



**SIERRA CLUB**  
LONE STAR CHAPTER

**2021**

**TEXAS**

**LEGISLATIVE SCORECARD**





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## Introduction

The Sierra Club is proud to announce its **2021 Texas Legislative Scorecard**.

This year's scorecard has several new changes, but the objective of this project remains the same: to give Texans a clear picture of the conservation and environmental justice values of elected officials working on their behalf in the Texas Legislature.

There were several priority areas that the 87th Texas Legislature needed to address: pandemic response, fixing the electric grid, Winter Storm Uri recovery, pollution reduction, and so much more, but in short, this was an embarrassing session for lawmakers who care about improving the lives of all Texans. Why? Because not only did the legislature fail to address these needs adequately, it pivoted to attacks on voting rights, LGBTQ Texans, Black Texans, teaching our history of systemic racism, and reproductive health, to name a few. For synopses of how things went, check out the legislative updates on our [blog](#).

Legislation aimed at addressing multiple harms on Black, Indigenous, and people of color communities in Texas was not prioritized. Most bills that touched on these issues did not even get a floor vote and many did not even get a hearing at the committee level.

Sierra Club and our allies fought hard to bring relief to Texans struggling to recover from Winter Storm Uri via the POWER Act (HB 3460), yet this bill did not even get out of committee. We fought hard to pass a bill that would increase our state's energy efficiency goal (SB 243 and HB 4556), which would have invested millions of dollars into weatherizing homes and small businesses to reduce the risk of future blackouts, lower bills, and create more local green jobs, yet these bills did not get out of committee. Other bills intended to give Texans rate relief or provide tools to manage their energy use through demand response programs did not even get hearings. We fought hard to address methane pollution through larger fines for permit violations, and fought for a statewide no-flaring goal (and a suite of other solutions) yet we couldn't even get a bill to study methane pollution passed even by a committee in either chamber. Do you see a pattern?

Lawmakers who file good bills too often see those bills die in committee or not even get a hearing because committee chairs control what bills lawmakers are able to vote on, creating a strategic choke point where corporate polluting interests can easily stop bills that would affect their company's bottom line. There are many other ways good bills are stopped, but it all boils down to legislators that lack the courage to do what is right for their constituents. We need a majority of public servants who will fight for people, and address the racial, social, economic, environmental, and geographic inequities of our state.

*Special Session Note: Sierra Club's analysts formulated this scorecard amid a historic struggle to protect voting rights which unfortunately led to the passage of an anti-voting bill that was signed by the Governor. The 50+ quorum-breaking Democrats who prevented a vote on voter suppression bills in the first special session are admirable and deserve support. Obviously, the decision by some to return resulted in the voting suppression bill moving forward again. However, since votes on voter suppression were already recorded in the regular legislative session, we decided not to include anything from the special sessions in this scorecard.*







Photo: Al Braden

## The Scorecard

Most legislative scorecards use floor votes to score lawmakers. However, until there is a majority of legislators that are willing to stand up to special interests in Texas, it will remain a challenge to find meaningful high stakes votes on good bills. All too often, the best bills filed in the Texas Legislature do not come up for a full vote in either the House or Senate; instead, these bills are stopped in committee by hostile lawmakers.

That doesn't mean there wasn't enough action to score. To get a clear picture of each legislator's values, we decided to score not just votes, but also work that lawmakers did (or did not do) on the backend to fight for the success or failure of certain bills. From pushing a committee chair to vote on a good bill to killing a bad bill on a point of order, it is clear that scoring our legislators actions beyond the usual "votes on the floor" can help Texans better understand their legislators' values and priorities.

In considering what to score, our analysts included:

- Votes on bad bills that would harm Texans.
- Votes on less contested good bills that would help Texans.
- Big omnibus bills that have both good and bad aspects to them. Scoring on votes like those can be tricky because there can be good and bad components to them, so we didn't include many of them.
- Votes on amendments. Lawmakers sometimes try to revive good bills that died in committee by offering them as amendments to related bills that come up for a vote on the floor. Legislators can attempt to add amendments that would weaken bad bills too.
- And finally, the individual efforts of legislators to pass or prevent bills outside of the vote that they cast on the floor. For example, it meant a lot that Rep. Ron Reynolds worked to get his good bills on low-income weatherization loans and methane pollution (HB 1533, HB 896, HB 897) out of committee, and when the bills died, he tried to get them added as amendments to larger bills. However, since the full House didn't vote on any of these, we can't include them in the list of votes. So we adjust individual scores to acknowledge the extra effort.





## What Is Missing?

Every time we produce this scorecard, we hear concerns from legislators regarding their scores. While many lawmakers do make some sort of effort to protect our environment (some more, some less), it is clear to both us and their constituents that certain bills in the Texas Legislature matter more.

For legislators that remain unfamiliar with the Sierra Club's mission and goals, this scorecard can seem a bit arbitrary. Although if you looked at our legislative priorities, or had a conversation with our Conservation Director (Cyrus Reed) in the hallway or in your office, or heard our testimony in countless committee hearings, you would know what our members and supporters care most about.

But why do we decide to base scores on votes like HB 17 (banning local governments from transitioning to building electrification) and not on bills like SB 1772 (pollinator protection)? (For the record, we gave extra credit to its sponsor, Sen. Zaffirini, for getting it passed - though Abbott ultimately vetoed it!) To put it as simply as we can, this scorecard aims to measure how much each lawmaker fought for environmental justice and protection during the 87th Legislature; sometimes, floor votes and bill sponsoring do not tell the whole story. Filing a good bill that has slim chances of passing shouldn't neutralize a vote for a bad bill that will end up harming people.

In addition, scorecards that include too many "easy" floor votes can marginalize the importance of environmental justice initiatives that never make it off the ground. We're going beyond the floor vote to bring more attention to those initiatives and actions, because that is the right thing to do.

Is this approach fair? Let's put it this way. We acknowledge that in the legislative process, compromise and trade-offs are unavoidable. There are so many pressing issues and limited resources to adequately fight for them all; the short, 140-day meeting period that the Texas Legislature is afforded once every two years is just not enough time to get everything done. We'd be foolish not to acknowledge that.

However, when special interests like the Texas Oil and Gas Association or Oncor push back against good environmental justice priorities, **your legislator's values become clearly visible**. When faced with the influence of corporate pressure, did your legislator fight for you? Did they throw up their hands and focus on other bills? Was it all just posturing? That's what we want to find out by doing this scorecard.



Photo: Al Braden





## Methodology

Because we used different metrics to evaluate lawmaker's performances during the 87th Legislature, it's helpful to start with an example to explain our methodology: Comparing the votes on HB 17 and HB 3963.

- **HB 17** was a blatant push by the gas industry to ensure that cities and other local governments can't pass codes, standards, or policies that lead to beneficial electrification of homes and businesses, a key measure to move toward net-zero carbon by moving away from indoor gas use.
- **HB 3963**, on the other hand, was a good bill. If passed, it would have allowed an agency in control of state property, including a state park, to enter into an agreement with a provider to place and maintain electric vehicle charging equipment on the property. Sierra Club was against HB 17 and for HB 3963.

If, like most scorecards, we weight each of these votes equally, they would both contribute 7 points to a lawmaker's total score (there were 14 total votes for each lawmaker). But in our scorecard, we have to ask: should the votes on each of these two very different bills really be worth the same amount of points?

While more EV charging stations in state parks (HB 3963) is clearly a good thing, this bill was just not as impactful as HB 17, which unfortunately makes it harder for us to address indoor air quality in millions of Texas homes.

In order to account for the very real difference in impact between these two bills, our scorecard takes a different approach. Instead of asking whether a lawmaker simply voted yes or no on a bill, we also ask:

- How high were the stakes involved?
- How difficult was it to get the votes?

For every vote, we asked our lobby team to answer these two questions on a scale of 1-10. The sum of these two numbers was then converted to a percentage of a total possible score of 147 points in the House, and 138 points in the Senate.

For HB 17, we gave 5 out of 10 points for stakes and 8 out of 10 points for difficulty (the fracked gas industry pushed hard to get the bill through), for a total of 13 out of a possible 20 points. For HB 3963, we gave 2 points for stakes (it would have been much higher if it were a plan to build a statewide network of charging stations) and 2 points for difficulty in getting votes (there weren't that many special interests opposed to this bill) for a total of 4 out of a possible 20 points. So the vote on HB 17 came to 8.84% (13 of 147) and HB 3963 came to 2.72% (4 of 147).



Photo: Al Braden







Photo: Al Braden

## Adjustments

Like last session's scorecard, we made adjustments to raw scores to account for special efforts made by some lawmakers. For example, we gave Rep. Reynolds 3.5 additional points for filing HB 1533 (low-income weatherization loan program) and then getting it added to several other bills as an amendment when the original bill failed to move past Chair Landgraf's committee.

In addition, this year we decided to make both positive and negative adjustments in this scorecard. In 2019, we only adjusted "up", meaning that we simply gave lawmakers small acknowledgements of their extra efforts to improve their scores. This year, with so many horrible bills getting passed, we thought it especially important to recognize when our legislators did something bad. Otherwise, we risk painting an incomplete picture of our state's legislators that may not accurately reflect their values.

We acknowledge that this approach is not perfect. No scorecard is. However, we believe our scorecard accounts for the subjective nature of politicking, which not many of them do.





## Acknowledgments

We could not have produced this scorecard without the help of the following individuals: Matt Johnson, Cyrus Reed, Emma Pabst, Eric Krueger, Alex Ortiz, Ken Kramer, Courtney Naquin, Hannah Lopez, and Casey Moser. We wouldn't have anything to report without the passion and commitment of our activists either. Thank you to all the Sierra Club members and supporters who stepped up and called, emailed, wrote, and met with their legislators face to face this year. We appreciate you and your drive to make Texas a better place to live.

Finally, Sierra Club is a part of a larger movement to make Texas a more equitable, inclusive, democratic, and anti-racist place. We still have a long way to go, but to that end, we want to acknowledge that this scorecard is missing several votes that would give an even clearer and representative view of each lawmaker's values. There were terrible bills filed attacking trans Texans and reproductive healthcare for example, as well as bills intended to stifle education about our country's legacy of racism, and many others. Since we did not have enough capacity to support our allies who fought against these bills (and tried to push good bills), and since we did not take an official position on many of them (via direct lobbying), we felt it would not be proper to include them here. We did, however, include the major bills aimed at stifling voting rights (SB 7) and undermining worker rights (SB 14) since we were more directly involved in fighting those particular pieces of legislation.

However, we want to work more closely with allied organizations in the future to collaborate on how to fill out the picture of each elected official through a more comprehensive equity and social justice lens.

For a more complete picture of how our lawmakers scores stack up on other issues such as LGBTQ rights, criminal justice, reproductive healthcare, and more, check out the accountability work of Texas Freedom Network, Equality Texas, [AVOW](#), Planned Parenthood Texas Votes, SEIU, ACLU of Texas, Progress Texas, and Mi Familia Vota.



Photo: Al Braden





## Insights & Analysis

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### Patrick & Phelan

Readers will notice that Lt. Governor Dan Patrick and Speaker of the House Dade Phelan are not included in the scorecard. This is simply because they do not vote on legislation so we can't score them that way. It's safe to say, however, that they both used their power, position, and privilege to harm Texans across the state. If we were going to give them a score, they would both receive a failing grade.

At this point, most Texans know how awful **Dan Patrick** is. There's not much more to say. He acted true to form. He treated the Senate like his own fiefdom, demanding fealty from Senators in exchange for allowing bills to move. He makes up the Senate rules however it pleases him and then uses them to advance his corrosive and harmful agenda. Even when the Democrats picked up an additional seat before the session, he changed the rules again so that Democrats could never block any bills.

**Speaker Phelan**, however, started in his new leadership position from a supposed pragmatic position, having earned bipartisan support to win the speakership. All talk aside, a willingness to be pragmatic and work on common issues was not what he showed. When it came time to exercise his power, he chose to allow several hateful and harmful pieces of legislation to flow through the chamber, making it dangerously easy to purchase a gun, moving bills to discourage the teaching of Texas's complicated, racist history, and enabling measures to restrict reproductive healthcare and of course, bills to suppress voting access. We do recognize that on some issues, he did play a more "pragmatic" card, at least compared to the Lt. Governor. As one example, the House removed anti-renewable language from the electric reform bill (SB 3) that had been approved by the Senate.



*Lt. Governor Dan Patrick*



*Speaker of the House Dade Phelan*







Photo: Al Braden

## Insights & Analysis

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### **The Senate is in terrible shape.**

You really can't call it a Senate anymore. It's more like Dan Patrick's thunderdome. For multiple sessions now, he has changed the rules so that bipartisan support is never needed to pass bills on his agenda. Speaking of his agenda, there was little Senators could do to pass their bills if Patrick didn't want them passed. Dozens of good, bipartisan bills that passed the House on water and electric resiliency never even received a hearing in the Senate.

Overall though, there were only two "top performers" - both first term senators - Sen. César Blanco and Sen. Sarah Eckhardt. That's not to say that those are the only two environmental champions in the Senate. Sens. Zaffirini, Menéndez, and Johnson all worked hard this year on environmental priority areas. However, their scores could only be adjusted so much because of some of the votes they made that really hurt in other areas (like HB 17).

### **Few lawmakers were willing to stand up to polluting oil and gas interests.**

When you examine just the bills we scored in which oil and gas special interest groups were involved, it's clear that there are a lot fewer legislators willing to go against them - even among the Democrats. In fact, more often than not, Texas Democrats voted with Republicans and sided with oil and gas interests over issues of local democracy and environmental protection. We see this in the votes on HB 17 and related bills. Regarding the most important issue of all -- requiring weatherization of gas wells and pipelines and robust enforcement to prevent future deaths in future storms - the Legislature was missing in action. That is not to say some legislators didn't try. In particular, Reps. Donna Howard and Jon Rosenthal made valiant attempts on the House floor to add "teeth" to SB 3, even as Senators remained largely silent on the issue. We also recognize the outstanding efforts of Rep. Erin Zwiener, who helped kill two anti-environment, pro-gas bills through Points of Order that would have hurt efforts by local governments to combat climate change.







## Insights & Analysis

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### **Trading votes for bill movement makes scores hard to interpret.**

There are some stalwart environmental lawmakers who have worked hard to make progress on environmental protection. However, this session illustrated how difficult trade-offs can be. As an example, Sen. Nathan Johnson somewhat surprisingly supported in committee (and on the floor) several electricity bills authored by Chair Kelly Hancock that hurt renewable energy development overall. While these votes against our position didn't help his score, we get it: in return for some tweaks to make Hancock's bill "less bad" (and perhaps some favorable consideration of bills that he filed) Sen. Johnson decided to support Hancock's bill.

### **Austin delegation stands out.**

With seven of the 10 perfect scores being earned by the Austin delegation, it's hard to dispute how solid their voting bloc is on environmental issues. Perhaps it is years of watching Austin-bashing by the rest of the state, but Austin's representatives were leaders on environmental protection, local democracy, and worker safety. They led fights on the House floor, introduced good amendments, were quick to break quorum to defend voter rights, and filed dozens of good pro-environmental pieces of legislation (most of which did not get hearings). Indeed, many of these same members helped form the Climate Caucus, led by Rep. Erin Zwiener, whose district is just southwest of Austin.



## Insights & Analysis

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### **The influence of utilities on Uri response bills escaped the scorecard.**

The legislative response to Uri is one spoonful of careful and deliberative policy making, but a whole lot more spoonfuls of big-business lobbying influence by major utilities and gas supply companies. At the top of the list is the failure of the legislature to require much more robust requirements on gas suppliers to “weather-proof” their gas supply. From the outsized role of Railroad Commission Chair Christi Craddick, to the influencers of major oil and gas associations like the Texas Independent Producers & Royalty Owners Association and Texas Oil and Gas Association, industry players continued to push the incorrect narrative that power companies somehow caused the gas supply to shut off, rather than acknowledging the reality that gas suppliers shut off their spigots hours before the power was even lost.

In addition, the electric utilities and gas distribution companies themselves (electric cooperatives and private investor-owned utilities) pushed hard to make sure they could “securitize” their losses from the storm, meaning customers would pay back those debts over time, protecting the utilities and cooperatives from making more drastic changes. Similarly, transmission and distribution companies like Oncor -- the largest “wires” company in Texas -- worked behind the scenes to squash major pushes that would have increased energy efficiency goals or allowed better access to distributed technologies like solar energy and storage. In other words, major reforms that would have helped customers were prevented from passing due to backdoor lobbying efforts by the Association of Electric Companies of Texas and their main companies.





# Key House Votes

## HB 2716

**Sponsor:** Rep. Tracy King

**Summary:** This bill would have allowed the Texas Parks and Wildlife Department to directly intervene in providing input and in some cases opposing water rights and water discharge permits issued by the Texas Commission on Environmental Quality. This was actually Texas policy until it was changed in 2011 by the legislature on an amendment to a TCEQ bill on the House floor. Allowing the state agency in charge of protecting natural areas and wildlife areas would have been an important action to help protect Texas's streams and rivers.

**Our Position:** A vote for the bill was a vote for the Sierra Club position.

**Special Interests:** Opponents included the Texas Association of Manufacturers, Texas Chemical Council, and Texas Independent Producers & Royalty Owners Association (TIPRO).

**Outcome:** HB 2716 passed the House on a vote of 91 ayes and 54 nays. It was referred to the Senate Committee on Water, Agriculture, and Rural Affairs but did not receive a hearing.

## HB 4146

**Sponsor:** Rep. Tracy King

**Summary:** Texas has few remaining pristine waterways and it is in the interest of the state to protect them. HB 4146 would have prevented certain waterways that met low phosphorus criteria from becoming polluted by prohibiting the direct discharge of wastewater into the waterway. Specifically, the bill would have prohibited the Texas Commission on Environmental Quality from issuing certain permits, or amendments to certain permits, that authorize the direct discharge of any waste, effluent, or pollutants into certain waterways and drainage areas that showed they met low phosphorus levels with verified data over a 10-year period.

**Our Position:** A vote for the bill was a vote for the Sierra Club position.

**Special Interests:** Opponents included the Camping Association for Mutual Progress.

**Outcome:** HB 4146 passed on third reading with 82 ayes and 61 nays. It was received in the Senate but was not referred to a committee.

## HB 2225

**Sponsor:** Rep. Tracy King

**Summary:** The Texas Water Trust was created to hold water rights dedicated to environmental needs, including instream flows, water quality, fish and wildlife habitat, and bay and estuary inflows. Under current law, a water right cannot be placed in the Trust unless approved by the Texas Water Development Board (TWDB) after appropriate consultation with the Texas Parks and Wildlife Department (TPWD). However, with only three water rights, the Trust has largely been ineffective at meeting its statutory goals. What's more, while the Trust is housed within the water bank at TWDB, the interests of the Trust may be better served by will address this issue by requiring TPWD to encourage and facilitate the dedication of water rights in the Trust through voluntary transfers and to manage rights in the Trust consistent with the trust and other applicable law.

**Our Position:** A vote for the bill was a vote for the Sierra Club position.

**Special Interests:** Opponents included the City of Dallas and the Texas Hemp Federation.

**Outcome:** HB 2225 passed on third reading with 138 ayes and 10 nays. It passed the Senate 31-0 and was signed by the Governor on June 15.

## HB 3477

**Sponsor:** Rep. Toni Rose

**Summary:** HB 3477 was filed in response to numerous environmental disasters from companies that had routinely violated environmental rules, including Shingle Mountain in Dallas and the TPC in Port Neches. The bill would have required the Texas Commission on Environmental Quality (TCEQ) to establish criteria for determining whether a filing entity that was subject to an enforcement action was responsible for an environmental disaster in the state. An "environmental disaster" would mean a violation of law under TCEQ jurisdiction resulting in significant harm to human life. TCEQ would have to consider whether a violation caused an increase in fatal diseases, including cancer, in the population near the facility where the violation occurred, contaminated water or air; or a negative effect on the quality of life of the population near the facility. If determined that a filing entity was responsible, TCEQ would have to issue



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an order for the termination of the filing entity. The secretary of state could terminate a filing entity's existence if it had been issued an order of termination. The order would have to include a provision for how the entity could meet requirements for reinstatement through the remediation of the environmental disaster.

**Our Position:** A vote for the bill was a vote for the Sierra Club position.

**Special Interests:** Opponents included the Texas Chemical Council, Texas Oil & Gas Association, the Texas Association of Manufacturers, Associated General Contractors of Texas- Highway Heavy Utility and Industrial Branch, Texas Mining and Reclamation Association, LafargeHolcim, BASF (chemical industry), Permian Basin Petroleum Association, Texas Independent Producers & Royalty Owners Association (TIPRO), and the Association of Electric Companies of Texas (AECT).

**Outcome:** HB 3477 failed to pass the House on a vote of 64 ayes and 79 nays.

### HB 3963

**Sponsor:** Rep. Ken King

**Summary:** Concerns have been raised that there are currently not enough charging stations for hybrid or electric vehicles on state property, and it has been suggested that allowing such charging stations to be installed could lead to increased tourism in the state. The committee substitute for HB 3963 would have allowed a state agency in charge and control of state property, including a state park, to enter into an agreement with a charging provider to place and maintain electric vehicle charging equipment on the property. Such an agreement would have required the provider to use a metering device to determine the cost of electricity transferred to another person through electric vehicle charging equipment and could include any other reasonable requirements on the use of the property.

**Our Position:** A vote for the bill was a vote for the Sierra Club position.

**Special Interests:** Opponents included the Texas Food & Fuel Association.

**Outcome:** HB 3963 passed the House on a vote of 111 ayes and 28 nays. In the Senate it was referred to the Committee on Water, Agriculture, and Rural Affairs, but did not receive a hearing.

### HB 2275

**Sponsor:** Rep. Erin Zwiener

**Summary:** The committee substitute for HB 2275 would have created the critical infrastructure resiliency fund and expanded the eligibility for state assistance for certain water-related projects.

**Our Position:** A vote for the bill was a vote for the Sierra Club position.

**Special Interests:** There were no groups or individuals who testified against HB 2275. However, during the debate on the House floor, more conservative members raised concern that the back-up power for nursing homes and dialysis centers should be "reliable," raising concerns about funding renewable energy projects. Rep. Zwiener added an amendment to require that any back-up power be found to be "reliable" to meet these concerns.

**Outcome:** HB 2275 passed the House on a vote of 108 ayes and 37 nays. The Senate received the bill but did not refer it to a committee.

### HB 2350

**Sponsor:** Rep. Erin Zwiener

**Summary:** CSHB 2350 sought to encourage nature-based infrastructure projects across the state by incentivizing political subdivisions to undertake them. These would be human-made systems that mimic natural processes to help mitigate the effects of flooding, runoff, and erosion while also producing benefits such as enhanced aquifer recharge, reduced heat island effects, and scenic beauty. The bill would have amended the Water Code to require the Texas Water Development Board to establish and administer the water resource restoration program to assist in enhancing water quality in Texas through the provision of financial assistance to political subdivisions for locally directed projects.

**Our Position:** A vote for the bill was a vote for the Sierra Club position.

**Special Interests:** There were no opponents to the bill who registered to testify in its House hearing. However, the Texas Water Development Board had some concerns about the way the bill was written, and during the debate on the House floor, Rep. Zwiener made changes to the bill to address the TWDB's concerns and





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concerns to assure that the bill would only use existing federal funds.

**Outcome:** HB 2350 passed to third reading on a vote of 76 ayes and 64 nays. It ultimately passed the House on a vote of 92 ayes and 50 nays. In the Senate, it was referred to the Committee on Water, Agriculture, and Rural Affairs but did not receive a hearing.

### HB 4472

**Sponsor:** Rep. Brooks Landgraf

**Summary:** HB 4472 expands programs that can be funded through the Texas Emissions Reduction Plan (TERP), a series of programs designed to lower air pollution through voluntary grants from the Texas Commission on Environmental Quality (TCEQ). Launched in 2001, TERP has helped reduce air pollution by hundreds of thousands of tons largely by replacing older polluting vehicles and engines with newer ones. The House-passed version of HB 4472 assured that all money collected from various fees and surcharges would flow to the special TERP trust fund outside the TCEQ budget and added some important new programs, such as a program designed to reduce air emissions and flaring in oil and gas fields, and create a revolving loan program for energy efficiency for homeowners. Important amendments on the House floor also added some additional electric vehicle rebate programs for pick-up trucks, new technologies to reduce emissions from ships that dock along the Texas coast, and increasing funding for the Energy Systems Laboratory for their work on energy codes. While Sierra Club was a big supporter of the bill as it passed the House, many of the good provisions were stripped in the Senate, and a minimum amount of money (35%) of the total funding was dedicated to congestion mitigation projects through TXDoT in the Senate.

**Our Position:** A vote for the bill was a vote for the Sierra Club position.

**Special Interests:** There were no opponents to the bill who registered to testify in its House hearing. However, the Association of General Contractors signed up on the bill and were suggesting that 40 percent of the money should go to state highways through congestion mitigation projects in non-attainment areas.

**Outcome:** HB 4472 passed the House on a vote of 117 ayes and 27 nays. In the Senate, it was amended to guarantee 35% of TERP funds could be used for road projects, however, turning it into a worse bill that was opposed by more groups. It passed the Senate on a vote

of 31-0. The House concurred with the Senate version on a vote of 103 ayes and 32 nays. It was sent to the Governor on June 1 and it is now law.

### SB 3 - Amendment 9

**Sponsor:** Rep. Donna Howard

**Summary:** SB 3 was the large bill designed to fix the problems associated with Winter Storm Uri and the failure of the grid to operate. The bill was intended to be comprehensive, designed to require weatherization of both power plants and, to a degree, the underlying gas supply network to prevent future issues. During debate on the House floor, Rep. Howard offered an amendment that would have increased enforcement and penalties against gas suppliers that failed to meet new weatherization standards by raising a maximum penalty of \$5,000 to a minimum penalty of \$20,000. Assuring adequate enforcement and deterrence so wellheads, compressor stations, gas processing facilities, and pipelines can withstand climate extreme was one of our key suggestions for improving the bill.

**Our Position:** A vote for the amendment was a vote for the Sierra Club position.

**Special Interests:** The provision to increase enforcement and penalties was opposed by Chair Paddie, but also by the major oil and gas companies and associations, as they worked hard to lessen the requirements of SB 3 on the gas industry.

**Outcome:** The amendment failed to be adopted on a vote of 60 ayes and 83 nays. SB 3 ultimately passed both chambers, was signed by the Governor on June 8, and went into effect immediately.

### HB 17

**Sponsor:** Rep. Joe Deshotel

**Summary:** HB 17 was a wolf in lamb's clothing. Purported to assure that Texans have a choice in selecting gas or electric home systems, HB 17 was a blatant attempt by the gas industry to ensure that cities and other political subdivisions can't pass policies that lead to beneficial electrification of homes and businesses, a key measure to move toward net-zero carbon by moving away from indoor gas use. HB 17 makes it illegal for cities and other political subdivisions to adopt ordinances, programs, policies, or permitting measures that restrict, ban, or discriminate against the use of any en-



## Key House Votes

ergy source in terms of hookups or connections. The bill was mainly about preventing future action. Sierra Club worked to get legislative intent to make it clear that the bill does not prevent cities from moving forward on policies to encourage electric vehicles, energy storage, and clean energy, as long as they do not directly restrict, ban, or discriminate against any energy source.

**Our Position:** HB 17 was never about storm response, but it got added to the group of bills the Texas House ushered through that were intended to be the chambers storm response legislation. In fact, it was a bill that has cropped up in many other state legislatures across the country as part of a well funded campaign by fracked gas interests. A vote for the bill was a vote against the Sierra Club position.

**Special Interests:** CenterPoint Energy, Texas Gas Service, Atmos Energy, Texas Public Policy Foundation, Texas Realtors, Texas Pipeline Association, Habitat for Humanity, Safe Building Materials Association of Texas, Texas Association of Manufacturers, South Texas Electric Cooperative (STEC), Epcor, AARP, Texas Association of Builders, Texas Oil and Gas Association, Magellan Midstream Partners, NFIB, Texas Apartment Association, Texas Alliance of Energy Producers, Texas Association of African American Chambers of Commerce, Texas Independent Producers & Royalty Owners Association (TIPRO), Texas Restaurant Association, Dow, Inc.

**Outcome:** The House passed the bill on a vote of 116 ayes and 29 nays, and it was signed by Governor Abbott on May 18, effective immediately.

### SB 7

**Sponsor:** Sen. Bryan Hughes

**Summary:** SB 7 was a comprehensive overhaul of Texas election laws, which was designed to make it harder to vote by limiting the timing and locations for early voting, criminalizing any mistakes in voting or certain types of voter outreach, and giving poll “watchers” more specific authority. It is part of a national effort in many states to build on the widespread false allegations of voter “fraud” in the 2020 election. Despite pronouncements from the Abbott-appointed Secretary of State that 2020 Texas elections were free and fair, SB 7 was the signature attempt by the dominant party to suppress future votes and make it easier to hold onto political power.

**Our Position:** A vote for the bill was a vote against the Sierra Club position.

**Special Interests:** Republican groups, Texas Public Policy

Foundation.

**Outcome:** The House voted in favor of the bill on passage to third reading on a vote of 81 ayes and 64 nays. After House Democrats staged a walkout, preventing a final vote on the conference committee version of the bill, SB 7 failed. Governor Abbott called the Legislature back twice to pass the bill, which they ultimately did as SB 1 in the second special session.

### HB 1501

**Sponsor:** Rep. Jay Dean

**Summary:** Similar to HB 17, HB 1501 intended to make it harder for cities and political subdivisions to restrict, ban, or “discriminate” against the use of gas or propane appliances like furnaces, gas stoves, or dryers. The bill was part of a national campaign by the gas industry to build support for gas stoves and appliances as some cities and areas seek to move toward beneficial electrification. In Texas, the bill was mainly aimed at cities like Austin and Dallas which have discussed long-term efforts to electrify buildings.

**Our Position:** A vote for the bill was a vote against the Sierra Club position.

**Special Interests:** Phillips 66, Atmos Energy Corp, Texas Association of Builders, Texas Apartment Association, Texas Oil & Gas Association TXOGA, Permian Basin Petroleum Association, Texas Independent Producers & Royalty Owners Association (TIPRO), CenterPoint Energy, Texas Propane Gas Association

**Outcome:** The House passed HB 1501 on a vote of 118 ayes and 22 nays. It passed, amended, in the Senate 27-3. Upon returning to the House, a point of order was called by Rep. Zwiener on the grounds that the amendments were not germane. The POO was sustained and the bill was sent back to the Senate for further action, but none was taken, as time ran out on the bill.

### SB 3 - Amendment 8

**Sponsor:** Rep. Tony Tinderholt

**Summary:** Amendment 8 was an attempt to add language to SB 3 that would have required renewable energy resources to pay for the transmission costs of interconnecting with the grid, when currently all electric customers (rather than generators) pay for interconnection costs. The language was similar to a separate





## Key House Votes

bill (SB 1282 - opposed by the Sierra Club) carried by Sen. Hancock. That language was supported by large manufacturers, certain parts of the fossil fuel industry and the Texas Public Policy Foundation, heavily funded by fossil fuel interests.

**Our Position:** A vote for the amendment was a vote against the Sierra Club position.

**Special Interests:** Fossil fuel interests, manufacturers, and TPPF were supportive of the separate bill. It is unclear whether they were supporting the amendment itself.

**Outcome:** The amendment failed to be adopted by a vote of 34 ayes and 102 nays.

### SB 3 - Amendment 13

**Sponsor:** Rep. Eddie Lucio III

**Summary:** Amendment 13 was a slimmed down version of a bill promoted by Berkshire Hathaway that would have required the state to contract up to 10,000 MW of fracked gas power plants as a back-up reserve operating outside the normal competitive market structure, and paid for by customers. The amendment would have required a future commission to look at the proposal and consider adopting it, meaning Texas would be investing in ratepayer-funded gas plants at a time when we are moving toward the transition to clean energy and energy storage through market forces.

**Our Position:** A vote for the amendment was a vote against the Sierra Club position.

**Special Interests:** Berkshire Hathaway and Warren Buffett were behind the separate bill, the concept of a Texas reserve, and the amendment. They spent hundreds of thousands of dollars on lobbyists and lobby visits.

**Outcome:** The amendment failed to be adopted by a vote of 46 ayes and 95 nays.



Photo: Al Braden



# House Scores

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				Scorecard Weight (%)													
				9.52	8.84	4.76	8.16	2.72	5.44	6.12	6.12	7.48	8.84	11.56	8.84	4.76	6.80
1	Gary VanDeaver	R	30.61	N	N	Y	N	Y	Y	Y	N	N	Y	Y	Y	N	N
2	Bryan Slaton	R	16.33	Y	N	N	N	N	N	N	N	N	Y	Y	Y	Y	N
3	Cecil Bell, Jr.	R	13.83	N	N	Y	N	A	Y	N	Y	N	Y	Y	Y	Y	Y
4	Keith Bell	R	24.49	N	N	Y	N	Y	Y	N	N	N	Y	Y	Y	N	N
5	Cole Hefner	R	11.56	N	N	N	N	N	N	N	N	N	Y	Y	Y	N	N
6	Matt Schaefer	R	6.80	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	N
7	Jay Dean	R	34.46	N	Y	Y	N	Y	Y	N	Y	N	Y	Y	Y	N	N
8	Cody Harris	R	42.86	N	Y	Y	N	A	Y	Y	Y	N	Y	Y	A	N	N
9	Chris Paddie	R	36.93	N	N	Y	N	Y	Y	Y	Y	N	Y	Y	Y	N	Y
10	Jake Ellzey	R	36.73	N	N	Y	N	Y	Y	Y	Y	N	Y	Y	Y	N	N
11	Travis Clardy	R	32.65	N	Y	Y	N	Y	Y	N	Y	N	Y	Y	Y	N	Y
12	Kyle Kacal	R	46.26	Y	N	Y	N	Y	Y	Y	Y	N	Y	Y	Y	N	N
13	Ben Leman	R	31.29	N	Y	Y	N	N	N	N	Y	N	Y	Y	Y	N	N
14	John Raney	R	31.97	Y	A	Y	A	A	A	Y	A	N	Y	A	A	N	N
15	Steve Toth	R	15.65	N	Y	N	N	N	N	N	N	N	Y	Y	Y	Y	N
16	Will Metcalf	R	25.17	N	N	Y	N	Y	N	Y	N	N	Y	Y	Y	N	N
17	John Cyrier	R	44.22	Y	Y	Y	N	Y	Y	Y	N	N	Y	Y	Y	Y	N
18	Ernest Bailes	R	30.61	N	N	Y	N	Y	Y	N	Y	N	Y	Y	Y	N	N
19	James White	R	31.29	Y	Y	Y	N	Y	Y	N	N	N	Y	Y	Y	Y	Y
20	Terry Wilson	R	14.97	N	Y	N	N	N	N	Y	N	N	Y	Y	Y	Y	Y
21	Dade Phelan	R	NA	PNV	PNV	PNV	PNV	PNV	PNV	PNV	PNV	PNV	PNV	PNV	PNV	PNV	PNV
22	Joe Deshotel	D	56.24	Y	Y	Y	Y	A	Y	Y	Y	N	Y	A	A	N	Y
23	Mayes Middleton	R	11.56	N	N	Y	N	N	N	N	N	N	Y	Y	Y	Y	N
24	Greg Bonnen	R	25.17	N	N	Y	N	Y	N	N	Y	N	Y	Y	Y	N	N
25	Cody Vasut	R	6.80	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	N
26	Jacey Jetton	R	43.54	Y	N	Y	N	N	Y	Y	Y	N	Y	Y	Y	N	N
27	Ron Reynolds	D	87.51	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	PNV	N	Y
28	Gary Gates	R	10.88	N	N	Y	N	N	N	N	Y	N	Y	Y	Y	Y	Y
29	Ed Thompson	R	36.73	N	N	Y	N	Y	Y	Y	Y	N	Y	Y	Y	N	N
30	Geanie Morrison	R	61.22	Y	A	Y	Y	Y	Y	Y	Y	N	Y	N	Y	Y	N



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				9.52	8.84	4.76	8.16	2.72	5.44	6.12	6.12	7.48	8.84	11.56	8.84	4.76	6.80
31	Ryan Guillen	R*	29.93	N	N	Y	N	Y	Y	Y	Y	N	Y	Y	Y	N	Y
32	Todd Hunter	R	34.01	N	Y	Y	A	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
33	Justin Holland	R	7.26	N	N	Y	N	N	N	N	N	N	Y	Y	Y	Y	Y
34	Abel Herrero	D	68.03	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	A	N
35	Oscar Longoria	D	53.52	Y	N	Y	A	A	Y	Y	Y	Y	Y	N	A	Y	Y
36	Sergio Muñoz, Jr.	D	77.55	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	N
37	Alex Dominguez	D	70.75	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	A	Y
38	Eddie Lucio III	D	70.51	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y
39	Armando Martinez	D	84.35	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	N	Y
40	Terry Canales	D	62.00	N	N	Y	Y	Y	N	Y	Y	Y	Y	N	Y	N	N
41	Bobby Guerra	D	77.55	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	N
42	Richard Peña Raymond	D	65.99	Y	N	Y	Y	Y	Y	Y	Y	N	Y	N	Y	N	N
43	J.M. Lozano	R	55.10	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	N	N
44	John Kuempel	R	29.93	N	N	Y	N	Y	Y	Y	Y	N	Y	Y	Y	N	Y
45	Erin Zwiener	D	100.00	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N
46	Sheryl Cole	D	79.59	Y	Y	A	Y	Y	Y	Y	Y	Y	N	N	Y	N	Y
47	Vikki Goodwin	D	100.00	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N
48	Donna Howard	D	100.00	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N
49	Gina Hinojosa	D	100.00	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N
50	Celia Israel	D	100.00	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N
51	Eddie Rodriguez	D	85.71	A	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	A	N
52	James Talarico	D	100.00	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N
53	Andrew Murr	R	30.61	Y	Y	Y	N	Y	N	N	N	N	Y	Y	Y	N	Y
54	Brad Buckley	R	45.58	N	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	N	N
55	Hugh Shine	R	48.98	Y	Y	Y	N	Y	Y	N	Y	N	Y	Y	Y	N	N
56	Charles Anderson	R	30.61	N	N	Y	N	Y	Y	N	Y	N	Y	Y	Y	N	N
57	Trent Ashby	R	34.01	Y	N	Y	N	Y	Y	N	N	N	Y	Y	Y	N	N
58	DeWayne Burns	R	27.21	Y	N	Y	N	Y	Y	N	N	N	Y	Y	Y	N	PNV

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				Scorecard Weight (%)													
				9.52	8.84	4.76	8.16	2.72	5.44	6.12	6.12	7.48	8.84	11.56	8.84	4.76	6.80
59	Shelby Slawson	R	6.80	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	N
60	Glenn Rogers	R	27.21	N	Y	Y	N	Y	N	N	Y	N	Y	Y	Y	N	Y
61	Phil S. King	R	9.74	N	N	Y	N	Y	N	N	N	N	Y	Y	Y	N	A
62	Reggie Smith	R	16.33	N	N	Y	N	N	N	N	N	N	Y	Y	Y	N	N
63	Tan Parker	R	16.33	N	N	Y	N	A	Y	N	Y	N	Y	Y	Y	Y	Y
64	Lynn Stucky	R	33.11	N	N	Y	N	Y	Y	N	Y	N	Y	Y	Y	N	N
65	Michelle Beckley	D	86.17	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	N	N	Y	N
66	Matt Shaheen	R	16.33	N	N	Y	N	N	N	N	N	N	Y	Y	Y	N	N
67	Jeff Leach	R	16.33	N	N	Y	N	N	N	N	N	N	Y	Y	Y	N	N
68	David Spiller	R	21.77	N	N	Y	N	N	Y	N	N	N	Y	Y	Y	N	N
69	James Frank	R	22.45	N	N	Y	N	N	N	N	Y	N	Y	Y	Y	N	N
70	Scott Sanford	R	16.33	N	N	Y	N	N	N	N	N	N	Y	Y	Y	N	N
71	Stan Lambert	R	46.26	Y	Y	Y	N	A	Y	N	Y	N	Y	Y	A	N	N
72	Drew Darby	R	43.78	N	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	N	Y
73	Kyle Biedermann	R	29.93	Y	Y	Y	N	N	N	N	N	N	Y	Y	Y	Y	N
74	Eddie Morales	D	70.75	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
75	Mary E. Gonzalez	D	91.16	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	A	N	N
76	Claudia Ordaz Perez	D	88.44	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	Y	Y
77	Evelina Ortega	D	100.00	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N
78	Joe Moody	D	78.23	Y	Y	Y	Y	Y	Y	Y	PNV	Y	N	N	Y	N	Y
79	Arthur Fierro	D	74.83	N	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	N	Y
80	Tracy O. King	D	82.67	Y	Y	Y	A	Y	Y	Y	Y	N	Y	N	Y	N	N
81	Brooks Landgraf	R	29.01	Y	Y	Y	N	N	N	N	Y	N	Y	Y	Y	N	Y
82	Tom Craddick	R	39.01	N	Y	Y	N	Y	N	N	Y	N	Y	Y	Y	N	N
83	Dustin Burrows	R	36.73	N	N	Y	N	Y	Y	Y	Y	N	Y	Y	Y	N	N
84	John Frullo	R	36.73	N	N	Y	N	Y	Y	Y	Y	N	Y	Y	Y	N	N
85	Phil Stephenson	R	29.93	Y	N	Y	N	Y	N	N	Y	N	Y	Y	Y	Y	N
86	John T. Smithee	R	32.65	N	Y	Y	N	Y	Y	N	Y	N	Y	Y	Y	N	Y
87	Four Price	R	34.69	Y	N	Y	N	Y	Y	Y	Y	A	Y	Y	Y	A	A



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88	Ken King	R	51.26	Y	N	Y	N	Y	Y	Y	Y	N	Y	Y	Y	N	N
89	Candy Noble	R	16.33	N	N	Y	A	N	N	N	N	N	Y	Y	Y	N	N
90	Ramón Romero	D	91.16	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N
91	Stephanie Klick	R	26.53	N	N	Y	N	Y	N	Y	Y	N	Y	Y	Y	Y	N
92	Jeff Cason	R	11.56	N	N	Y	N	N	N	N	N	N	Y	Y	Y	Y	N
93	Matt Krause	R	11.56	N	N	N	N	N	N	N	N	N	Y	Y	Y	N	N
94	Tony Tinderholt	R	12.56	N	N	Y	N	N	N	N	N	N	Y	Y	Y	Y	N
95	Nicole Collier	D	91.16	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	N	N
96	David Cook	R	10.20	N	N	Y	N	N	Y	N	N	N	Y	Y	Y	A	Y
97	Craig Goldman	R	36.04	Y	N	Y	N	Y	N	N	Y	N	Y	Y	N	N	N
98	Giovanni Capriglione	R	7.48	N	N	Y	N	Y	N	N	N	N	Y	Y	Y	A	Y
99	Charlie L. Geren	R	55.10	Y	Y	Y	N	Y	Y	Y	Y	A	Y	Y	Y	N	N
100	Jasmine Crockett	D	94.20	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	A
101	Chris Turner	D	92.16	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	N	N
102	Ana-Maria Ramos	D	95.24	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	Y	N
103	Rafael Anchia	D	83.01	A	Y	Y	Y	Y	Y	Y	A	Y	N	N	Y	N	N
104	Jessica Gonzalez	D	92.16	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	N	N
105	Thresa Meza	D	79.59	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y	Y
106	Jared Patterson	R	11.56	N	N	Y	N	N	N	N	N	N	Y	Y	Y	Y	N
107	Victoria Neave	D	77.55	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	N
108	Morgan Meyer	R	55.10	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	N	N
109	Carl O. Sherman	D	84.35	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	N	Y
110	Toni Rose	D	84.81	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	N
111	Yvonne Davis	D	82.31	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	PNV	N	N
112	Angie Chen Button	R	30.61	N	N	Y	N	Y	Y	N	Y	N	Y	Y	Y	N	N
113	Rhetta A. Bowers	D	77.55	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	N
114	John Turner	D	84.35	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	Y
115	Julie Johnson	D	82.31	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	N

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116	Trey Martinez Fischer	D	100.00	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N
117	Philip Cortez	D	70.75	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	A	Y
118	John Lujan	R	76.87	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	N	Y	N	N
119	Elizabeth Campos	D	70.75	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
120	Barbara Gervin-Hawkins	D	73.47	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	N
121	Steve Allison	R	55.10	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	N	N
122	Lyle Larson	R	50.80	N	N	Y	N	Y	Y	Y	Y	N	Y	N	Y	N	N
123	Diego Bernal	D	91.16	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N
124	Ina Minjarez	D	75.51	Y	A	Y	Y	Y	Y	Y	Y	Y	N	N	Y	N	Y
125	Ray Lopez	D	91.16	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	N	N
126	Sam Harless	R	30.61	N	N	Y	N	Y	Y	N	Y	N	Y	Y	Y	N	N
127	Dan Huberty	R	55.10	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	N	N
128	Briscoe Cain	R	6.80	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	N
129	Dennis Paul	R	22.45	N	N	Y	N	N	N	N	Y	N	Y	Y	Y	N	N
130	Tom Oliverson	R	10.20	N	N	Y	N	N	Y	N	N	A	Y	Y	Y	A	A
131	Alma A. Allen	D	70.75	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
132	Mike Schofield	R	19.05	A	N	Y	N	Y	Y	N	Y	N	Y	Y	Y	Y	Y
133	Jim Murphy	R	40.14	Y	N	Y	N	Y	Y	A	Y	N	Y	Y	Y	N	N
134	Ann Johnson	D	85.35	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	N	Y
135	Jon E. Rosenthal	D	87.31	Y	N	Y	Y	Y	Y	Y	Y	Y	N	N	Y	N	N
136	John H. Bucy III	D	100.00	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N
137	Gene Wu	D	100.00	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N
138	Lacey Hull	R	27.89	N	N	Y	N	N	Y	N	Y	N	Y	Y	Y	N	N
139	Jarvis D. Johnson	D	75.51	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y
140	Armando L. Walle	D	82.31	Y	A	Y	Y	Y	Y	Y	Y	Y	N	N	Y	N	N
141	Senfronia Thompson	D	70.75	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	A	Y
142	Harold V. Dutton	D	63.27	Y	Y	Y	Y	Y	N	A	Y	N	Y	N	Y	N	N
143	Ana Hernandez	D	71.89	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	N	Y	N	A



# House Scores

*Notes: Sierra Club's position is indicated by (Y) or (N) after each bill number. "A" indicates "absent", and "PNV" indicates "present not voting." If a member indicated in the journal after the fact they intended to vote differently than what was recorded, we changed their vote according to their intention. Rep. Ryan Guillen changed from the Democratic to Republican party after the regular session ended.*

Dist.	Representative	Party	Adj. Score (%)	HB 2716 (Y)	HB 4146 (Y)	HB 2225 (Y)	HB 3477 (Y)	HB 3963 (Y)	HB 2275 (Y)	HB 2350 (Y)	HB 4472 (Y)	SB 3 Am 9 (Y)	HB 17 (N)	SB 7 (N)	HB 1501 (N)	SB 3 Am 8 (N)	SB 3 Am 13 (N)
				Scorecard Weight (%)													
				9.52	8.84	4.76	8.16	2.72	5.44	6.12	6.12	7.48	8.84	11.56	8.84	4.76	6.80
144	Mary Ann Perez	D	84.81	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	N
145	Christina Morales	D	91.16	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N
146	Shawn Thierry	D	75.51	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y
147	Garnet Coleman	D	29.25	Y	A	Y	A	A	A	Y	A	A	N	A	A	A	A
148	Penny Morales Shaw	D	80.25	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
149	Hubert Vo	D	72.11	Y	Y	Y	Y	Y	Y	Y	Y	A	Y	N	N	A	A
150	Valoree Swanson	R	2.72	N	N	N	N	Y	N	N	N	N	Y	Y	Y	Y	Y

# House Adjustments

Seat	Name	Adjustment	Bill	Notes
3	Cecil Bell	-2.5%	HB 4472	Buckled under pressure to carve out more road money.
7	Jay Dean	-5%	HB 1501	Filed bad gas bill.
9	Chris Paddie	-2.5%	HB 4556	Stopped good EE bill.
9	Chris Paddie	2.5%	SB 3	Stripped out worst aspects of SB 3 (anti-renewable ancillary service language).
9	Chris Paddie	-2.5%	HB 3460	Stopped POWER Act in committee.
9	Chris Paddie	1%	HB 3963	For hearing the bill and getting it out of committee.
9	Chris Paddie	1%	HB 2275	Helping to get bill out of committee.
9	Chris Paddie	2.5%	SB 3 Am 8	Said SB 3 shouldn't be used to blame renewable energy.
22	Joe Deshotel	5%	SB 398	Carried good solar bill in House.
22	Joe Deshotel	2.5%	HB 3624	Good storage/grid bill.
22	Joe Deshotel	-5%	HB 17	Carried bad gas bill and passed the House.
27	Ron Reynolds	2.5%	HB 896	Carried good methane action bill.
27	Ron Reynolds	2.5%	HB 897	Carried good methane study bill.
27	Ron Reynolds	2.5%	Mult am	Amendments to TERP bill & HB 2000 with HB 1533. Also tried SB 3 am. w/ good EE & DR.
27	Ron Reynolds	2.5%	HB 1533	Good home weatherization loan bill.
27	Ron Reynolds	1%	HB 3477	Special help in committee.
27	Ron Reynolds	1%	HB 4472	Good low-income weatherization amendment.
33	Justin Holland	2.5%	SB 415	Carried good storage legislation & helped carry and pass SB 415 in the House.
35	Oscar Longoria	2.5%	HB 2868	Filed good bonding bill and got a hearing.
38	Eddie Lucio III	-5%	HB 3749	Carried bad Warren Buffett bill.
40	Terry Canales	2.5%	HB 2221	Carried good EV bill.
40	Terry Canales	1%	HB 4472	Good amendment added.
45	Erin Zwiener	2.5%	HB 1820	Filed good polluter accountability bill.
45	Erin Zwiener	5%	HB 2275	Hard work getting bill out of committee and passing House in two versions.
45	Erin Zwiener	2.5%	HB 1501	Raised successful Point of Order that killed the bad bill.
48	Donna Howard	1%	HB 4472	Good amendment added.
48	Donna Howard	1%	SB 3 Am 9	Fought for the amendment.
61	Phil King	-2.5%	HB 4466	Carried anti-renewables bill.
64	Lynn Stucky	2.5%	HCR 65	Good transportation bill.
65	Michelle Beckley	2.5%	HB 520	Good transportation bill.
72	Drew Darby	5%	HB 1607	Filed great pro-renewable transmission bill and then worked to fix SB 1281.
80	Tracy King	5%	HB 2716	Good job shepherding HB 2716 through the House.
80	Tracy King	5%	HB 4146	Good job shepherding HB 4146 through the House.
80	Tracy King	5%	HB 2225	Good job shepherding HB 2225 through the House.
80	Tracy King	1%	HB 2350	Helpful getting bill through committee as Chair.
81	Brooks Landgraf	-5%	HB 2692	Bad rad waste bill.
82	Tom Craddick	5%	HB 2692	Killed a bad radioactive waste bill on a Point of Order and led the opposition.
88	Ken King	5%	HB 3963	Filed a good bill on EV charging in parks.
94	Tony Tinderholt	1%	SB 3 Am 13	Raised free market argument that helped defeat amendment.
97	Craig Goldman	-7.5%	HB 1900	Horrible police budget bill, also prevented any good bills from getting hearings.
100	Jasmine Crockett	1%	SB 7	Worked very hard against the bill.
101	Chris Turner	1%	HB 17	Fought for good amendment.
103	Rafael Anchia	7.5%	HB 4556	Filed good energy efficiency bill plus filed good RRC reform bills (which did not get hearings).
104	Jessica Gonzalez	1%	SB 7	Worked very hard against the bill.
110	Toni Rose	2.5%	HB 3477	Filed good polluter accountability bill.
122	Lyle Larson	2.5%	SB 7	Only Republican to stand up and vote against it.
134	Ann Johnson	1%	SB 7	Worked very hard against the bill.
135	Jon Rosenthal	5%	HB 1452	Filed great anti-flaring bill, worked townhall. Helped file amendments on Chapter 313 issue.
136	John Bucy III	1%	SB 7	Worked very hard against the bill.
143	Ana Hernandez	2.5%	HB 3460	Filed POWER Act.
144	Mary Ann Perez	2.5%	HB 711	Filed good storage tank bill.
148	Penny M. Shaw	5%	HB 2990	Filed good permit transparency bill and passed the House.
148	Penny M. Shaw	1%	HB 3477	Special help in committee.
148	Penny M. Shaw	1%	SB 3	Added good amendment to SB 3 to include TCEQ in disaster alert system
148	Penny M. Shaw	2.5%	Mult Bills	Contested Case Hearings, putting wastewater discharge permits online.





# Key Senate Votes

## SB 398

**Sponsor:** Sen. José Menéndez

**Summary:** Often referred to as the “Consumer Solar Bill of Rights,” SB 3 clarified the rights of consumers putting solar or other renewable generation on their homes. It builds on existing state policy that supports personal property rights and the ability of a person to generate their own electricity on their own property. This bill allows flexibility for homeowners’ associations and electric utilities in order to address customer protection issues, including information provided to the consumers for any power purchase agreements, and to limit the scope of municipal ordinances that regulate residential solar generation systems.

**Our Position:** A vote for the bill was a vote for the Sierra Club position.

**Special Interests:** The bill was widely supported by utilities, environmental groups and solar companies. There was no opposition.

**Outcome:** The bill passed the Senate 31-0, then passed the House 126-16. An amendment was added in the House that allowed certain food markets to self-generate with distributed generation in certain non-competitive areas of the state. The new version of the bill was approved by the Senate 31-0. The bill was signed into law by the Governor on June 14.

## HB 2225

**Sponsor:** Rep. Tracy King

**Summary:** Carried in the Senate by Sen. Zaffirini, the bill gives the Texas Parks and Wildlife Department (TPWD) more direct authority over the Texas Water Trust. The Trust was created to hold water rights dedicated to environmental needs, including instream flows, water quality, fish and wildlife habitat, and bay and estuary inflows. Under current law, a water right cannot be placed in the Trust unless approved by the Texas Water Development Board (TWDB) after appropriate consultation with the TPWD. However, with only three water rights, the Trust has largely been ineffective at meeting its statutory goals. What’s more, while the Trust is housed within the water bank at TWDB, the interests of the Trust may be better served by will address this issue by requiring TPWD to encourage and facilitate the dedication of water rights in the Trust through voluntary transfers and

to manage rights in the Trust consistent with the trust and other applicable law. HB 2225 helped accomplish this task.

**Our Position:** A vote for the bill was a vote for the Sierra Club position.

**Special Interests:** Opponents included the City of Dallas and the Texas Hemp Federation.

**Outcome:** The bill passed the House on a 138-10 vote, and then passed the Senate on a 30-1 vote. It was signed by the Governor into law on June 15.

## SB 415

**Sponsor:** Sen. Kelly Hancock

**Summary:** SB 415 allows Texas transmission and distribution utilities (aka poles & wires companies) to lease the use of energy storage for reliability purposes and charge the cost of those services to ratepayers. Often called “non-wires alternatives,” the bill is an important step in modernizing our grid as it amends current law relating to use of electric energy storage facilities in the ERCOT power region. This bill would define energy storage devices as a generation asset, but would allow a TDU, with prior approval from the PUC, to enter into an agreement with a power generation company that owns an energy storage facility for reliability services in circumstances where construction of traditional distribution facilities is not cost effective. A TDU would be allowed to recover the costs of the lease agreement. However, as part of the “compromise” the bill is limited to 100 MW of total leasing for these types of contracts. The original bill as filed only would have allowed 40 MW, so the 100 MW was an improvement.

**Our Position:** A vote for the bill was a vote for the Sierra Club position.

**Special Interests:** While certain TDUs would have preferred outright ownership as opposed to leasing, there was no formal opposition to the bill, which had nearly passed the previous session.

**Outcome:** The bill passed the Senate on a vote of 31-0, and then passed the House on a vote of 131-17. It then was signed by the Governor on June 14.



# Key Senate Votes

## HB 3973

**Sponsor:** Rep. Armando Walle

**Summary:** HB 3973 would make adjustments to the Oil and Gas Regulation and Clean-Up Fund (which in part is used to clean up oil and gas spills and plug abandoned wells). It was changed in the Senate in part due to Sierra Club lobbying. The committee substitute bill creates a joint interim committee to study matters related to abandoned oil and gas wells, including the costs associated with plugging abandoned wells and bonding requirements imposed on owners or operators of oil and gas wells, identifying potential solutions to reduce the need for general revenue spending to plug abandoned wells, conducting a review of the oil and gas regulation and cleanup fund, evaluating and identifying other sources of potential revenue, and including federal funds and other existing taxes and fees paid to the benefit of the state which could be utilized to meet the goals of the committee.

**Our Position:** A vote for the bill was a vote for the Sierra Club position.

**Special Interests:** The original bill that passed the House had some opposition about using certain penalty fees and directing them to the Fund. Thus, the Senate decided to turn the bill into more of a study and to name an interim committee to study the revenues coming into the Railroad Commission and how to adequately fund well plugging. TIPRO (Texas Independent Producers & Royalty Owners Association) signed up against the Senate version because they preferred the original bill to actually increase revenues to the fund.

**Outcome:** After passing the House on a 108-37 vote, the bill passed the Senate on a 29-1 vote. The House then concurred with the Senate changes on a 141-0 vote and it was signed by the Governor on June 18.

## HB 17

**Sponsor:** Rep. Joe Deshotel

**Summary:** Purported to assure that Texans have a choice in selecting gas or electric home systems, the bill was a blatant attempt by the gas industry to ensure that cities and other political subdivisions can't pass policies that lead to beneficial electrification of homes and businesses, a key measure to move toward net-zero carbon by moving away from indoor gas use. The bill makes it

illegal for cities and other political subdivisions to adopt ordinances, programs, policies, or permitting measures that restrict, ban, or discriminate against the use of any energy source in terms of hookups or connections. The bill was mainly about preventing future action. Sierra Club did work to get legislative intent to make it clear that the bill does not prevent cities from moving forward on policies to encourage electric vehicles, energy storage, and clean energy, as long as they do not directly restrict, ban, or discriminate against any energy source. In the Senate, the bill was carried by Chair Brian Birdwell.

**Our Position:** HB 17 was never about storm response. In fact, it was a bill that has cropped up in many other state legislatures across the country as part of a well funded campaign by fracked gas interests. A vote for the bill was a vote against the Sierra Club position.

**Special Interests:** CenterPoint Energy, Texas Gas Service, Atmos Energy, Texas Public Policy Foundation, Texas Realtors, Texas Pipeline Association, Habitat for Humanity, Safe Building Materials Association of Texas, Texas Association of Manufacturers, South Texas Electric Cooperative (STEC), Epcor, AARP, Texas Association of Builders, Texas Oil and Gas Association, Magellan Midstream Partners, NFIB, Texas Apartment Association, Texas Alliance of Energy Producers, Texas Association of African American Chambers of Commerce, Texas Independent Producers & Royalty Owners Association (TIPRO), Texas Restaurant Association, Dow, Inc.

**Outcome:** The House passed the bill 116-29, the Senate passed the bill 28-2, and it was signed by Governor Abbott on May 18, effective immediately.

## SB 7

**Sponsor:** Rep. Joe Deshotel

**Summary:** SB 7 was an overhaul of Texas election laws, designed to make it harder to vote by limiting the timing and locations for early voting, criminalizing any mistakes in voting or certain types of voter outreach, and giving poll "watchers" more specific authority to call into question votes at the polls. It is part of a national effort in many states to build on the widespread false allegations of voter "fraud" in the 2020 election. Despite pronouncements from the Abbott-appointed Secretary of State that Texas elections in 2020 were free and fair, SB 7 was the signature attempt by the dominant party to suppress future votes and make it easier to hold onto





# Key Senate Votes

political power.

**Our Position:** A vote for the bill was a vote against the Sierra Club position.

**Special Interests:** Republican groups, Texas Public Policy Foundation.

**Outcome:** SB 7 passed the Senate on a partisan 18-13 vote on April 1, and was then approved by the House on an 81-64 vote on May 7. Because the House and Senate versions differed, a conference committee was named and the Senate passed the Conference Committee report on an 18-13 vote on May 30. The Conference Committee Report was even worse than the original bill, as new provisions were added to further limit voting and allowing any disputed election to be brought to court with minimal requirements. After House Democrats staged a walkout, preventing a final vote on the conference committee version of the bill, SB 7 failed. Governor Abbott called the Legislature back twice to pass the bill, which they ultimately did as SB 1 in the second special session.

## SB 1278

**Sponsor:** Sen. Kelly Hancock

**Summary:** SB 1278 would have assigned costs for ancillary services to wind and solar generation resources. Currently, so-called ancillary services (essentially services to keep our grid operating and reliable) are paid for by all consumers of electricity. SB 1278 would have changed that and directed the Public Utility Commission of Texas to direct ERCOT to assign the cost of ancillary services attributable to intermittent resources and procure additional ones that would “firm up” the deliverability of those resources during peak demand periods. Assigning ancillary service costs to generators would make renewable energy more expensive, and be an unfair burden on one type of generation.

**Our Position:** A vote for the bill was a vote against the Sierra Club position. Sierra Club called for a thorough review of all ancillary services and their costs and how to assign costs to all consumers and market participants, rather than only picking on renewable energy development.

**Special Interests:** The bill was supported by industrial consumers through the Texas Association of Manufacturers, Dow Chemical Company, the Texas Public Policy Foundation, and some utilities like the Lower River Col-

orado Authority, the South Texas Electric Cooperative, and Koch Companies. The bill was opposed by environmental organizations, all renewable energy industry associations, and individual companies.

**Outcome:** The bill was passed on a 22-9 vote on the Senate floor on April 14 but never received a hearing in the House. However, a version of the bill was incorporated into SB 3 in the Senate, but later removed from that bill. Instead, SB 3 has a provision for the PUC to review all ancillary services and their cost assignment, a position that is less unfair to renewable energy interests.

## SB 14

**Sponsor:** Sen. Brandon Creighton

**Summary:** SB 14 was designed to prevent cities and political subdivisions from adopting ordinances or policies involving private employees. The bill was focused on cities like Dallas and Austin that have recently approved policies that ban discrimination based on sexual orientation and gender identity, and cities that have passed protections for construction workers against extreme heat (eg., water breaks). This is the latest example of the state seeking to undermine local democracy by prohibiting a municipality or county from requiring certain employment benefits or policies, and preventing cities from adopting any policy that exceeds or conflicts with federal or state law relating to any form of employment leave, hiring practices, employment benefits, scheduling practices, or other terms of employment.

**Our Position:** A vote for the bill was a vote against the Sierra Club position.

**Special Interests:** The bill was heavily supported by most business interests, including local Chambers of Commerce and real estate councils, the Texas Association of Retailers, the Texas Association of Business, the Texas Association of Builders, the Texas Travel Alliance, the Texas Hotel and Lodging Association, Texas Apartment Association, and conservative groups like the Texas Public Policy Foundation. It was opposed by a wider variety of groups including the City of Austin, Fort Worth, Dallas, Every Texan, Texas Freedom Network, Texas AFL-CIO, Workers Defense Project, and many individual labor unions, as well as anti-discrimination groups.

**Outcome:** The bill passed the Senate 19-12, and then passed the House 94-52. When the Senate refused to concur with the House amendments, which made the



## Key Senate Votes

bill slightly less bad, it went to conference committee. The Senate adopted the conference committee report on May 30, but the bill failed to pass the House, due in part to the House walk-out over SB 7. Thus, by leaving the House floor, Democrats not only defeated SB 7 but also SB 14.

### SB 1261

**Sponsor:** Sen. Brian Birdwell

**Summary:** SB 1261 as filed would have prevented local political subdivisions, including cities, from directly or indirectly regulating greenhouse gases. The bill was clearly an attempt to limit the ability of cities like Austin, San Antonio, Houston, and Dallas, which have approved long-term Climate Action Plans, from taking action that could impact private industry. While the bad bill was weakened by removing the word “indirectly,” Sierra Club still opposed the bill.

**Our Position:** A vote for the bill was a vote against the Sierra Club position.

**Special Interests:** The bill was supported by major industrial groups such as the Texas Pipeline Association, Texas Association of Builders, Valero, CenterPoint Energy, TIPRO, Koch Companies, and conservative think tanks like the Texas Public Policy Foundation. It was opposed by the Sierra Club, other environmental organizations, and cities like Dallas, Austin, Houston, San Antonio, as well as Harris County.

**Outcome:** The bill passed the Senate 20-11, then was sent to the House where it initially failed to pass out of the House Committee on Environmental Regulation, but then was reconsidered and passed. It was set on the House floor for May 25, but was delayed by the House author, Rep. Landgraf, until consideration at 11:35pm that same day. The bill was never considered and did not become law. Apparently, there was enough opposition to have killed the bill by delay, so effectively it was defeated.

### SB 1282

**Sponsor:** Sen. Kelly Hancock

**Summary:** The bill was an attempt to change policy on who pays for transmission costs by requiring wind and solar companies to pay for interconnection costs for new generation. In essence, the bill would change cur-

rent law, which socializes interconnection costs within ERCOT for new generation to all electric consumers and instead have the generator pay for that cost.

**Our Position:** A vote for the bill was a vote against the Sierra Club position.

**Special Interests:** The bill was supported by Dow Chemical, the Texas Association of Manufacturers, the Texas Public Policy Foundation, Texas Electric Cooperatives, Vistra Corporation, and the fossil fuel generators represented by the Texas Competitive Power Advocates. It was opposed by renewable energy associations, the Sierra Club, and other conservation organizations, and by the Texas Advance Energy Business Alliance, among others.

**Outcome:** The bill passed the Senate on 19-11 to third reading, and then passed ultimately 18-13. While it was carried in the House by Chair Chris Paddie, and set on the House Calendar, it was delayed by the Chair until after session, effectively killing it.

### HB 1501

**Sponsor:** Rep. Jay Dean

**Summary:** HB 1501 intended to make it harder for cities and political subdivisions to restrict, ban, or “discriminate” against the use of gas or propane appliances like furnaces, gas stoves, or dryers. The bill was part of a national campaign by the gas industry to build support for gas stoves and appliances as some cities and areas seek to move toward beneficial electrification. In Texas, the bill was mainly aimed at cities like Austin and Dallas which have discussed long-term efforts to electrify buildings.

**Our Position:** A vote for the bill was a vote against the Sierra Club position.

**Special Interests:** Phillips 66, Atmos Energy Corp, Texas Association of Builders, Texas Apartment Association, Texas Oil & Gas Association, Permian Basin Petroleum Association, Texas Independent Producers & Royalty Owners Association (TIPRO), CenterPoint Energy, and Texas Propane Gas Association.

**Outcome:** The House passed HB 1501 118-22. It passed, amended, in the Senate 27-3. Upon returning to the House, a point of order was called by Rep. Zwiener on the grounds that the amendments were not germane. The POO was sustained and the bill was sent back to the Senate for further action, but none was



# Key Senate Votes

taken, as time ran out on the bill.

## SB 1003

**Sponsor:** Sen. Drew Springer

**Summary:** SB 1003 would have created a de-facto ban on the siting of new wind generation by requiring a set-back of approximately one mile from any private property owner from the blades, unless that property owner provided a written waiver. As such, it would effectively allow a small group of nearby landowners to prevent future development of wind energy.

**Our Position:** A vote for the bill was a vote against the Sierra Club position.

**Special Interests:** The bill was supported by local landowners in Sen. Springer's district in North Texas, and by the Texas Public Policy Foundation. It was opposed by the Association of Electric Companies of Texas, by all renewable energy companies, and by the Sierra Club and other environmental organizations.

**Outcome:** The bill passed the Senate narrowly, 17-14, showing that the bill could have been blocked from consideration. The bill appears to largely have been a favor to Sen. Springer to help in future campaigns. It never received a hearing in the House.

## SB 1728

**Sponsor:** Sens. Schwertner & Nichols

**Summary:** SB 1728 would have imposed an additional fee on alternatively fueled vehicles to help pay for highways. While Sierra Club supported the intent of the bill (many Texans are choosing alternatively fueled vehicles and they should contribute to the funding of the roads which they use) the bill would have imposed a very high tax on electric vehicles and hybrid vehicles, much higher than comparable petroleum-based vehicles, thus creating a disincentive for the use of electric vehicles. The bill as it passed the Senate would have imposed either a \$200 or \$250 fee on EVs, and a \$40 or \$50 fee on hybrid vehicles.

**Our Position:** A vote for the bill was a vote against the Sierra Club position.

**Special Interests:** The bill was supported by the Association of General Contractors, the Conference of Urban Counties, the Texas Oil and Gas Association, several

local Chambers of Commerce, AAA, and many individuals promoting highways. It was opposed by most environmental organizations, certain automobile dealers, TESLA, and the Texas Electric Transportation Resources Alliance.

**Outcome:** After passing the Senate 28-3, SB 1728 was sent to the House Committee on Transportation, where it was picked up by Chair Terry Canales. Canales improved the bill with a committee substitute that would have lowered the fees substantially and also created a new Texas Transportation Electrification Council. However, when the bill got to the House floor, it was killed on a Point of Order by Rep. Slayton, in large part because the bill was changed substantially by adding a new section to the bill, which violated House rules since the committee substitute was not germane to the subject of the original bill.

## SB 566

**Sponsor:** Sen. Dawn Buckingham

**Summary:** SB 566 would have changed policy that would impact only one utility: Austin Energy. It would have given ratepayers in Austin, including the State of Texas, the ability to appeal the rates set by the Austin City Council to the Public Utility Commission of Texas at any time. It would have given Austin Energy ratepayers the ability to appeal the rates set by city council whenever they wanted. As such, the bill picked on only one municipality and subjected them to an expensive appeals process whenever any set of customers wanted to go to the PUC to review rates.

**Our Position:** A vote for the bill was a vote against the Sierra Club position.

**Special Interests:** The bill was pushed by one company (Data Foundry) that objected to Austin Energy's rates set through an exhaustive process in 2016. It was opposed by the City of Austin, Austin Energy, the Texas Public Power Association, the Sierra Club, and the Texas AFL-CIO.

**Outcome:** The bill passed the Senate 18-13 and also passed the Committee on State Affairs. After being set on the House Calendar on May 23, it was killed on a Point of Order by Rep. Vikki Goodwin.





# Senate Scores

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Dist.	Representative	Party	Adj. Score (%)	SB 398 (Y)	HB 2225 (Y)	SB 415 (Y)	HB 3973 (Y)	HB 17 (N)	SB 7 (N)	SB 1278 (N)	SB 14 (N)	SB 1261 (N)	SB 1282 (N)	HB 1501 (N)	SB 1003 (N)	SB 1728 (N)	SB 566 (N)
				Scorecard Weight (%)													
				3.62	3.62	3.62	2.90	9.42	12.32	9.42	10.14	6.52	7.25	9.42	5.80	7.97	7.97
1	Bryan Hughes	R	6.27	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
2	Bob Hall	R	11.27	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
3	Robert Nichols	R	13.77	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
4	Brandon Creighton	R	14.64	Y	Y	Y	A	A	Y	Y	Y	Y	Y	A	N	N	Y
5	Charles Schwertner	R	7.27	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
6	Carol Alvarado	D	69.77	Y	Y	Y	Y	Y	N	Y	N	N	N	Y	N	Y	N
7	Paul Bettencourt	R	13.77	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
8	Angela Paxton	R	13.77	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
9	Kelly Hancock	R	12.27	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
10	Beverly Powell	D	63.77	Y	Y	Y	Y	Y	N	Y	N	N	N	Y	N	Y	N
11	Larry Taylor	R	13.77	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
12	Jane Nelson	R	14.77	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
13	Borris Miles	D	73.19	Y	Y	Y	Y	Y	N	N	N	N	N	Y	N	Y	N
14	Sarah Eckhardt	D	98.53	Y	Y	Y	Y	N	N	N	N	N	N	N	N	Y	N
15	John Whitmire	D	73.19	Y	Y	Y	Y	Y	N	N	N	N	N	Y	N	Y	N
16	Nathan Johnson	D	86.74	Y	Y	Y	Y	Y	N	Y	N	N	N	Y	N	N	N
17	Joan Huffman	R	13.77	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
18	Lois Kolkhorst	R	13.77	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
19	Roland Gutierrez	D	67.39	Y	Y	Y	Y	Y	N	N	N	N	N	Y	Y	Y	N
20	Juan "Chuy" Hinojosa	D	46.20	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y	N
21	Judith Zaffirini	D	81.69	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	Y	N
22	Brian Birdwell	R	6.27	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
23	Royce West	D	75.19	Y	Y	Y	Y	Y	N	N	N	N	N	Y	N	Y	N
24	Dawn Buckingham	R	13.77	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
25	Donna Campbell	R	13.77	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
26	José Menéndez	D	80.24	Y	Y	Y	Y	Y	N	Y	N	N	N	Y	N	N	N
27	Eddie Lucio, Jr.	D	49.28	Y	Y	Y	Y	Y	N	N	Y	Y	Y	Y	N	Y	N

# Senate Scores

**Notes:** Sierra Club's position is indicated by (Y) or (N) after each bill number. "A" indicates "absent", and "PNV" indicates "present not voting." If a member indicated in the journal after the fact they intended to vote differently than what was recorded, we changed their vote according to their intention.

Dist.	Representative	Party	Adj. Score (%)	SB 398 (Y)	HB 2225 (Y)	SB 415 (Y)	HB 3973 (Y)	HB 17 (N)	SB 7 (N)	SB 1278 (N)	SB 14 (N)	SB 1261 (N)	SB 1282 (N)	HB 1501 (N)	SB 1003 (N)	SB 1728 (N)	SB 566 (N)
				Scorecard Weight (%)													
				3.62	3.62	3.62	2.90	9.42	12.32	9.42	10.14	6.52	7.25	9.42	5.80	7.97	7.97
28	Charles Perry	R	30.23	Y	Y	Y	Y	Y	Y	N	Y	Y	N	Y	N	Y	Y
29	César Blanco	D	92.03	Y	Y	Y	Y	N	N	N	N	N	N	N	N	Y	N
30	Drew Springer	R	8.37	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
31	Kel Seliger	R	36.23	Y	Y	Y	Y	Y	Y	N	Y	Y	N	Y	N	Y	Y

# Senate Adjustments

Seat	Name	Adjustment	Bill	Notes
1	Bryan Hughes	-2.5%	SB 2227	Bad securitization bill.
1	Bryan Hughes	-5%	SB 7	Led the effort to make the bill even worse.
3	Robert Nichols	2.5%	HB 3973	Worked collaboratively with Rep. Walle.
3	Robert Nichols	-2.5%	SB 1728	Co-author of bad EV bill.
4	Brandon Creighton	-5%	SB 14	Bad worker bill.
5	Charles Schwertner	-2.5%	CSSB 2109	Bad Warren Buffett bill.
5	Charles Schwertner	-5%	SB 1728	Bad electric vehicle bill.
5	Charles Schwertner	1%	SB 398	Signed on as co-author.
6	Carol Alvarado	5%	SB 900	Filed good but weak storage tank bill.
6	Carol Alvarado	1%	SB 7	Well prepared to fight bad bill.
9	Kelly Hancock	-2.5%	SB 243	Stopped good energy efficiency bill.
9	Kelly Hancock	-2.5%	SB 1282	Bad renewables bill.
9	Kelly Hancock	1%	SB 398	Helping get bill through committee.
9	Kelly Hancock	5%	SB 415	For putting legislation forward and supporting expanding it.
9	Kelly Hancock	-2.5%	SB 1278	Filed bad bill.
12	Jane Nelson	1%	HB 3973	Championed the bill in committee and helped get it to move.
14	Sarah Eckhardt	2.5%	SB 243	Filed good energy efficiency bill.
14	Sarah Eckhardt	1%	HB 17	Had the courage to try to amend the bad bill.
14	Sarah Eckhardt	1%	SB 7	Well prepared to fight bill.
14	Sarah Eckhardt	1%	SB 14	Fought the bad bill.
14	Sarah Eckhardt	1%	SB 566	Represented her constituents well on anti-Austin bill.
16	Nathan Johnson	2.5%	SB 1479	Filed good distributed energy resources bill.
16	Nathan Johnson	2.5%	SB 126	Filed good storage tank bill.
16	Nathan Johnson	5%	SB 1118	Good healthy soils bill which passed and is now law.
16	Nathan Johnson	5%	SB 1210	Good bill that helps Texas phase out use of HFCs in building construction (now law).
20	Juan Hinojosa	1%	SB 7	Well prepared to fight bill.
20	Juan Hinojosa	1%	SB 14	Fought the bill.
21	Judith Zaffirini	2.5%	HB 2225	Effective in carrying the bill in the Senate.
21	Judith Zaffirini	3%	HB 2225	For carrying bill in the Senate.
21	Judith Zaffirini	1%	SB 7	Well prepared to fight bill.
21	Judith Zaffirini	2.5%	SB 1772	Carried good bill to encourage bee production in state near solar farms (Abbott vetoed).
22	Brian Birdwel	-2.5%	HB 17	Wouldn't take good amendments.
22	Brian Birdwell	-5%	SB 1261	Anti-climate pollution action bill.
23	Royce West	1%	SB 7	Well prepared to fight bill.
23	Royce West	1%	SB 14	Fought the bad bill.
26	José Menéndez	5%	SB 398	Carried bill and passed it.
26	José Menéndez	1%	SB 7	Well prepared to fight bill.
26	José Menéndez	2.5%	SB 2052	Filed good legislation on demand response and tried to attach it to SB 3 in committee.
28	Charles Perry	-1%	HB 2716	Did not bring bill up for hearing.
28	Charles Perry	-1%	HB 4146	Did not bring bill up for hearing.
28	Charles Perry	1%	HB 2225	For getting bill heard in committee in time.
30	Drew Springer	-2.5%	SB 1003	Carrying the bill instead of standing up to anti-wind special interests.







Photo: Al Bradden



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