



## LEGISLATIVE PRIORITIES

*for the 88<sup>th</sup> Legislative Session in 2023*

### Criminal Justice

TAB is a strong supporter of efforts that prioritize educational and vocational programs for incarcerated individuals, which are proven to reduce re-offending and increase workforce participation. TAB understands the benefit of employer collaboration to support and enhance a sustainable workforce, including participating in second chance hiring and giving employers the opportunity to fill job vacancies and provide career paths for both youths and adults with criminal records.

- TAB supports measures that reduce employment barriers for people with a criminal record, including efforts to provide every Texan exiting the Texas Department of Criminal Justice Institutional Division with a valid state identification card or driver license and social security card.
- TAB supports reducing occupational licensing barriers for Texans with criminal backgrounds.
- TAB supports expanding educational and vocational programs for incarcerated individuals.
- TAB supports pre and post release policies that benefit Texas Second Chance Employers.

### Economic Development and Taxation

TAB supports policies that help maintain and enhance Texas as the best state for business. Texas' economic success is the result of good tax, regulatory, infrastructure, talent, and economic incentive policies. It's not either or: it's all of the above. When businesses bring, grow, and maintain investments, jobs, and facilities in our state, the entire Texas economy wins.

Texas is not immune from competition from other states and nations, especially given rising property taxes. State and local policies encouraging and incentivizing job expansion and relocation from other states and nations are critical to staying at the top of the economic development competition.

### **Incentive Modernization:**

- Support a state and local economic development incentive to attract new and expand existing, large capital-intensive projects in Texas, including advanced technology, bioscience manufacturing, semiconductor manufacturing, and energy-related projects that benefit state and local economies.
- Support and sufficiently fund all current local and state incentive programs administered through the Governor's Texas Economic Development & Tourism (EDT) division and other state incentive and job training programs such as, but not limited to, the Texas Enterprise Fund. *\*Small business initiative*

### **Supply Chain & Innovation:**

- Texas should support and encourage private industry to create a more productive and innovative economy in high-growth sectors. Texas' success will be dependent on our ability to create and cultivate innovation-intensive companies, greater research, and commercialization capacities, more abundant sources of domestic capital, successful and skills-focused education and workforce development efforts and deeper and more resilient Texas-based supply chain capabilities.  
*\*Small business initiative*

### **Taxpayer Solutions:**

- Support policies that reduce tax burdens for entrepreneurs and employers, develop a skilled workforce, and retain and improve Texas sound regulatory climate and support efforts to modernize systems across government agencies to reduce administrative burdens, increase efficiency, promote innovation, enhance transparency, and provide cost savings to businesses and taxpayers. *\*Small business initiative*
- Retain and improve tax exemptions for employers to encourage job creation; maintain energy, manufacturing, supply chain reliability; reduce dependence on other nations and states; and help support increased economic opportunity and productivity throughout our state.

### **Gaming:**

- TAB supports legislation that gives Texans the opportunity to vote for the creation of destination resorts in the state

## **Education and Workforce**

The purpose of the public education system is to equip Texas students to lead productive lives earning a family-supporting wage after high school, as defined by students graduating prepared for college, career, or the military, without the need for remediation. However, a student's educational journey does not just start in high school.

From the moment a student enrolls in a Texas public school they should receive the services, interventions, and supports they need to be on grade level. In order to accomplish this, Texas should emphasize key literacy and numeracy gateways through a strong assessment and accountability system, high-quality instruction, effective educators, and rigorous curriculum.

Texas is a beacon of prosperity to the nation and the world. Businesses move here because they are confident in the strength of our workforce. To maintain and grow the talent advantage Texas offers businesses, it is vital to increase innovation, choice, transparency, accountability, and connectedness in K12, postsecondary, and workforce systems.

## **K-12 Education**

- Ensure that the federal resources allocated to K-12 education in the wake of COVID-19 disruptions are targeted to helping K-12 students recover from COVID learning loss with evidence-based practices.
- Ensure that evaluation tools, including annual state assessments in key subjects, remain intact to accurately measure student's and school's academic recovery in a way that is valid, reliable, and comparable. Ensure parents have access to timely and actionable academic progress data and access to resources, such as tutoring, that can help close learning gaps. This should include:
  - Reducing barriers and disincentives for school districts to hold back students who are not ready for the next grade;
  - And minimizing the stigma associated with getting held back in school.
- Ensure the A-F school accountability ratings system remains intact and accurately evaluates school district performance, while providing transparent, disaggregated, and data-driven metrics that are easily comparable across districts. Reject changes to the accountability system that are based on subjective, non-verifiable, non-comparable, infrequent, and sample-based metrics.
- Explore ways to strengthen the teaching profession to ensure all students have access to high-quality learning environment. Emphasize the recruitment and retention of a high-quality teaching workforce. This could include:
  - ensuring that teachers can earn a family-supporting wage, commensurate with their skill and educational levels, in the modern economic climate;
  - support efforts to identify and better compensate the state's best teachers, especially those serving the highest need students;
  - focus on strategies to close the gap between administrative and teaching compensation;
  - modernize teacher benefits to improve health care options while reducing costs for teachers;
  - emphasize measures in principle and superintendent evaluations that include teacher satisfaction surveys and provide high-quality managerial support and training for superintendents and principals across the state;
  - implement HB 3 reading reforms to ensure all elementary school teachers are equipped and trained in the science of teaching reading;
  - improve educator preparation programs to align with research-based best practices;
- Increase access to educational options that will best address students' unique interests and strengths, including:
  - innovative learning models, including high-quality virtual education;
  - competency-based education models to accelerate student learning; dual language programs;
  - increased access to advanced coursework for rural and low-income schools;
  - funding for special education parents to pursue additional services for their child to speed up their recovery from pandemic-associated learning losses;
  - pathways in career and technical education and credentials of value that lead to high-wage, high-demand occupations, especially in the skilled trades and information technology sectors, including through partnerships with community and technical colleges and businesses;

- and paid apprenticeship and internship opportunities aligned with opportunities for high-wage, high-demand occupations.
- Explore ways to increase the number of students taking CTE classes and [completing programs of study OR receiving credentials and certifications] in high school that are aligned to high-wage and high-demand fields, including monitoring the effectiveness of recent CTE funding changes in House Bill 1525.

### **Postsecondary Education**

- Support the passage and full funding of the recommendations of the Texas Commission on Community College Finance and advocate for enhancements to ensure that community colleges' incentive structures are aligned with employer needs and student wage/employment outcomes;
- Monitor the implementation of the Tri-Agency Workforce Initiative (HB 3767) to determine if alignment of education and workforce development has improved through data-sharing; advocate for strengthening agency data-sharing and public access to information on progress towards state workforce goals and student outcomes; support engagement with the business community to improve the quality of workforce data collected by state agencies;
- Expand access to career-aligned short-term and micro-credentials of value;
- Ensure that resources and pathways for reskilling and upskilling are available for adult learners and incumbent workers;
- And advocate for tying public higher education funding to the wage and employment outcomes of graduates within five years of graduation to ensure that degrees, certificates, and credentials issued lead to occupations with family-sustaining wages.

### **Workforce Education**

- Monitor the work of the TRUE (Texas Reskilling and Upskilling Through Education) Initiative (SB 1102, 86R) and ensure that it remains a priority to support workforce education.
- Advocate for policies increasing the availability and accessibility of employer-driven training models including models established in partnership with education institutions and workforce training providers, so that business of all sizes can "grow their own" talent pipelines and require transparency in reporting wage/employment outcomes for these programs.
- Support strategies that make re-entry to civilian employment more straightforward for veterans, including integration of military spouses, with licensing reform needed to smooth employment paths for success.
- Promote expanding adult charter schools that provide competency-based educational models and concurrent industry-based certifications, with stable funding through workforce and adult education funding streams.
- Support measures to increase access to affordable high-quality childcare and before and after-school programming.

### **Employment Relations**

Support policies that enhance the ability for employers to freely contract with their employees.

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- **Arbitration:** Oppose any effort to modify applicable law upholding an employer's right to establish a mandatory arbitration program applicable to at-will employees.

- **Employer Hiring Practices:** Oppose efforts dictating how private employers interview, hire, and pay candidates for employment or structure their applications and/or offers of employment.
- **Employment-at-will:** Oppose legislation that would erode employment-at-will as a right for all Texas employers and employees.
- **Human Rights Act:** Support the current version of the Texas Human Rights Act and protect employers from changes that could create additional litigation. Support utilization of administrative remedies to protect the rights of all involved parties while decreasing the load on the court systems.
- **Right to work:** Support efforts to keep Texas a right-to-work state and oppose agency shop legislation.

Protect the ability for employers to enact policies and select benefits that best meet the needs of their workforce.

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- **Drug Testing:** Oppose attempts to restrict the rights of employers to conduct random and/or universal drug testing of employees.
- **Employer Control Over Work Environment:** Support efforts to maintain employers' prerogative to control the workplace, thereby creating a safe, satisfying, and harmonious working environment.
- **Injunctions.** Support allowing an employer to seek an injunction on behalf of an employee to end workplace harassment without creating a new liability for employers.
- **Public Collective Bargaining Rights:** Oppose any expansion of collective bargaining rights in the public sector since the current system adequately provides for employee participation without the potential for disruption of services.
- **Property Rights of Business Owners:** Oppose the expansion of legislation previously passed that allows legally owned firearms to be stored on company-maintained parking lots.
- **Union Dues Check-Off:** Oppose efforts to allow public employees, or to require private employers, to subsidize or promote labor unions or similar organizations through payroll collection of dues and contributions.
- **Non-Compete Clauses:** Oppose unnecessary and additional restrictions to non-compete agreements already governed under Texas Business & Commerce code 15.50.
- **Texas Payday Law Reform:** Support efforts to clarify Chapter 61 of the Labor Code to allow deductions from wages of any item that is legal to deduct from minimum wage under FLSA without the need for specific written authorization. Support capping the amount of wages that may be claimed under the statute
- **Employment Practices:** Support efforts to limit municipal laws and regulations affecting employment practices of private employers.
- **Fair Labor Standards Act (FLSA) Reform:** Support efforts to reform the wage and hour laws by allowing more flexibility for employers and employees in hours worked during a pay period before mandating overtime pay. Provide more freedom and flexibility to classify workers as exempt from overtime requirements and as independent contractors.
- **Minimum Wage:** Oppose arbitrary increases in minimum wage that cannot be supported by improvements in productivity and that deprive many entry-level workers of job opportunities.
- **Pay Equity:** Strongly support the current law on pay equity.

Support efforts to minimize the impact to employer and reduce the opportunity for excessive litigation within the unemployment insurance program. *\*Small business initiative*

- **Devolution of Federal Programs to the States:** Support transferring control over federally mandated programs like unemployment insurance to states, thereby reducing employers' tax burdens and increasing local control over workforce-related programs,
- **Duration of Benefits:** Limit UI benefits to 20 weeks if the state's average unemployment rate for the year preceding the calendar year in which the claim takes effect is below five percent.
- **Family and Medical Leave Act (FMLA):** Oppose efforts to modify the FMLA, and oppose any initiatives to require employers to pay for FMLA leave with unemployment insurance taxes.
- **Fraud Control:** Support legislation to allow the Texas Workforce Commission (TWC) to hire outside contractors on a pay-for-performance basis to assist in efforts to detect and remedy unemployment benefits fraud.
- **Subsidized Training Wage:** Support legislation to allow employers to apply part of their unemployment insurance taxes toward the cost of training workers for their businesses.
- **Unemployment Insurance Reform:** Revise the Texas Unemployment Compensation Act's (TUCA) definitions of "able and available" to meet the revised standards in federal law. Support removing any legal obstacles to collection of benefit overpayment to increase UI program integrity.
- **Unemployment Savings Accounts:** Support fundamental changes in the unemployment insurance system that would abolish traditional federally controlled unemployment insurance programs in favor of establishing individual Unemployment Savings Accounts (USAs) for employees. These would be available if needed for unemployment, training or as a supplement to retirement income.
- **Texas Unemployment Compensation Act:** Amend the Texas Unemployment Compensation act to allow reimbursing employers relief from liability for benefits paid if a resignation was not specifically for good cause connected with the work or in connection with voided or fraudulent UI claims.

## Energy

Texas is the #1 energy provider in the US. Energy is at the core of every issue – supply chain, national security, transportation, infrastructure, and more. TAB leads the effort to build both economical and sustainable policies that allow businesses to thrive in a free enterprise market while protecting the market which has allowed Texas to both be a leader in clean energy and in low power prices.

### **Energy Markets**

- Encourage healthy economic growth in Texas by promoting the production and adequate supplies of all forms of energy at competitive prices; Advocate for the protection of the Texas energy only market which keeps costs low.
- Support implementation of new technologies that are proven, market-ready, and cost-effective, that will encourage greater energy efficiency and support the state's growing energy demands.
- Promote an "all-the-above" energy strategy that is balanced and cost-effective to create a more consistent and reliable electric grid.
- Establish state-wide policy and tax strategies necessary to attract and facilitate utilization of hydrogen, battery storage, carbon capture, utilization and storage efforts, sustainable aviation fuel, geothermal, etc. to Texas.
- Support continued PUC jurisdiction over the rates for electric transmission service in Texas, consistent with SB 1938 enacted by the 86<sup>th</sup> Legislature.

- Support the prioritization of funding to state regulatory agencies whose functions play a key role in supporting critical infrastructure and the Texas economy including pipelines, refineries, and renewable facilities. Programs administered by the Public Utility Commission of Texas (PUCT), the Texas Commission on Environmental Quality (TCEQ), and the Texas Railroad Commission (RRC) should receive sufficient funding to provide effective regulatory programs in support of these urgent state priorities.
- Support efforts to encourage voluntary, economy-wide, free-market solutions to energy conservation and demand response that save businesses money, maximize investment in energy infrastructure and promote competitive economic development in Texas.

### **Environmental Stability**

- Encourage a balanced approach to the development and conservation of the state's natural resources.
- Oppose any efforts to establish or expand the authority of a local government to promulgate environmental regulatory programs that would preempt uniform, statewide regulation by the RRC, TCEQ, or other state regulatory agencies or be inconsistent with existing state regulatory programs.

### **Federal Support**

- Ensure that Texas gets its fair share of Infrastructure Investment and Jobs Act (IIJA) (e.g. Hydrogen hubs, EV charging, transmission lines) and that it is used to promote economic development, reduce air pollution, and advance clean energy in Texas.
- Promote reasonable regulatory frameworks and prevent broad, unnecessary, harmful or hostile laws that stifle energy production.
- Ensure Texas has a say against federal mandates that impede energy businesses.

Advocate for nationwide use and reliance on energy generated within Texas.

### **Health Care Priorities**

- **Protect employers from legislation that increases health care costs**
  - Preserve employer, employee, and health plan benefits of ERISA by opposing any attempt to erode the federal preemption of state law relating to health benefit plans;
  - Oppose health care & regulatory mandates that drive the long-term cost of health care to employers; *\*Small business initiative*
  - Support measures that would increase the efficiency and cost-effectiveness of health care;
  - And support legislation to improve the administration of health care services and lower administrative burdens for employers. *\*Small business initiative*
- **Expand the choices available for employers to purchase health insurance**
  - Support "Consumer Choice of Benefit" health plans, which will provide an additional, low-cost option for employers when purchasing health benefits for their employees' Consumer Choice of Benefit plans include insurance products that eliminate all contract, benefit, and regulatory mandates that exceed federal requirements; *\*Small business initiative*
  - And support stability in the group as well as the individual health insurance marketplace and provide appropriate options for coverage that are affordable and accessible to employers and patients. *\*Small*

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- **Improve the efficiency of health care delivery system**
  - Support expanding the use of telemedicine to reduce costs and increase access to care;
  - Support removing barriers to top of license practice for advanced practice registered nurses, physician assistants, and pharmacists;
  - Increase the number of health care providers available to Texans without sacrificing quality of care;
  - Support efforts to ensure all workers, consumers, and employers have convenient and widespread access to tests and vaccines through multiple health facilities and practitioners;
  - And support innovative value-based care models that improve health outcomes and reduce cost throughout the health care system.
  
- **Support access to cost-effective, high-quality Medicaid & CHIP programs to improve population health and reduce social barriers to care**
  - Continue to support Medicaid managed care as a service delivery model;
  - Support providing full coverage for women on Medicaid for 12 months post-delivery to improve maternal health and ensure healthier babies;
  - Support policies that improve outreach to families eligible for but not enrolled in Medicaid & CHIP and smoothly transition children and new mothers who are no longer eligible for Medicaid & CHIP to other coverage;
  - Support legislation that will reduce the number of uninsured Texans by increasing the affordability of health insurance through market-based solutions;
  - And support providing HHSC with sufficient resources and processes in place to assure that MCOs fulfill their access and service obligations to enrollees and Texas taxpayers.
  
- **Support systemwide strategies to improve the value of health care**
  - Eliminate utilization of low value care, waste, fraud, and abuse across the health care market;
  - Empower employees and consumers with information regarding the cost and quality of health care services;
  - Support efforts to promote competition and increase transparency in health care pricing and quality;
  - Protect the ability of health insurers and health benefit plans to negotiate contracts with physicians and providers without government interference;
  - Prevent needless increases in cost and litigation through the expansion of any kind of medical liability;
  - And support efforts to reform the medical billing dispute process in a manner that achieves the most cost savings for employers and patients.

## **International Trade**

TAB will be a strong advocate for policies that protect and maintain Texas' status as the nation's top exporting state and as a primary destination for foreign direct investment. Texas exports alone support nearly one million jobs. TAB will support policies that better facilitate secure international business transactions and protect American investments in other countries.

Texas strategic geographical location and robust transportation network have made the state a key trade gateway. With this in mind, TAB will advocate for infrastructure projects that improve connectivity between our land and sea



ports of entry. TAB will also support changes to operational strategies that efficiently expedite the cross-border commercial process while keeping safety standards.

#### **USMCA:**

- TAB will work with the proper authorities and stakeholders to advocate the full and proper implementation of the USMCA rules as they apply for the U.S.A., Mexico, and Canada.
- TAB will engage and assist member companies and industries to introduce concerns and pursue solutions when other countries breach the rules established by the USMCA.
- As the agreement will be reviewed every 6 years, TAB will monitor and note areas of improvement to advocate to the proper stakeholders.

#### **Border Infrastructure:**

- TAB will support policies that improve border infrastructure, including physical, technological and operational aspects.

TAB will advocate for Texas to receive financial resources from federal and state agencies to fund key border infrastructure projects.

### **Small Business**

TAB is committed to making sure businesses of all sizes have access to economic tools that allow them to succeed. Small Businesses are an important part of the economy providing opportunities in their communities and in hard-to-reach markets across the state, supporting job growth, and fueling the Texas economy. Texas is home to 3 million small businesses that employ nearly half of all working Texans.

- **TAB supports measures that reduce tax burdens for small businesses and incentives that boost economic development, benefiting business of all sizes and providing opportunities in the community, such as:**
  - Supporting efforts to increase access to capital for small and micro businesses.
  - Supporting legislation that lowers the tax burden on small businesses, including franchise tax.
- Support solutions that allow small business access to affordable, stable health insurance for them and their employees.
- Support policies that reduce tax burdens for entrepreneurs and employers, develop a skilled workforce, and retain and improve Texas sound regulatory climate and support efforts to modernize systems across government agencies to reduce administrative burdens, increase efficiency, enhance transparency, and provide cost savings to businesses and taxpayers.
- Support policies that protect Texas employers including:
  - Enhancing the ability for employers to freely contract with their employees;
  - Protecting the ability for employers to enact policies and select benefits that best meet the needs of their workforce;

- And minimizing the impact to employers and reduce the opportunity for excessive litigation within the unemployment insurance program.

## **Tech and Innovation Priorities**

Texas is a top state for technology jobs, manufacturing, energy, and workforce development. Today, technology is at the core of every Texas business regardless of size, sector, or region. TAB leads the effort to build innovative, sustainable, technology and cybersecurity policies to ensure all Texas employers can succeed.

### **Talent pipeline**

- Support programs that increase access to computer science instruction for students of all ages, including ensuring Texas has teachers qualified to teach computer science.
- Support an all-of-the-above approach to workforce development that aligns with high demand tech jobs today and in the future.

### **Cybersecurity & IT Modernization**

- Continue to modernize state agency IT to help combat cyber risks, allow citizens to access more state information and services online, and improve the state's IT disaster recovery and telework capabilities.
- Oppose government cybersecurity standards and regulations on citizens and business that make it more difficult for businesses to prevent and mitigate cyber threats in a rapidly changing business environment.
- Support industry-driven initiatives that are more adaptable and effective.

### **Investment Opportunities, Resources, and Infrastructure**

- Encourage investment opportunities and access to capital, especially for smaller technology enterprises.
- Increase access to broadband – including devices, skills, implementation, cost and adoption – to improve online access to government services, telework, telemedicine and rural economic development.
- Invest in programs that leverage our ranking as a top state for advanced technology and semiconductor manufacturing.

### **Reasonable Statutory and Regulatory Frameworks**

- Promote reasonable regulatory frameworks and prevent broad, unnecessary, harmful or hostile laws that stifle innovation.
- Support a national data privacy standard that enables private sector innovation and protect privacy and secure consumer data, recognizing that technology utilization, development and innovation move much faster than government and are not bound by local or state boundaries.

## **Tort Reform**

TAB is committed to protecting Texas' reputation as the model for lawsuit reform.

- TAB will oppose legislation that creates new private rights of action that employees can use to sue their employers. TAB will oppose legislation that encourages lawyers to pursue economically unproductive litigation against Texas businesses.  
*\*Small business initiative*
- TAB supports the creation of business courts or specialized courts for resolution of business disputes. Business courts ease pressure on overcrowded state court systems and reduce the possibility that complicated commercial cases will displace the time and attention that many other cases pending in those parts should receive. Efficient resolution of complex cases requires the expertise of judges experienced in these areas and skilled at handling these cases.
- TAB will support measures that limit ability of individuals and entities to use public nuisance lawsuits to attempt to implement policy changes through court decisions.
- TAB will work to protect past legislative reforms enacted to curb rising medical malpractice insurance costs and ensure access to care for all Texans. TAB will work to protect the current cap on noneconomic damages in malpractice cases.
- TAB will work to ensure that reforms enacted to curb rising commercial vehicle insurance costs driven by meritless lawsuits are fair and effective. *\*Small business initiative*
- TAB will continue to vigorously support First Amendment rights, including the early dismissal of lawsuits that impinge upon those rights. At the same time, TAB will work to prevent abuses of the Texas Citizens Protection Act when used simply as a method to delay meritorious lawsuits.

## **Transportation & Infrastructure**

Texas is a major transportation corridor for world trade. In allocating millions of dollars from the Infrastructure Investment and Jobs Act (IIJA), TAB will advocate for transportation and infrastructure improvements on behalf of ports, railways, and airports to facilitate more efficient goods movement.

### **Ports**

- Support opportunities available to the Legislature or state agencies to facilitate ongoing efforts to improve the maintenance and modernization of commercial waterways and ports.
- Advocate for federal and statewide funding to enhance and expand port infrastructure to increase capacity for imports and exports across the state while lowering air emissions.
- Encourage the Legislature and regulatory entities to continue to prioritize port access and port improvements.

### **Airports**

- Encourage utilizing funding for airport improvements across the state to increase and enhance traffic coming to and from Texas.
- Support the need for upgraded airport facilities with a focus on fueling infrastructure.
- Oppose "Not in my backyard" (NIMBYism) in necessary airport growth.

## **Rail**

- Advocate for policies that support efficient cross-border traffic and trade.
- Oppose additional mandates on rail operations so rail companies can maintain flexible operations.

## **Auto/Highway**

- Support all modes of transportation in implementation of new infrastructure.
- Support hydrogen fueling for heavy-duty freight trucking and electric charging for medium-duty distribution vehicles needed to minimize supply chain issues and air emissions.
- With electric vehicles currently not paying road use fees, support the creation of a pilot vehicles mile traveled fees for electric vehicles only.

## **Funding**

- Ensure that Texas gets its fair share of Infrastructure Investment and Jobs Act (IIJA) (e.g. broadband, ports, rail, and highway infrastructure) and that it is used to promote economic development and advance transportation capabilities in Texas.
- Support public-private partnerships to expedite project delivery to address the demand of the growing Texas population and to reduce supply chain efficiencies.

## **Water, Wastewater, and Flood Control Infrastructure**

Water is vital for Texas businesses. To continue Texas' economic prosperity, additional water resources must be developed without imposing fees or taxes. Development of cost-effective water, wastewater, and drainage systems are key to continue to attract business opportunities to Texas. Proper flood control and coastal storm protection infrastructure is necessary to support the growth of Texas.

- Support statewide strategies to provide an adequate and cost-effective supply of water resources.
- Support desalination and other technologies to enhance water supply for industry and the state's growing population.
- Oppose efforts to weaken the legal and property interest of existing holders of water rights or impose new enforcement programs and costs on holders of water rights.
- Oppose efforts that unfairly impose costs or water use restrictions on commercial or industrial users.
- Advocate for consistent management and regulation of groundwater based on defined hydrogeologic boundaries rather than arbitrary political jurisdiction boundaries.
- Oppose efforts to restrict or prohibit the Texas Commission on Environmental Quality from issuing wastewater discharge permits for new or expanded wastewater treatment plants in certain geographic areas of the state.
- Support efforts to provide more regional and local flood control and coastal storm protection infrastructure.
- Support state funding for water, drainage, flood control, and coastal storm protection infrastructure and programs without adding additional taxes, fees, or unfunded local mandates.
- Support the use of general revenue to pay for water quality regulatory programs without adding additional taxes or fees on these programs.

## Workers' Compensation

Through a series of legislative reforms, the Texas workers' compensation system has become the model for the country. TAB supports policies that protect and maintain the integrity of the Texas workers' compensation system and meet the legislative goals of providing adequate and timely benefits to injured employees at a reasonable cost to Texas employers. TAB also supports nonsubscription in Texas as a way for employers to effectively manage care for their injured employees.

TAB's workers' compensation/nonsubscription priorities include:

**Air Emergency Services.** Support a state solution that provides predictable and reasonable prices for air ambulance services and ensures appropriate use.

**Attorneys.** Oppose legislation that would increase attorney involvement in workers' compensation.

**Damages.** Oppose any attempts to reverse the *Ruttiger* decision and oppose efforts to remove caps on exemplary damages for employer's liability claims.

**Illegal Drug Use.** Support legislation encouraging zero tolerance for alcohol and illegal drug use on the job. Support efforts to strengthen the intoxication defense.

**Income/Indemnity Benefits.** Oppose legislation that would raise impairment benefit amounts or lower the threshold for supplemental income benefits. Ensure that any changes to income/indemnity benefits are based on reliable data and do not negatively affect return-to-work initiatives.

**Mandatory Coverage.** Oppose efforts to mandate workers' compensation coverage.

**Mental Health.** Oppose legislation that would expand coverage to include mental trauma resulting from a series of events over the lifetime of a career rather than a single traumatic event.

**Nonsubscription.** Oppose legislation that would impose new requirements on nonsubscribers to workers' compensation or negatively affect nonsubscription plans.

**Physician Dispensing.** Oppose efforts to allow physician dispensing of prescription drugs.

**Presumptions.** Oppose legislation that would expand presumptions in workers' compensation.

**Retaliatory Discharge.** Support legislation to limit damages and restrict the scope of action filed by a terminated employee for workers' compensation retaliatory discharge.

**Settlements.** Oppose legislation that attempts to reintroduce lump sum settlements, including medical lifetime benefits, into the Texas workers' compensation system.

**Statutory Employer.** Support and preserve the current regulatory structure that prevents lawsuits against employers and property owners who provide workers' compensation insurance.

**Subrogation Rights.** Oppose legislation that would diminish the subrogation rights of employers and insurers in recouping money paid to claimants for third-party actions.

**Telehealth/Telemedicine.** Support efforts to expand the use of telemedicine/telehealth services in workers' compensation.

**Waiver.** Support legislation to specify that the defense of "no compensable injury" cannot be waived, regardless of any time constraints.

## **Federal Affairs/Immigration**

To be truly competitive, Texas requires a federal immigration system that attracts global talent and investment and creates jobs in our state, that includes common-sense reforms that prioritize:

### **DACA**

- A permanent solution for Texas Dreamers and TPS holders that creates a pathway to legal status or citizenship.

### **In-state Tuition**

- Texas has a long and proud tradition of embracing immigrants and leading the country in bipartisan, common-sense immigration policies. We urge state leaders to protect tuition equity and continue to offer in-state tuition to all Texas high school graduates who want to continue their education and contribute their talents to our vibrant Texas economy.

### **Visas**

- Sustaining labor growth in the future will require immigration reforms that more readily attract foreign workers based on their employment prospects and skills. The Texas business community needs an efficient and straightforward visa system and reformed asylum program that reflects Texas' economic needs, from agriculture to engineering to entrepreneurship, allowing businesses the freedom to grow, hire, and retain workers. For example, the TN visa that TAB advocated for as part of the USMCA, which allows Texas businesses to meet their professional workforce needs.

### **Border Security**

- The Texas-Mexico border region expands 1254 miles, accounting for more than half of the US-Mexico border. 28 of the 49 roadway border crossings connecting the United States and Mexico are in Texas. The Texas-Mexico border facilitates more than 45 percent of the 188 million people crossing the border between the U.S. and Mexico.

TAB will advocate for common sense reforms that improve the flow of legal commerce and immigration. Any border security policy must protect our national border from illicit trade and criminal enterprises while creating a safe and secure border that works efficiently for commerce, trade, and legal immigration.