing a credit union or other
financial institution to conduct savings
promotion raffles.

Bill History: 02-16-17 H Introduced and referred to
committee on House Investments and Financial
Services

[HB 721](#) [Longoria, Oscar\(D\)](#)

Relating to photo identification requirements
for certain stored value card transactions.

Bill History: 12-21-16 H Filed

[HB 741](#) [Bernal, Diego\(D\)](#)

Relating to the affordability of extension of
consumer credit.

Bill History: 12-27-16 H Filed

[HB 877](#) [Turner, Chris\(D\)](#)

Relating to prohibiting certain telemarketing
calls by a credit access business.

Bill History: 01-09-17 H Filed

[HB 916](#) [Thierry, Shawn \(F\)\(D\)](#)

Relating to requiring financial institutions to
report the suspected financial abuse of elderly
persons.

Companions: [SB 792](#) Miles, Borris (F) (Identical)
2- 9-17 S Filed

Bill History: 01-10-17 H Filed

[HB 959](#) [Thierry, Shawn \(F\)\(D\)](#) Relating to the financial abuse of elderly persons, including requiring financial institutions to report suspected financial abuse of elderly persons.

Companions: [SB 791](#) Miles, Borris (F) (Identical)
2- 9-17 S Filed

Bill History: 01-12-17 H Filed

[HB 993](#) [Walle, Amando\(D\)](#) Relating to the provision of accounting statements by mortgage servicers for certain loans secured by a lien on residential real property.

Companions: (Refiled from 84R Session)
[HB 1239](#) Walle, Amando

Bill History: 01-12-17 H Filed

[HB 1134](#) [Craddick, Tom\(R\)](#) Relating to credit services organizations and extensions of consumer credit facilitated by credit services organizations.

Bill History: 01-18-17 H Filed

[HB 1143](#) [Davis, Sarah\(R\)](#) Relating to investment prohibitions and divestment requirements for certain investments of public money.

Companions: [SB 253](#) Taylor, Van (Identical)
1-30-17 S Introduced and referred to committee on Senate Business and Commerce

Bill History: 01-19-17 H Filed

[HB 1217](#) [Parker, Tan\(R\)](#) Relating to appointment of and performance of notarial acts by an electronic notary public.

Bill History: 01-23-17 H Filed

[HB 1712](#) [Shaheen, Matt\(R\)](#) Relating to the abolishment of certain advisory committees.

Bill History: 02-09-17 H Filed

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|-------------------------|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| HB 1733 | Uresti, Tomas (F)(D) | Relating to the maximum permitted sum of fees, interest, and other amounts due under certain extensions of consumer credit. | Bill History: 02-09-17 H Filed |
| HB 1752 | Farrar, Jessica(D) | Relating to certain account disclosures provided by a financial institution to a customer. | Companions: SB 714 Seliger, Kel (Identical) 2- 1-17 S Filed |
| | | | Bill History: 02-10-17 H Filed |
| HB 1760 | Fallon, Pat(R) | Relating to money transmissions sent to destinations outside the United States. | Bill History: 02-10-17 H Filed |
| HB 1767 | Collier, Nicole(D) | Relating to the collection of consumer debt by debt buyers. | Bill History: 02-13-17 H Filed |
| HB 1954 | Murr, Andrew(R) | Relating to convenience and trust accounts established at financial institutions. | Bill History: 02-15-17 H Filed |
| SB 253 | Taylor, Van(R) | Relating to investment prohibitions and divestment requirements for certain investments of public money. | Companions: HB 1143 Davis, Sarah (Identical) 1-19-17 H Filed |
| | | | Bill History: 01-30-17 S Introduced and referred to committee on Senate Business and Commerce |
| SB 560 | Hancock, Kelly(R) | Relating to surcharges imposed for the use of a credit card. | Bill History: 02-08-17 S Introduced and referred to committee on Senate Business and Commerce |
| SB 714 | Seliger, Kel(R) | Relating to certain account disclosures provided by a financial institution to a customer. | Companions: HB 1752 Farrar, Jessica (Identical) 2-10-17 H Filed |

Bill History: 02-01-17 S Filed

[SB 791](#)

[Miles, Borris \(F\)\(D\)](#)

Relating to the financial abuse of elderly persons, including requiring financial institutions to report suspected financial abuse of elderly persons.

Companions: [HB 959](#) Thierry, Shawn (F) (Identical)
1-12-17 H Filed

Bill History: 02-09-17 S Filed

[SB 792](#)

[Miles, Borris \(F\)\(D\)](#)

Relating to requiring financial institutions to report the suspected financial abuse of elderly persons.

Companions: [HB 916](#) Thierry, Shawn (F) (Identical)
1-10-17 H Filed

Bill History: 02-09-17 S Filed

[SB 830](#)

[Rodriguez, Jose\(D\)](#)

Relating to the provision of accounting statements by mortgage servicers for certain loans secured by a lien on residential real property.

Bill History: 02-10-17 S Filed

[SB 836](#)

[Rodriguez, Jose\(D\)](#)

Relating to a contract or other agreement between certain governmental entities and a credit services organization or related business.

Bill History: 02-13-17 S Filed

G - Business Liability

[HB 447](#)

[Bell, Cecil\(R\)](#)

Relating to the civil liability of certain businesses in connection with allowing or forbidding handguns on the business premises.

Bill History: 02-16-17 H Introduced and referred to committee on House Judiciary and Civil Jurisprudence

[HB 497](#)

[Rinaldi, Matt\(R\)](#)

Relating to the liability of a business that allows handguns to be carried on the business's premises.

Bill History: 02-16-17 H Introduced and referred to committee on House Judiciary and Civil Jurisprudence

[HB 556](#) [Keough, Mark\(R\)](#) Relating to the civil liability of certain persons in connection with allowing or forbidding handguns on the premises of a business or apartment complex.

Bill History: 12-09-16 H Filed

[HB 744](#) [Farrar, Jessica\(D\)](#) Relating to recovery of attorney's fees in certain civil cases.

Companions: [HB 230](#) Farrar, Jessica (Refiled from 84R Session)

Bill History: 12-27-16 H Filed

[HB 1032](#) [Thompson, Senfronia\(D\)](#) Relating to the adoption of the Uniform Electronic Legal Material Act.

Bill History: 01-13-17 H Filed

[HB 1038](#) [Rinaldi, Matt\(R\)](#) Relating to the award of costs and attorney's fees in a motion to dismiss for certain actions that have no basis in law or fact.

Bill History: 01-13-17 H Filed

[HB 1066](#) [Thompson, Senfronia\(D\)](#) Relating to the collection of certain judgments through court proceeding.

Companions: [HB 604](#) Davis, Sarah (Refiled from 84R Session)

Bill History: 01-17-17 H Filed

[HB 1258](#) [Clardy, Travis\(R\)](#) Relating to information publicly available in an electronic court record database.

Bill History: 01-24-17 H Filed

[HB 1315](#) [King, Phil\(R\)](#) Relating to the liability of employees of certain real property owners for certain claims arising from construction activities.

Companions: [SB 621](#) Creighton, Brandon (Identical)
2-13-17 S Introduced and referred to

committee on Senate State Affairs

Bill History: 01-26-17 H Filed

[SB 621](#) [Creighton, Brandon\(R\)](#) Relating to the liability of employees of certain real property owners for certain claims arising from construction activities.

Companions: [HB 1315](#) King, Phil (Identical)
1-26-17 H Filed

Bill History: 02-13-17 S Introduced and referred to committee on Senate State Affairs

H - Real Estate/Related Topics

[HB 379](#) [Bernal, Diego\(D\)](#) Relating to mandatory sales price disclosure in real property sales.

Bill History: 11-16-16 H Filed

[HB 628](#) [Howard, Donna\(D\)](#) Relating to the distribution, possession, purchase, consumption, and receipt of cigarettes, e-cigarettes, and tobacco products.

Bill History: 12-16-16 H Filed

[HB 1354](#) [Wray, John\(R\)](#) Relating to trusts.

Companions: [SB 617](#) Rodriguez, Jose (Identical)
2-13-17 S Introduced and referred to committee on Senate State Affairs

Bill History: 01-30-17 H Filed

[HB 1386](#) [Guillen, Ryan\(D\)](#) Relating to the use of earnest money contracts and other offers for the sale of land before a subdivision plat is filed in certain border counties.

Bill History: 01-31-17 H Filed

[HB 1470](#) [Villalba, Jason\(R\)](#) Relating to the public sale of real property under a power of sale in a security instrument.

Bill History: 02-01-17 H Filed

[HB 1974](#) [Wray, John\(R\)](#) Relating to durable powers of attorney.

Companions: [SB 926](#) Rodriguez, Jose (Identical)
2-16-17 S Filed

Bill History: 02-16-17 H Filed

[HB 2076](#) [Schubert, Leighton\(R\)](#) Relating to establishing actual progress for the purposes of determining the right to repurchase real property from a condemning entity.

Companions: [SB 628](#) Schwertner, Charles (Identical)
2-13-17 S Introduced and referred to committee on Senate State Affairs

Bill History: 02-17-17 H Filed

[SB 372](#) [Hall, Bob\(R\)](#) Relating to regulation of title insurance.

Bill History: 02-01-17 S Introduced and referred to committee on Senate Business and Commerce

[SB 617](#) [Rodriguez, Jose\(D\)](#) Relating to trusts.

Companions: [HB 1354](#) Wray, John (Identical)
1-30-17 H Filed

Bill History: 02-13-17 S Introduced and referred to committee on Senate State Affairs

[SB 626](#) [Schwertner, Charles\(R\)](#) Relating to the acquisition of certain real property in conjunction with the acquisition of real property for a public use through eminent domain procedures.

Bill History: 02-13-17 S Introduced and referred to committee on Senate State Affairs

[SB 627](#) [Schwertner, Charles\(R\)](#) Relating to notice of a property owner's rights relating to the examination or survey of property by an entity with eminent domain authority.

Bill History: 02-13-17 S Introduced and referred to committee on Senate State Affairs

[SB 628](#) [Schwertner, Charles\(R\)](#) Relating to establishing actual progress for the purposes of determining the right to repurchase real property from a condemning entity.

Companions: [HB 2076](#) Schubert, Leighton (Identical)
2-17-17 H Filed

Bill History: 02-13-17 S Introduced and referred to committee on Senate State Affairs

[SB 742](#) [Kolkhorst, Lois\(R\)](#) Relating to requirements for a bona fide offer for the acquisition of property by an entity with eminent domain authority.

Bill History: 02-03-17 S Filed

[SB 830](#) [Rodriguez, Jose\(D\)](#) Relating to the provision of accounting statements by mortgage servicers for certain loans secured by a lien on residential real property.

Bill History: 02-10-17 S Filed

[SB 926](#) [Rodriguez, Jose\(D\)](#) Relating to durable powers of attorney.

Companions: [HB 1974](#) Wray, John (Identical)
2-16-17 H Filed

Bill History: 02-16-17 S Filed

I - Taxation/Related Topics

[HB 1](#) [Zerwas, John\(R\)](#) General Appropriations Bill.

Bill History: 02-13-17 H Introduced and referred to committee on House Appropriations

[HB 86](#) [Guillen, Ryan\(D\)](#) Relating to providing a sales and use tax refund or franchise tax credit for businesses that employ former offenders.

Bill History: 02-13-17 H Introduced and referred to committee on House Ways and Means

[HB 102](#) [Guillen, Ryan\(D\)](#) Relating to exemptions from ad valorem taxes, the sales and use tax, and the franchise tax for certain businesses during an initial period of operation in this state.

Bill History: 02-13-17 H Introduced and referred to committee on House Ways and Means

[HB 388](#) [Murphy, Jim\(R\)](#) Relating to the phaseout and repeal of the franchise tax.

Bill History: 02-16-17 H Introduced and referred to committee on House Ways and Means

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|-------------------------|-----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HB 509 | Button, Angie(R) | Relating to a deduction under the franchise tax for certain contracts with the federal government. |
| Bill History: | | 02-16-17 H Introduced and referred to committee on House Ways and Means |
| HB 538 | Metcalf, Will(R) | Relating to the use of certain surplus state revenue to provide for a rebate of state franchise taxes. |
| Companions: | | <div> <div>HB 1134</div> <div>Metcalf, Will (F)</div> <div>(Refiled from 84R Session)</div> </div> <div> <div>SB 331</div> <div>Creighton, Brandon (F)</div> <div>(Refiled from 84R Session)</div> </div> <div> <div>SB 131</div> <div>Creighton, Brandon</div> <div>(Identical)</div> </div> <div> <div>1-25-17 S Introduced and referred to committee on Senate Finance</div> </div> |
| Bill History: | | 12-08-16 H Filed |
| HB 599 | Schofield, Mike(R) | Relating to the decrease of the rates of the franchise tax under certain circumstances and the expiration of that tax. |
| Bill History: | | 12-14-16 H Filed |
| HB 803 | Dale, Tony(R) | Relating to a temporary exemption from the sales and use tax and the franchise tax for certain businesses engaged in space flight activities. |
| Bill History: | | 01-03-17 H Filed |
| HB 1050 | Swanson, Valoree (F)(R) | Relating to the abolition of ad valorem taxes. |
| Bill History: | | 01-17-17 H Filed |
| HB 1052 | Schubert, Leighton(R) | Relating to the repeal of the franchise tax. |
| Companions: | | <div> <div>HB 1196</div> <div>Button, Angie</div> <div>(Identical)</div> </div> <div> <div>1-20-17 H Filed</div> </div> <div> <div>SB 178</div> <div>Estes, Craig</div> <div>(Identical)</div> </div> <div> <div>1-25-17 S Introduced and referred to committee on Senate Finance</div> </div> |
| Bill History: | | 01-17-17 H Filed |
| HB 1055 | Burkett, Cindy(R) | Relating to a limitation on the amount of certain licensing fees charged by state agencies. |

Bill History: 01-17-17 H Filed

[HB 1095](#) [Shaheen, Matt\(R\)](#) Relating to the phaseout and repeal of the franchise tax.

Bill History: 01-18-17 H Filed

[HB 1137](#) [Davis, Yvonne\(D\)](#) Relating to restrictions on tax and fee benefits for certain private entities that outsource jobs to foreign countries.

Bill History: 01-19-17 H Filed

[HB 1169](#) [Button, Angie\(R\)](#) Relating to an exemption from the sales tax for certain items sold by small businesses in this state during a limited period.

Bill History: 01-19-17 H Filed

[HB 1196](#) [Button, Angie\(R\)](#) Relating to the repeal of the franchise tax.

Companions:

| | | |
|-------------------------|------------------------------------------------------------------|----------------------------|
| HB 2456 | Schubert, Leighton (F) | (Refiled from 84R Session) |
| HB 1052 | Schubert, Leighton | (Identical) |
| | 1-17-17 H Filed | |
| SB 178 | Estes, Craig | (Identical) |
| | 1-25-17 S Introduced and referred to committee on Senate Finance | |

Bill History: 01-20-17 H Filed

[HB 1230](#) [Blanco, Cesar\(D\)](#) Relating to franchise tax credits for businesses that employ veterans.

Bill History: 01-24-17 H Filed

[HB 1330](#) [Kuempel, John\(R\)](#) Relating to the exemption from ad valorem taxation of income-producing tangible personal property having a value of less than a certain amount.

Companions:

| | | |
|------------------------|-------------------|-------------|
| SB 730 | Bettencourt, Paul | (Identical) |
| | 2- 3-17 S Filed | |

Bill History: 01-27-17 H Filed

[HB 1613](#) [Springer, Drew\(R\)](#) Relating to adjustment of the rates of the franchise tax.

Bill History: 02-07-17 H Filed

[HB 1621](#) [Bohac, Dwayne\(R\)](#) Relating to the transfer of certain unused

franchise tax credits.

Bill History: 02-07-17 H Filed

[HB 1723](#) [Leach, Jeff\(R\)](#)

Relating to the allocation of certain surplus state revenue for periodic reductions in the state sales and use tax rates.

Bill History: 02-09-17 H Filed

[HJR 41](#) [Metcalf, Will\(R\)](#)

Proposing a constitutional amendment concerning the use of unencumbered surplus state revenues to provide for a rebate of state franchise taxes.

Companions:

| | | |
|------------------------------------------------------------------|------------------------|----------------------------|
| HJR 80 | Metcalf, Will (F) | (Refiled from 84R Session) |
| SJR 23 | Creighton, Brandon (F) | (Refiled from 84R Session) |
| SJR 14 | Creighton, Brandon | (Identical) |
| 1-25-17 S Introduced and referred to committee on Senate Finance | | |

Bill History: 02-16-17 H Introduced and referred to committee on House Appropriations

[HJR 58](#) [Schofield, Mike\(R\)](#)

Proposing a constitutional amendment prohibiting the imposition of an individual income tax.

Bill History: 01-13-17 H Filed

[SB 2](#) [Bettencourt, Paul\(R\)](#)

Relating to ad valorem taxation.

Bill History: 01-24-17 S Introduced and referred to committee on Senate Finance

[SB 17](#) [Nelson, Jane\(R\)](#)

Relating to the decrease of the rates of the franchise tax under certain circumstances and the expiration of that tax.

Bill History: 02-06-17 S Introduced and referred to committee on Senate Finance

[SB 72](#) [Nelson, Jane\(R\)](#)

Relating to the decrease of the rates of the franchise tax under certain circumstances and the expiration of that tax.

Bill History: 01-24-17 S Introduced and referred to committee on Senate Finance

[SB 112](#) [Huffines, Donald\(R\)](#)

Relating to the decrease of the rates of the franchise tax under certain circumstances and

the expiration of that tax.

Bill History: 01-25-17 S Introduced and referred to committee on Senate Finance

[SB 130](#) [Creighton, Brandon\(R\)](#) Relating to the computation of the franchise tax.

Bill History: 01-25-17 S Introduced and referred to committee on Senate Finance

[SB 131](#) [Creighton, Brandon\(R\)](#) Relating to the use of certain surplus state revenue to provide for a rebate of state franchise taxes.

Companions:

| | | |
|-------------------------|------------------------|----------------------------|
| HB 1134 | Metcalf, Will (F) | (Refiled from 84R Session) |
| SB 331 | Creighton, Brandon (F) | (Refiled from 84R Session) |
| HB 538 | Metcalf, Will | (Identical) |
| 12- 8-16 H Filed | | |

Bill History: 01-25-17 S Introduced and referred to committee on Senate Finance

[SB 142](#) [Taylor, Van\(R\)](#) Relating to the determination of cost of goods sold for purposes of computing the franchise tax.

Companions:

| | | |
|-------------------------|-------------|----------------------------|
| HB 2674 | Parker, Tan | (Refiled from 84R Session) |
|-------------------------|-------------|----------------------------|

Bill History: 01-25-17 S Introduced and referred to committee on Senate Finance

[SB 178](#) [Estes, Craig\(R\)](#) Relating to the repeal of the franchise tax.

Companions:

| | | |
|-------------------------|--------------------|-------------|
| HB 1052 | Schubert, Leighton | (Identical) |
| 1-17-17 H Filed | | |
| HB 1196 | Button, Angie | (Identical) |
| 1-20-17 H Filed | | |

Bill History: 01-25-17 S Introduced and referred to committee on Senate Finance

[SB 575](#) [Schwertner, Charles\(R\)](#) Relating to the total revenue exemption for the franchise tax.

Companions:

| | | |
|----------------------|---------------------|--------------------|
| SB 8 | Schwertner, Charles | (Refiled from 84R) |
|----------------------|---------------------|--------------------|

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|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | Session) |
| Bill History: | 02-08-17 S Introduced and referred to committee on Senate Finance | |
| SB 629 | Schwertner, Charles(R) | Relating to liability for the interest if land appraised for ad valorem tax purposes as agricultural or open-space land is sold or diverted to a different use. |
| Bill History: | 02-13-17 S Introduced and referred to committee on Senate Finance | |
| SB 730 | Bettencourt, Paul(R) | Relating to the exemption from ad valorem taxation of income-producing tangible personal property having a value of less than a certain amount. |
| Companions: | <div> <div>SB 762</div> <div>Bettencourt, Paul (F)</div> <div>(Refiled from 84R Session)</div> </div> <div> <div>HB 1330</div> <div>Kuempel, John</div> <div>(Identical)</div> </div> <div>1-27-17 H Filed</div> | |
| Bill History: | 02-03-17 S Filed | |
| SJR 14 | Creighton, Brandon(R) | Proposing a constitutional amendment concerning the use of unencumbered surplus state revenues to provide for a rebate of state franchise taxes. |
| Companions: | <div> <div>HJR 80</div> <div>Metcalf, Will (F)</div> <div>(Refiled from 84R Session)</div> </div> <div> <div>SJR 23</div> <div>Creighton, Brandon (F)</div> <div>(Refiled from 84R Session)</div> </div> <div> <div>HJR 41</div> <div>Metcalf, Will</div> <div>(Identical)</div> </div> <div>2-16-17 H Introduced and referred to committee on House Appropriations</div> | |
| Bill History: | 01-25-17 S Introduced and referred to committee on Senate Finance | |

J - Choice of Law

| | | |
|-----------------------|-----------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| HB 45 | Flynn, Dan(R) | Relating to the application of foreign laws and foreign forum selection in this state. |
| Companions: | <div> <div>HB 670</div> <div>Flynn, Dan</div> <div>(Refiled from</div> </div> | |

84R
Session)

Bill History: 02-13-17 H Introduced and referred to
committee on House Judiciary and Civil
Jurisprudence

[HB 498](#)

[Fallon, Pat\(R\)](#)

Relating to the application of foreign laws and
foreign forum selection in a proceeding
involving marriage, a suit for dissolution of a
marriage, or a suit affecting the parent-child
relationship in this state.

Bill History: 02-16-17 H Introduced and referred to
committee on House Judiciary and Civil
Jurisprudence

[HB 1844](#)

[Workman, Paul\(R\)](#)

Relating to choice of law and venue for
certain construction contracts.

Companions: [SB 807](#) Creighton, Brandon (Identical)
2- 9-17 S Filed

Bill History: 02-14-17 H Filed

[SB 807](#)

[Creighton, Brandon\(R\)](#)

Relating to choice of law and venue for
certain construction contracts.

Companions: [HB 1844](#) Workman, Paul (Identical)
2-14-17 H Filed

Bill History: 02-09-17 S Filed

[SB 944](#)

[Hughes, Bryan \(F\)\(R\)](#)

Relating to the adoption of the Uniform
Foreign-Country Money Judgments
Recognition Act.

Bill History: 02-17-17 S Filed