



EVERY TEXAN

WRAP-UP

FROM THE 87TH TEXAS
REGULAR LEGISLATIVE SESSION

The 87th Texas Regular Legislative Session took place in an environment like no other in recent memory. At a time when Texans needed relief from the dual crises of the crippling COVID-19 pandemic and the ongoing fallout from the energy grid failure earlier this year, many of the legislative priorities from the governor and lieutenant governor focused on voter suppression, white-washing school curriculums, and proliferating guns in our communities. These priorities represented real threats to communities of color and democracy. Limited access to the Capitol and virtual testimony shaped a session where public input and accountability to constituents were in short supply. Despite these challenges, Every Texan staff worked with lawmakers and partners to pass some good legislation and block a number of bad bills.

The 87th Legislature presented unprecedented challenges for Texans to access the Capitol and have their voices heard. Every Texan created a space for partner organizations to come together to share intel, discuss advocacy efforts, and pursue potential litigation. We also worked with everyday Texans to ensure they had as many opportunities as possible to make their voices heard by the Legislature.

One huge win for Texans was the demise of Chapter 313, a corporate tax giveaway program that costs school districts billions of dollars. A broad bipartisan coalition worked together to demand that corporations contribute what they owe to our schools. Our concerted advocacy strategy mobilized organizations and individual constituents and led to the death of the program's reauthorization in both chambers.

Bills to extend Medicaid coverage for new moms and children also found success this session. HB 133 extended Medicaid health coverage for new moms to six months postpartum compared to the prior limit of two months. While this is still six months shy of the Texas Maternal Mortality and Morbidity Review Committee's

recommendation of 12 months of postpartum coverage, it is a significant policy improvement.

Likewise, more children on Medicaid will now be able to keep their coverage intact for a full six months without periodic income checks, thanks to the passage of HB 290. Again, this is short of the full year of continuous health coverage we and our coalition partners sought, but it eliminates all but one mid-year income check a family could experience and gives parents more time to provide information to keep their children covered.

Notwithstanding this progress in improving these existing health coverage programs for Texans, the Legislature again failed to expand health coverage for low-income Texans during a global pandemic. Even the rich incentives offered by the federal government failed to sway state leaders. The breadth of partners, coordination of strategy, and sophistication of advocacy for drawing down federal healthcare funds to expand coverage for low-income Texans was unprecedented. Despite this, the governor and legislative leaders put substantial pressure on Republican members to not support any of the 14 bills to expand health coverage or amendments to any other bills moving through the House and Senate. Texas continues to lead the nation in the largest number and percentage of uninsured people, and state leaders once again proved this just doesn't matter to them.

It's not uncommon for Texas lawmakers to propose bills that will tie their hands and limit flexibility in future budgets, and this session was no different. Lawmakers created a new arbitrary spending cap for public investments in the people of Texas. This reduces the Legislature's budget-writing flexibility even more than the constitutional spending limits already in place and makes it more unlikely that services cut during a recession would ever be restored.



EVERY TEXAN

BY THE NUMBERS

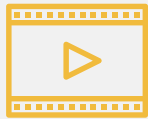
EVERY TEXAN HAD A RESOUNDING VOICE AT THE 87TH TEXAS LEGISLATURE

ENGAGEMENT



14.1K

Texas voters engaged by advocacy campaigns



84

video messages recorded by Texans



4,331

emails by constituents



4,438

phone calls by constituents

SOCIAL MEDIA

FACEBOOK

EveryTexan



252

new page likes



711,078

impressions



52,684

engagements

TWITTER

@EveryTxn



573

new followers



1,126,803

impressions



19,960

engagements

SUPPORT



325%

increase in new donors compared to 2019 legislative session



11

new sustaining members of The Collective with Every Texan

ANALYSIS

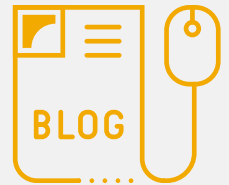


432

news stories citing our experts and analysis

39

blog posts



58

written testimony by our experts

BONUS!



1

new CEO



29,320

Slack messages



ENDLESS

hours on Zoom



Ensuring Health and Wellness

After several tries, the legislature finally moved forward with passing bills to improve access to Medicaid for new moms and children. Although neither bill offers the full 12 months of coverage we and other advocates sought, they amount to significant policy improvements. We remain appalled that Texas leaders refused to take action on reducing the state's worst-in-the-nation uninsured rate, especially given the increased healthcare needs resulting from the COVID-19 pandemic. This session did, however, result in some improvements in access to SNAP and supplemental financial assistance for kinship families.



Good Bills Passed

- SB 1296 will make Healthcare.gov Marketplace health plans more affordable and will ensure Texans don't miss out on hundreds of millions of dollars in federal Marketplace subsidies.
- Every Texan led a large coalition of advocates to push bills aimed at ending hunger and food insecurity. SB 224 will reduce barriers that prevent Texans from accessing the food they need to stay healthy by creating a simplified SNAP recertification process for seniors and people with disabilities.
- SB 263 ensures that relative caregivers, also known as "kinship families," will be able to receive supplemental financial assistance to support children of other family members who have been placed with them in temporary custody.
- SB 1059 streamlines the Medicaid renewal process for youth in the Former Foster Care Children (FFCC) Medicaid program which will improve retention, continuity of care, and health outcomes for former foster care youth in Medicaid by allowing self-attestation of residency at renewal.



Bad Bills Blocked

- A bad proposal, HB 3425, returned like a zombie from prior sessions to require drug tests of the small number — fewer than 6,000 in April 2021 — of adult Texans who receive Temporary Assistance for Needy Families, and it failed again.
- A short-sighted proposal, HB 343, which would have placed limits on the food and drink items hungry Texans can purchase with SNAP benefits, didn't pass.



Missed Opportunities & New Challenges

- The biggest missed opportunity this session was the Legislature's failure to expand health coverage for at least 1.4 million low-income Texans, despite unprecedented bipartisan support in the House. Federal pandemic relief legislation would have provided even more federal funding than in the past, but state leaders still didn't allow any bills directly addressing Texas' insufficient health coverage to come up for a vote.
- Attempts (HB 734 and SB 521) to extend Texas Medicaid to adult immigrants with lawful status failed in both chambers, where neither bill received a hearing. Texas is one of only six states that prevent lawfully present immigrants from accessing Medicaid.
- Legislation allowing the creation of non-insurance health plans was passed in the form of HB 3924, creating a loophole that lets "Farm Bureau" health coverage circumvent all health insurance laws and consumer protections, including protections for pre-existing conditions.
- Bills HB 2761, HB 2118, and HB 573 to extend some consumer protections to skimpy health plans failed.
- A proposal to create protections around how medical debt is collected, HB 4045, was introduced in both chambers but didn't pass this session.
- Multiple bills to update the restrictions on owning cars and other assets to qualify for SNAP received hearings, and HB 2126 passed the House. While a Senate bill was successfully voted out of committee, the Lt. Governor and committee chairs did not allow either bill to get a vote in the Senate.
- Several bills to improve access to SNAP were heard in committee, including HB 945 and HB 1353, but all failed to progress to the full House.



Creating Quality Jobs + Boosting Financial Security

While there was little momentum for legislation that would have increased job quality or financial security, such as increasing the state’s minimum wage, requiring paid sick leave, or protection from predatory lending, there were many attempts to pass legislation that would have further disadvantaged struggling Texans.



Bad Bills Blocked

- SB 14 would have removed the ability of local jurisdictions to improve working conditions for workers in their community. This bill would have prevented local elected officials from passing ordinances that help workers thrive such as fair scheduling, require enhanced worker safety requirements, or prevent discrimination through fair chance hiring. It remains to be seen if the governor will add it to a future special session agenda.
- HB 2432 would have doubled the cost of small-dollar consumer loans in Texas.



Missed Opportunities & New Challenges

- A handful of bills seeking to improve the Unemployment Insurance system in Texas, HB 145, HB 157, and HB 1782, among others, were introduced due to the many problems that arose over the course of the pandemic for unemployed workers. While none of these bills saw success in the Senate, lessons were learned about what might be possible to move forward in future sessions.



Improving Immigration

Texas depends more than ever on immigrants. Immigrant workers fortify the construction and agricultural industries and have been on the front lines of the COVID-19 crisis. After the 2019 massacre in El Paso and a global pandemic that has disproportionately affected immigrants, Texas leaders should end the politics of hate and the rhetoric of immigrant-bashing and adopt policies that support the valuable contribution of Texas immigrants.



Bad Bills Blocked

- Lawmakers failed to pass SB 1254, a bill that would have created an interstate compact of local law enforcement to enforce federal immigration laws along the border and obtain “operational control,” limiting the ability of undocumented immigrants to pass the border.



Missed Opportunities & New Challenges

- HB 734, legislation that would have allowed qualified immigrants to access Medicaid, failed to get a hearing.
- Legislation (HB 182, HB 1236, and SB 92) to repeal the harmful impact of local enforcement of immigration laws, passed via SB 4 in 2017’s Legislative Session, also did not get a hearing.
- HB 1058 would have allowed residents lacking the documentation for a Texas Driver’s License to get a Driver’s Permit also failed to get a hearing, despite the outcries from communities across Texas demanding it.



Investing in Public Schools

While no additional funding was secured for bilingual education, several adopted policy changes will improve the program quality and student experience. Recognizing that being bilingual is an asset to embrace, lawmakers passed legislation to replace the terms “English learner” and “limited English proficiency” with “emergent bilingual” in the Education Code. The Legislature also took action to create a statewide strategic plan on bilingual education and create a pipeline of teachers prepared to teach emergent bilingual students with special education needs. Reducing class sizes in Pre-K will strengthen the quality of early education for emergent bilingual students.



Good Bills Passed

- SB 560 commissions the Texas Education Agency, in coordination with the Texas Higher Education Coordinating Board and the Texas Workforce Commission, to create a strategic plan to improve bilingual education in Texas.
- SB 2066 amends the Education Code to replace the term “student of limited English proficiency” with the term “emergent bilingual student.”
- A long-sought proposal to limit Pre-K class size to 22 students finally passed with SB 2081.
- HB 2256, a bill that creates a Bilingual Special Education Teacher Certification, will build a pipeline of school leaders who are equipped to serve the specific linguistic, cultural, and academic needs of English Learner children with disabilities and developmental delays in Pre-K through 12th grade.



Missed Opportunities & New Challenges

- Bills were introduced to use enrollment-based funding, including HB1246 and SB 728, but even with bipartisan cosponsors and wide support among advocates and superintendents, these bills failed to get a hearing.
- The legislature took no action to address the inequitable property tax cuts implemented in 2019.
- A new law that infringes on teachers’ ability to discuss current events and the impact of race and racism in America will have a chilling effect on students’ civic education and participation in civic activities. This bill, HB 3979, was part of a wave of conservative legislation across the country, and Texas was among the first to pass it.



Bad Bills Blocked

- Reauthorization of the harmful Chapter 313 corporate tax giveaway failed with two separate bills that did not pass, HB 1556 and HB 4242. This was a positive move in protecting funding for schools.



Investing in Higher Education

Some good bills passed this session will help students more easily apply for financial aid and get access to campus mental health resources. Lawmakers also took steps to get more advice on higher education investments needed for community colleges, and to disaggregate student loan data to better understand where racial, gender, and other disparities exist and how to address them. But lawmakers weren't as generous with funding as needed to make progress on the state's assertive higher education goals.

✓ Good Bills Passed

- Legislation passed that will streamline the virtual Texas Application for State Financial Aid, making the application process more accessible. SB 1860 creates an electronic application process for state financial aid starting with the 2023-24 academic year.
- With SB 1230, lawmakers created the Community College Finance Commission, an 11-member commission that will make recommendations regarding funding formulas and levels for community colleges. The commission has the potential to bring forth recommendations for funding under-resourced schools and encouraging inter-institutional collaboration for student services.
- SB 1019 created a new law that will require the Texas Higher Education Coordinating Board to include an annual report of student loan data disaggregated by race, ethnicity, sex, degree type, and enrollment status, including whether the student has graduated. The report will allow policymakers to examine disparities and identify opportunities to address gaps with policy.
- With the passage of SB 279, student IDs starting in 7th grade will now include the national suicide prevention lifeline, a crisis text line, and a local suicide prevention hotline if available. Plus, higher education IDs will also include campus police department or security contact information, with the goal of expanding awareness of mental health resources.
- Funds for TEXAS Grants, Tuition Equalization Grants, and Texas Educational Opportunity Grants increased to account for student growth, preventing cuts to the number of students served in the face of rising tuition and other costs.

Creating Opportunities for Advocacy in a Pandemic

INNOVATING & AMPLIFYING

The 87th Legislature presented unprecedented challenges to safely access the Capitol, and Every Texan responded in innovative ways to amplify the voices of Texans. In addition to demonstrated policy and legislative expertise, Every Texan expanded its advocacy work outside the Texas Capitol through issue campaigns, digital organizing, community engagement, and strategic partnerships.

Every Texan's strategic coalition work with partners across issues strengthened the ability of everyday Texans to take direct action and advocate for people-centered policy that impacts their, and our, daily lives.



Reforming Budget & Tax Policy

The COVID-19 pandemic's damaging effects on the economy were lessened due to billions of dollars in federal aid. Federal aid has also allowed Texas lawmakers to leave most of the state's Economic Stabilization Fund (Rainy Day Fund) intact for now. This savings account was designed for times like these in order to avoid cuts to education, health care, higher education, and other public services that rely on general tax revenue. Instead, lawmakers have come to see the fund as something that should only be used for disasters, capital construction needs or other "one-time" uses like debt-financed aid for wholesale power providers after the electricity grid's winter failure. But the Legislature's failure to reauthorize harmful Chapter 313 tax abatements will help ensure that corporations pay their fair contribution to Texas schools.



Bad Bills Blocked

- Bills HB 1556 and HB 4242 to extend the state's Chapter 313 corporate tax giveaway failed this session, thanks to a broad coalition of supporters that organized to end the program. This is an initial step to ensuring corporations pay their fair share and stop robbing money from schools.
- HB 570, a bill that would have created wasteful, low-return tax credits to a limited group of special interests, died in committee in the Senate.



Missed Opportunities & New Challenges

- A proposal that would have mandated real estate sales price disclosure, and would improve appraisal equity, got a hearing but failed to pass.

Helping Texans Recover from COVID-19

ACCESSING FEDERAL RECOVERY FUNDS

In April 2021, Pre-K-to-12 advocates succeeded in getting state leaders to release \$11.2 billion in federal Elementary and Secondary School Emergency Relief (ESSER) to school districts and charter schools that will help them recover from the COVID-19 pandemic. HB 1525 adds more conditions, beyond what federal law requires, about how the aid can be used. Another \$5.5 billion in ESSER aid was released in June.

The House and Senate 2022-2023 budget conferees agreed to include language that would require a special session of the legislature to allocate nearly \$16 billion in American Rescue Plan Act aid from the State and Local Fiscal Recovery Fund, rather than using existing interim budget authority to do so.

Another \$12 billion in American Rescue Plan Act aid could potentially flow through state agencies between now and fall 2024, depending on policy choices made by the governor and Legislature, as well as how quickly the economy recovers.



Preserving Local Control

Contempt for local control seems to grow among state leaders with each successive legislative session. Increasingly, cities and counties are losing some of their sovereignty as the Legislature and state leaders impose state laws preempting local ability to enact policies that best fit the needs of their communities. In a state as vast as Texas, the insistence on one-size-fits-all policies on issues that state and local leaders disagree about is nothing less than an iron-fisted power grab. Despite fierce opposition, lawmakers pushed through a number of bills that hold cities over a barrel with punitive measures for going against ill-intended state law.



Bad Bills Blocked

- As mentioned previously, SB 14 would have removed the ability of local jurisdictions to improve working conditions for workers in their community.
- HB 610 allowed very broad preemption that would have voided a large number of local ordinances regulating businesses.
- SB 10 permitted preemption on tax-funded lobbying, which would have silenced the voices of community interests across the state.
- HB 3 would have established broad preemption of local leaders' ability to mandate health and safety requirements during a pandemic, such as mask mandates or capacity limits.
- HB 1495 would have opened the door to lawsuits on any city ordinance that caused a financial burden on an individual or business.



Missed Opportunities & New Challenges

- Municipalities are now limited in their ability to reduce their police expenditures, thanks to the passage of HB 1900, and they could face extreme punitive measures if they do.
- Local officials are prevented from reducing their police budgets without holding a local election by the passage of SB 23.
- A new law, HB 1925, prohibits municipalities from regulating public camping and also creates penalties for unsheltered individuals.



EVERY TEXAN

Formerly Center for Public Policy Priorities

At **Every Texan**, we envision a Texas where people of all backgrounds can contribute to and share in the prosperity of our state. We advance social justice through public policy because it is one of the most effective ways to deliver strategic and systemic change. We are proven experts in strengthening public policy to expand opportunity and equity for every Texan.

EveryTexan.org

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