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Volume 6, Issue 12

# THE BASSETT BULLETIN™

## The 2009 Legislative Session

Monday night, 06.01.09, marked the close of the legislative session for the 81<sup>st</sup> Texas Legislature. As with any year, some bills make the cut and others did not.

While many of these bills don't deal directly with the type of work you handle, our Firm believes it is our civic duty to keep you updated on the status of legislation in Texas. Enjoy!

### THE WINNING BILLS

The following bills were passed:

- Teachers' Pay:  
Teachers will get a minimum \$800.00 raise;
- Texas Assessment of Knowledge and Skills (TAKS test): Third-graders will still take, but no longer have to pass, the TAKS test to be promoted to fourth grade. ***Fifth and Eighth-graders will still need to pass the TAKS test for promotion to the next grade;***
- High School Testing: Student must now get a passing average on 12 end-of-course tests (4 each in English, Math, Science, and Social Studies) to receive a diploma. The exams will start with ninth-graders entering high school in the Fall of 2011;
- Automatic Qualification for Diploma: Students who show college-level skills on the Algebra II and English III exams will automatically qualify for a high school diploma;
- Transition to Electronic Textbooks:  
Schools may buy electronic versions of learning materials - including CDs, online content, and downloaded files. Each classroom would still have to have at least one set of hardback or electronic text-books in each subject;

### THE LOSING BILLS

The 81<sup>st</sup> Texas Legislature did not pass the following legislation:

- Voter ID:  
Would have required Texas voters to present voter identification (or two alternative forms of non-photo ID) before casting a ballot;
- Gambling:  
Would have allowed Las Vegas-style casinos, slot machines at racetracks, and casinos on American Indian reservations. A bill to legalize poker rooms also failed;
- Smoking Ban:  
Would have been a statewide ban on smoking in most public indoor spaces (including bars and restaurants);

## THE WINNING BILLS

- Ban "Minimum" Grade Policy:  
Teachers are no longer forced to give their worst students up to a 70 on tests and class-work they failed;
- Top 10%:  
Caps automatic admission for top-ranking high school seniors at 75% of an incoming class of the University of Texas at Austin;
- Business Tax:  
Gives a tax break to 40,000 small businesses by raising the franchise tax exemption from \$300,000.00 in revenue to \$1 million;
- Disabled Veterans:  
Provides homestead property tax exemptions for disabled veterans;
- Wrongful Convictions:  
Increases compensation for those who are convicted and sent to prison for crimes they did not commit;
- Booster Seats:  
Requires that children under the age of 8 be secured in a booster seat while riding in a passenger vehicle. This raised the current age limit from 4 years old;
- Cellphones:  
Bans the use of a cellphone without a hands-free device in an active school zone;
- Teen Tanning:  
Bans anyone younger than 16½ years old from using a tanning bed;
- School Supplies:  
Adds backpacks and school supplies to the annual August sales tax holiday weekend, which already includes clothing purchases;
- Teenagers' Cellphone Use:  
Teenagers may not text or use a cellphone while they are driving a vehicle;
- Driving Test:  
Teenagers now have to take live road tests to get their driver's licenses;

## THE LOSING BILLS

- Smoking Age:  
Would have raised the legal age limit to buy tobacco products from 18 to 19;
- Guns at Work:  
Would have allowed people to carry firearms to work and then store them in their parked vehicles outside;
- Guns on Campus:  
Would have allowed concealed handgun license holders to bring their guns to public college campuses;
- Seat Belts:  
Would have required passengers in the back seat of a vehicle to wear seat belts; and
- Sobriety Checkpoints:  
Would have allowed police to set up sobriety roadblocks in large counties and cities.

## THE WINNING BILLS

## THE LOSING BILLS

- Fire Safety Sprinklers:  
Cities can no longer force homebuilders to install these in new homes; and
- Gambling:  
An ease in restrictions on operators of the charitable game of BINGO. Lawmakers also approved a study on the future of gambling in Texas.

## WHERE DOES TEXAS GO FROM HERE?

The 81<sup>st</sup> Texas Legislature's five-month work session is over. The bills that have passed are now in the hands of the governor. He has 20 days, following the close of the session, to either sign or veto the legislation that passed.

Once the dust settles, Texans can brace for another hotly-contested legislative session beginning in 2010. The more things change, the more they stay the same.

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*The Bassett Bulletin*<sup>TM</sup> is published twenty-six times a year, and is a complimentary publication of The Bassett Firm.

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