

INDIVISIBLE



TX LEGE

A brief introduction
January 27, 2019

Agenda

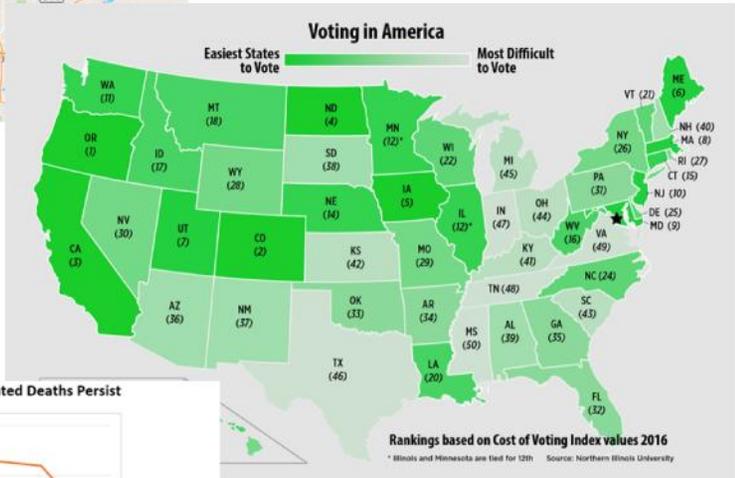
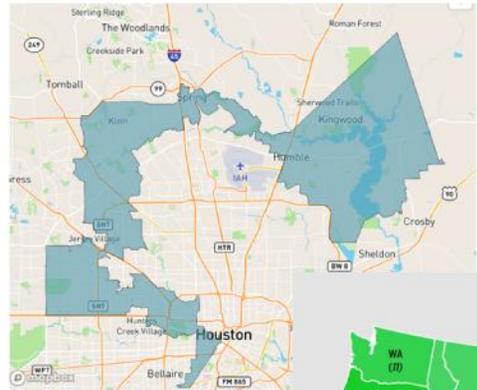
- TX Lege 101 – the basics
- Why the lege matters
- How a Bill becomes a Law
- Where & How we can make an impact
- How to get involved

TX Lege 101

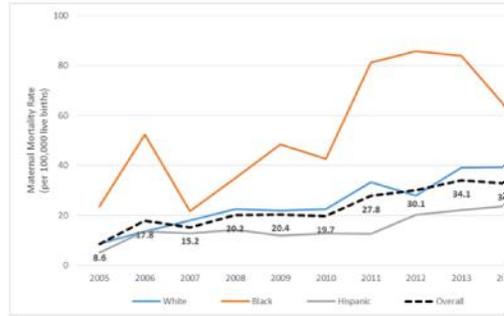
- TX Lege is short for the Texas Legislature
- The Lege meets every other year for 140 days
 - January 8 – May 27 (“sine die”)
 - March 8 filing deadline
- You have 1 State Rep and 1 State Senator
 - Dan Patrick, Lt Governor, runs the Senate
 - 31 members, 19 R & 12 D
 - 19 members needed for a floor vote
 - 4 year terms, unless the year ends in 2, then everyone is up for reelection
 - Dennis Bonnen runs the House
 - 150 members, 82 R & 68 D
 - 75 members needed for a floor vote
 - 2 year terms
 - Google search “who represents me” to find your State Rep and Senator
 - <https://fyi.capitol.texas.gov/Home.aspx>

Why the Lege Matters

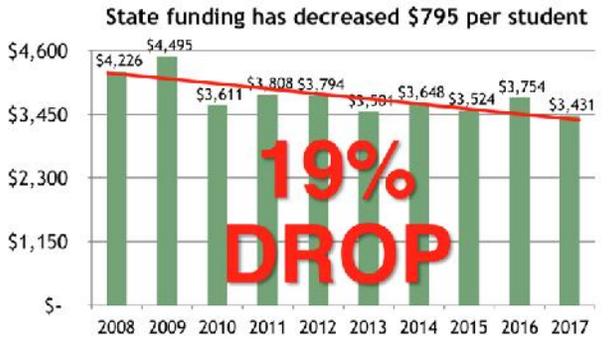
- THERE ARE SO MANY REASON!!!!
- Voting rights
- Redistricting
- Public Education Funding
- Health Care
- Reproductive Rights
- Immigrants' Rights
- Environmental Safety
- Infrastructure
- Gun Safety
- Local Control (or lack thereof)
- And more!



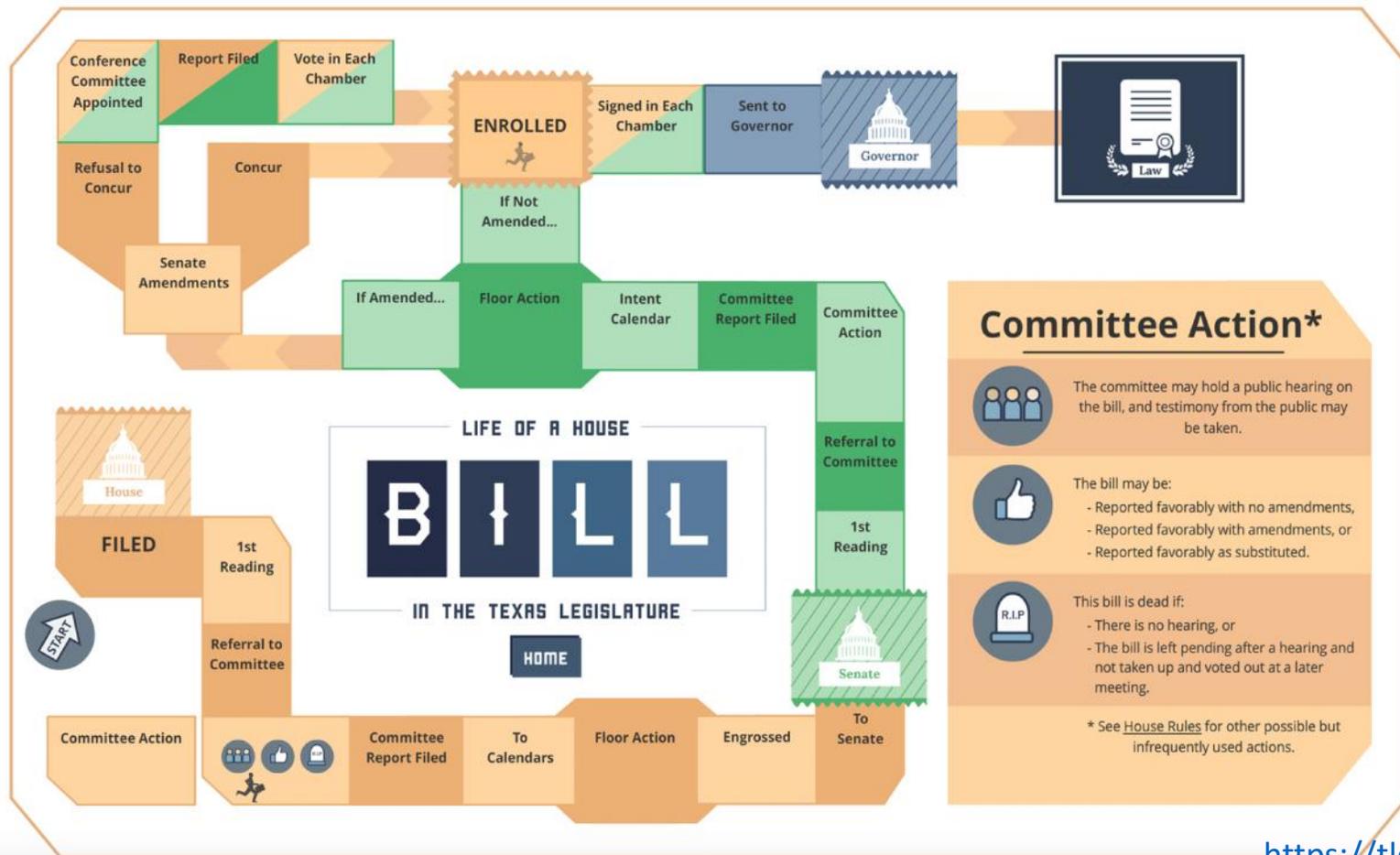
As Maternal Mortality Rises in Texas, Racial Disparities in Pregnancy-Related Deaths Persist



Prepared by: Office of Program Decision Support, Division for Family and Community Health Services, Texas Department of State Health Data Sources: Death and Birth Files, Center for Health Statistics, Texas Department of State Health Services. MMR — computed within pregnancy, using ICD-10 codes A34, O00-095, O98-099.



How a Bill Becomes a Law in the Legislature



More on how a Bill becomes Law

The Texas State Legislature: The Process

- Bill is introduced to the House
 - Bill is referred to a Committee by Speaker
 - Bill either dies in Committee or is passed
 - If passed, bill scheduled for a Floor Vote by the Calendars Committee
 - Floor Debate and Vote
 - If passed by a majority vote, Bill is sent to the Senate!
- All bills must pass through both House and Senate to become law
- Bill is introduced to the Senate
 - Bill is referred to a Senate Committee
 - Bill either dies in Committee or is passed
 - If passed, Senators must agree by a 2/3 vote to send bill to the floor for a debate
 - Floor Debate and Vote
 - If passed by a majority vote, Bill is sent to the House!

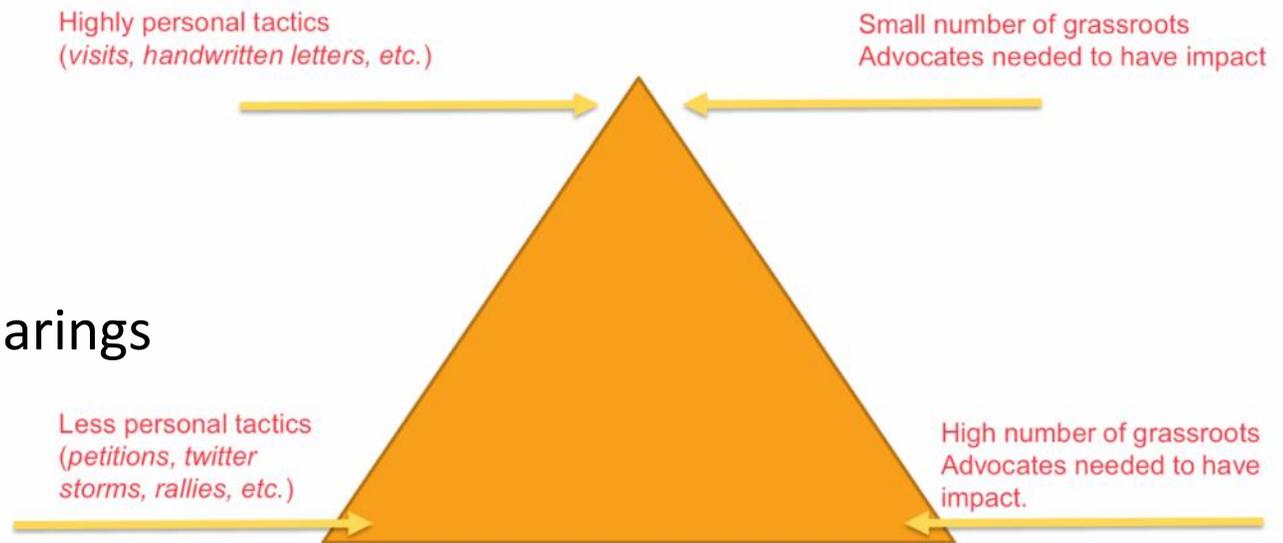
If passed through BOTH Houses, the Bill can be signed into law or vetoed by the Governor. A veto can be overridden by a 2/3 vote in House and Senate.

Where we can make an Impact

- Now – Feb 28: Visit with your Rep and Senator, and key committee members
 - This is a key time to show up and advocate
- March 1-8: Attend committee hearings
- March 8-31: More committee hearings and bills move to calendars
- April: Bills move to the floor
- The House is “bipartisan”
- The Senate tends to vote on party lines – but not always

How we can make an Impact

- Spread the news!
- In Person visits
- Lobby Days
- Develop fact sheets
- Provide testimony at hearings
- Letters to the Editor
- Phone calls
- Rallies & Demonstrations



Source: ACLU

How to get Involved – Indivisible TX Lege

8 Issue Huddles

- Voting Rights
- Civil Rights
- Healthcare
- Education
- Immigration
- Environment
- LGBTQIA+
- Women's Issues
- Gun Safety

All Group Support

- Legislation tracker
- Calendar Admin
- Voter Education
- TX Lege 101
- Script Writers
- Mobilization Team
- FB Group Moderators
- Communication Strategy

Good Resources

- Texas Tribune (texastribune.org)
- Party Politics Podcast (houstonpublicmedia.org)
- The Texas Standard (texasstandard.org)
- The Dallas Observer (dallasobserver.com)
- The Austin American Statesman (statesman.com)
- TLO – Texas Legislature Online (capitol.Texas.gov)
- Friendly Legislators

Backup

Seven Philosophies of Grassroots Lobbying

2019 Texas Legislature: why you should jump into the fray (and how)

1. You can't win if you don't show up

140 days every two years; 90 days of serious, no F***in' around commitment (non-business hours ok)

You can't just show up once. There is a process.

You have to measure the opinion of, then bring to your side, a majority of exactly 181 people.

Those people are a kind of social network. Certain people bring others with them. Some develop expertise and others rely on them on their topic. Some lead their "team" and others follow on that basis. Some trade. **They all see votes as political capital and they spend it carefully.**

Tentative Key Dates: Session Calendar

Monday, November 12, 2018: Pre-filing of bills begins (members who want an early start are getting their bill language back from Legislative Council already and are preparing to file early, during pre-filing)

Tuesday, January 8, 2019 (1st day): 86th Legislature convenes

Tuesday, January 15: LBB presents Appropriations bill to new legislature. Debate on budget begins.

Friday, March 8, 2019 (60th day): Deadline for filing bills and joint resolutions other than local bills, emergency appropriations, and bills that have been declared an emergency by the governor

Monday, May 6 (119th day): Committee reports must be complete and filed

Tuesday, May 7 (120th day): Last House calendar for House bills distributed

Wednesday, May 8 (121st day): Last Local and Consent calendar for “consent” bills

Thursday, May 9 (122nd day): Last House floor calendar for House bills on 2nd reading, last supplemental

Friday, May 17 (130th day): Senate may suspend posting rules and hear bills with no 24-hour layout

Sunday, May 19 (132nd day): Last House calendar for Senate bills

Tuesday, May 21 (134th day): Last House calendar for Senate bills on 2nd reading

Monday, May 27, 2019 (140th day): Last day of 86th Regular Session; corrections only in House and Senate

Sunday June 16 (20th day following final adjournment): Last day governor can sign or veto bills

Monday, August 26 (91st day following final adjournment): Date that bills without specific effective dates (that could not be effective immediately) become law

| Timeframe | Lobby focus | Volunteer activities |
|--|--|---|
| Nov. 12 to roughly the end of January | Bills must be filed. Focus on House and Senate “heroes.” Work closely with staff in those offices to solidify enthusiasm, make sure member is serious. | Lobbying is mostly regular business hours; volunteers can develop fact sheets, make visits, get questions from staff, get answers, post online. Research networks, learn who leads. |
| Jan 28 to Feb 8 | Committee selection time | Visits to “network” leaders. |
| Feb 8 to 28 <i>[This is a key time we must show up and complete all activities]</i> | 1. Make sure you have your committee votes. As soon as committees are final, meet with all members. 2. Educate freshmen, ask them to coauthor. 3. Solidify floor heroes, ask them to “joint” author. 4. Ask other members to coauthor. | Mostly business hours, use evening time to create and amend fact sheets for different audiences, update web. ID local angles for different members who might become coauthors. Individualized approaches work best. |
| March 1 to 8 | Continue getting coauthors, prepare for committee hearings, visit before and after. Shop for someone to file late bill ideas. | Likely to include calls to action, website updates, day hour office visits, produce and update fact sheets, email actions from district. Attend hearings. |
| March 8 to 31 | Committee process: Prepare rebuttal document for all committee members, get bills moved to Calendars asap after a vote. | Some research, doc prep, late night hearing, call/email action to committee members, offices open longer and longer for visits. |
| April | Floor process: Finalize floor leaders, meet with their staffs, address concerns. | Floor flyers, “thank the coauthor” reminder process |
| May | Shenanigans, Amendments, Sine Die!! | Research “vehicles” |

2. The House and Senate are in competition

[Apocryphal story] New Republican just elected to the House, asks Senior Republican how they are going to handle the enemy (meaning the Democrats):
Answer, “Democrats are the *opposition* ... the *Senate* is the enemy.”

Each side has different rules and a different culture – culture and protocol matter as much as (and sometimes more than) substance.

Culture and protocol are discoverable (and can seem a lot like high school).

The House works largely by cliques – members vote with their subgroup because they *simply can't read all the bills* and don't have close relationships with every other member. Floor leaders are key to bill passage.

The Senate works by personal relationships because there are only 30 members.

Senators:
we need
almost all
of them

| Member | Key role |
|----------------------|--|
| John Whitmire | Criminal Justice Committee chair |
| Joan Huffman | Criminal Justice Committee vice chair |
| Beverly Powell | Freshman |
| Bryan Hughes | CJ, Vice Chair State Affairs, other posts |
| Brandon Creighton | CJ, lot of committee memberships, Vice Chair B&C |
| Juan "Chuy" Hinojosa | Lot of committee memberships, Vice Chair Finance |
| Charles Perry | CJ, Chair Agriculture |
| José Menéndez | CJ |
| Kelly Hancock | Chair B&C, Cochair Higher Ed Formula Funding Interim |
| Lois Kolkhorst | Chair Administration, many committee memberships |
| Jane Nelson | Chair Finance, key to bills with fiscal impact |
| Bob Hall | Vice Chair, Transportation, liberty republican |
| Paul Bettencourt | Chair, Property Tax Reform, Chair Govt Reform |
| Nathan Johnson | Freshman |
| Angela Paxton | Freshman, Wife of Ken |
| Kirk Watson | Member of Finance, Vice Chair Nominations |
| Pete Flores | Freshman |

House

- The House is roughly 55% Republican (83-67). Dems do very well in Nov it could go to 90-60. Dems need more than 75 votes to win any floor vote AND Republican support in committee and Calendars to get the bill to the floor in the first place. SO a bill cannot pass without Republicans. As a practical matter, a member trying to pass a bill needs substantially more than 75 supporters to ensure that a bill gets all the way to the House floor. If you don't have every D, you will routinely need 30 to 40 Rs.
- Now that the Speaker has been selected, it seems likely that the House chairs will shake out similarly to last session, with Ds getting a handful of Chairmanships (likely the same Ds).
- Freshmen: there will be more than a dozen new House members. They all get to vote, and they get little attention from the lobby or leadership. Hungry is good.
- Last session's joint authors and floor heroes: all likely to come back with the same positions as before, but many will have new staff which means we start over.
- Last session's coauthors: all need reminding and need to be brought again. We can make no assumptions.
- Last session's opponents: nearly all will still be opponents. Larry Phillips is gone.

Leadership



3. Know the rules well so you can break them effectively (fake Dali Lama quote)

Every game has rules. The better you know those rules, the better you can actually use them to accomplish your goal.

Basic bill process:

- Bill is filed...
- Bill is assigned to substantive committee (first reading)...
- Bill is posted for hearing, heard, reported....
- Bill moves to the Calendars Committee....
- Bill is posted, heard, reported....
- Bill goes on floor calendar....
- Floor votes, second reading, next day third reading....
- Bill goes to Senate....
- Repeat (sort of)

House has rules, Senate has suspensions

HR 4 is the House rules. The House rules do change from session to session, a little. Based on last session:

1. Rules will determine if the public can read committee substitutes prior to the committee hearing when the substitute bill gets laid out. This is a very good thing, new, and could go away.
2. A bill can take a long time to wind its way from its substantive committee to the Calendars Committee. Prompt forward motion often requires a strategy and tasks. House bills reported from committee must be reported with a number of attachments (Rule 4C Sec 32), which is a big job for the clerk. We can help! If a bill doesn't have all its attachments it can be subject to a point of order on the floor. Visit the clerk, find out what he or she needs.
3. The Calendars Committee decides which bills go to the floor. You can show up for those meetings.
4. Bills must be posted five days in advance for most parts of the process. That is our complete window for action. Sometimes bills can be posted with less than five days if the rules are suspended, but hopefully we will know all about our bill thanks to all our office visits, no surprises.
5. Bills must be "read" on the floor three times. Each time is framed by different rules. The rules are designed to drive debate to "second reading," so first and third should be quick, but members can bring up certain kinds of changes on third reading and sometimes (rarely but it happens) members can vote the bill down on third reading.

4. Protocol, protocol, protocol

How would you feel if:

- People were saying critical or even personal things about you behind your back
- People were looking for (ugly) ulterior motives to explain why you did a good thing
- People were saying to others, but not to you, that a thing you believe to be a good thing is actually a harmful thing

Protocol sounds like some kind of codification of the dress code, or a directive to be polite. Protocol is actually a set of expectations that exist because lawmakers are people, and they can feel just as you would feel if others do the list of things above. The big difference, if you hurt their feelings they can kill your bill.

- Always take concerns about a bill to the bill's author first, and always do it well before the hearing.
- Maintain a dialog about your concerns, get to know their staff.
- Do not circulate handouts in opposition to a bill or any suggested change without bringing the document to the author's office first (exceptions for floor flyers as long as that flyer is not the first time you've come forward to oppose a bill).

5. Thank everyone, all the time, repeatedly

If something goes well, thank the lawmakers, their staff, the people who showed up at the hearing, and the opposition for their kind consideration. Thank everyone, all the time, repeatedly.

If your bill gets filed by a lawmaker, come by with thank you notes for the lawmaker and the staff who did the work. If the lawmaker votes for your bill in committee, deliver a thank you. If the lawmaker helps you amend your idea onto another bill, again, deliver a thank you.

Make your “thank you” memorable! Handwritten cards are rare these days and stand out. Everyone loves stickers, or cupcakes!

“Thank you” opens the next door. Every “thank you” visit gives you a chance to ask what help they need next, ask if any opponents have turned up, suggest a media strategy, and more!

If you actually win – your bill is passed and signed into law – credit the lawmakers. It was their bill, not yours. They will remember you kindly next session.

6. Laws are just ideas written in English

Lawmakers are not lawyers (mostly). They are people like you and me, coming from a variety of backgrounds.

Bills are just ideas that lawmakers have about how the law should be rewritten, like a “tracked changes” version of how the law is now.

For example, there is some language in the code requiring police to arrest everyone for everything. All violations. It also authorized an officer to call upon the mob to help bring down a resisting suspect. Joey from AJC last session went to the lege library at the capitol and traced this language back to the mid 19th Century – pre-civil war. Somehow this language had survived complete recodification of the criminal code in the mid-1960s and many bills adding new language and new sections.

[READ A BILL/WRITE A BILL: See sample statute section and bill to amend]

Bill: HB 2044 **Legislative Session:** 85(R) **Author:** Thompson, Senfronia [Add to Bill List](#)

| Version | Bill | Fiscal Note | Analysis | Witness List | Summary of Cmte Action |
|---------|------|-------------|----------|--------------|------------------------|
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HB02044I.doc - Compatibility Mode - Saved to this PC

By: Thompson of Harris H.B. No. 2044

A BILL TO BE ENTITLED

AN ACT

relating to matters concerning peace officers, including racial profiling, use of force, equipment, and disciplinary procedures.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Page 1 of 35 7748 words | 100%

6(a) Between the lines, the law is a history of who won and who lost

The statute is a historical record of winners and losers. Every law was proposed by a person with an interest who fought for it and won or lost.

Most statutes look the way they do because the public doesn't show up.

Why would language authorizing officers to arrest everyone for everything still survive long past the time when this was actually how police departments operate? Police like this expansive authority. The police, and the prosecutors all show up. They never miss a meeting.

If you show up and disagree with any of these interests, there are many lawmakers who will orchestrate negotiations, and you can be at the table (usually, it's actually a table, in a room).

7. It's not about you. It's about the real thing in the world you are passionate about changing.

Count the votes/support of exactly 181 people to **get to a majority**. *Which* members you need *when* depends on your strategy. Eventually you will need that majority.

Most of these people are NOT like you.

If they are busy looking at you, they may not be hearing you.

What they are like (and what will get their attention, move their thinking) is discoverable.

Sometimes, there is simply no path to moving their thinking. That is also discoverable.

7(a). People don't have to share your philosophy to vote YES on your idea

Each person who gets a vote (lawmaker) comes from their own philosophical place.

They don't have to agree with your philosophy to vote with you.

You can find the place where their philosophy and your issue intersect and **bring them to a "yes" based on their own world view.**

Just about everything that actually passes does so based on a variety of sometimes contradictory philosophical positions.

Example: no arrest for nonjailable offenses

People from Austin Justice Coalition, TCJC, and TAG lobbied to identify coauthors for this bill.

It was filed by conservative Republicans in both chambers. It gained the support of several progressive Ds.

Why would Konni Burton (R) and Garnett Coleman (D) both want to author this bill?

Related bill – no arrest for warrants issued over unpaid traffic tickets. Filed by a Republican Chairman. So radical that it didn't move its first session. Now backed by a resolution in both party platforms.

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