



See how **pro-taxpayer** and **pro-property rights** your Texas state legislators were on transportation and property rights legislation in the 85th Session of the Texas State Legislature in 2017.

The overall methodology & list of the bills used to compile this Report Card can be found on the last two pages.

REPORT CARD

Governor Greg Abbott

Texans overwhelmingly elected Governor **Greg Abbott**, who campaigned against toll roads. He emphasized in the debates, “My plan does not involve any toll roads, period. I’m not interested in adding toll roads in my plan.” He also promised on the campaign trail and again in his first state of the state address that he planned to fix Texas roads without more taxes, fees, debt or tolls. However, largely passive on toll legislation, Governor Abbott did not help the grassroots or the lawmakers seeking to curb tolls. Abbott’s Transportation Commission has diverted more than \$1 billion in state funds to subsidize more toll roads, and his Commission continues to approve more toll roads at nearly every Commission hearing

C

Lt Governor Dan Patrick

While we made progress in the Senate this session, Gov. **Dan Patrick**’s pick for Committee Chair of the Senate Transportation Committee, **Robert Nichols**, has been problematic from the beginning.

Patrick failed to push one of our top reforms (that is in the GOP Platform) to remove tolls from roads that are paid for. He continues to bow to his committee chair who refuses to allow a hearing, much less a vote, on this key bill. Nichols also won’t hear the bill to block gas taxes from subsidizing toll roads (double taxation). Nichols wants toll bureaucracies to continue tolls in perpetuity and allow them to extend the debt owed on toll roads by tying the financing together into one system to ensure no road is ever paid off. Nichols is also fine with using your tax money to build a toll road then charge you again to drive on it.

Nichols also rewrote SB 312 in conference committee deliberately going outside the bounds of what conference committees can do and failed to fully inform his colleagues of the depth of the changes. Nichols watered down toll collection reform and two other anti-toll reforms, allowing certain toll projects to advance unabated. When the House overwhelmingly voted to de-criminalize failure to pay a toll bill by a vote of 136-3, Nichols and his side kick Rep. **Larry Gonzales** put criminalization back in.

Gov. Patrick and Sen. Nichols did keep their promise to block any private toll road contracts from being authorized (known as public private partnerships). It never came up in the Senate. These contracts put taxpayers on the hook for the private company’s losses and result in toll rates as high as 90 cents a mile! Patrick did ask Nichols to pass Sen. **Lois Kolkhorst**’s bill to stop the conversion of free lanes into toll lanes (another form of double taxation) and to require state funds to be repaid if used on toll projects (but Nichols gutted both in conference committee on SB 312). Sen. **Don Huffines**’ bill, SB 637, to audit toll authorities (Regional Mobility Authorities) also passed the Senate (but never got a hearing in the House).

B

Speaker Joe Straus

Speaker **Joe Straus** ousted a friendly committee chair, **Joe Pickett**, and replaced him with a pro-toll Chair for House Transportation, **Geanie Morrison**, who blocked our reforms. After being in the House for over 20 years, she had never served on the Transportation Committee before and had no background in transportation.

Morrison chose to move the worst bill of the session, HB 2861 -- to hand 20 Texas roads to private toll operators in 50-year sweetheart deals. Tolls on such projects can exceed 75 cents a mile. Thankfully, with the bipartisan effort of Pickett and the Freedom Caucus, HB 2861 was defeated by a vote of 79-51 (<http://www.texasturf.org/2012-06-01-03-09-30/press-releases/texas-state-wide/2209-victory-grassroots-kill-private-toll-bill-secure-abbott-s-vision-for-toll-free-future>). The one anti-toll bill Morrison heard was in the final weeks of the session and got out of committee too late to pass.

Straus’ lieutenants tried to block every anti-toll amendment to the TxDOT sunset bill SB 312, particularly Geanie Morrison and the sunset bill’s author, Rep. Larry Gonzales. Thankfully, their efforts to stymie anti-toll reforms were largely defeated, especially the toll collection reform amendment by Rep. Ina Minjarez that was adopted by a vote of 136-3!

F

The House of Representatives



REPORT CARD



House District 131	Alma A.	Allen	38%	F
House District 104	Roberto R.	Alonzo	29%	F
House District 145	Carol	Alvarado	50%	F
House District 103	Rafael	Anchia	43%	F
House District 56	Charles "Doc"	Anderson	88%	B+
House District 105	Rodney	Anderson	100%	A+
House District 116	Diana	Arévalo	38%	F
House District 57	Trent	Ashby	84% **	B+
House District 18	Ernest	Bailes	75%	C
House District 3	Cecil Jr.	Bell	89% **	A-
House District 123	Diego	Bernal	13%	F
House District 73	Kyle	Biedermann	100%	A+
House District 76	César	Blanco	38%	F
House District 138	Dwayne	Bohac	100%	A+
House District 24	Greg	Bonnen	100%	A+
House District 25	Dennis	Bonnen	100%	A+
House District 113	Cindy	Burkett	67% **	C+
House District 58	DeWayne	Burns	101% **	A+
House District 83	Dustin	Burrows	100%	A+
House District 112	Angie Chen	Button	63%	D
House District 128	Briscoe	Cain	104% **	A+
House District 40	Terry	Canales	75%	C
House District 98	Giovanni	Capriglione	103% **	A+
House District 11	Travis	Clardy	57%	F
House District 147	Garnet	Coleman	25%	F
House District 95	Nicole	Collier	13%	F
House District 8	Byron	Cook	67%	D+
House District 117	Philip	Cortez	38%	F
House District 54	Scott	Cosper	75%	C
House District 82	Tom	Craddick	75%	C
House District 17	John	Cyrier	100%	A+
House District 136	Tony	Dale	75%	C
House District 72	Drew	Darby	63%	D
House District 111	Yvonne	Davis	0%	F
House District 134	Sarah	Davis	50%	F
House District 7	Jay	Dean	100%	A+
House District 22	Joe	Deshotel	50%	F
House District 46	Dawna	Dukes	38%	F
House District 142	Harold Jr.	Dutton	43%	F
House District 135	Gary W.	Elkins	63%	D
House District 23	Wayne	Faircloth	88%	B+
House District 106	Pat	Fallon	100%	A+

* Authored bad bills or amendments ** Authored one or more good bills or amendments advocated by TURF



REPORT CARD



House District 148	Jessica	Farrar	29%	F
House District 2	Dan	Flynn	75%	C
House District 69	James	Frank	88%	B+
House District 84	John	Fruzzo	88%	B+
House District 99	Charlie	Geren	50%	F
House District 120	Barbara	Gervin-Hawkins	63%	D
House District 109	Helen	Giddings	40%	F
House District 97	Craig	Goldman	100%	A+
House District 52	Larry	Gonzales	43%	F
House District 75	Mary	González	75%	C
House District 4	Lance	Gooden	88%	B+
House District 41	Robert "Bobby"	Guerra	50%	F
House District 31	Ryan	Guillen	71%	C-
House District 119	Roland	Gutierrez	63%	D
House District 5	Cole	Hefner	100%	A+
House District 143	Ana	Hernandez	50%	F
House District 34	Abel	Herrero	50%	F
House District 49	Gina	Hinojosa	25%	F
House District 33	Justin	Holland	100%	A+
House District 48	Donna	Howard	29%	F
House District 127	Dan	Huberty	50%	F
House District 32	Todd	Hunter	71%	C-
House District 45	Jason A.	Isaac	88%	B+
House District 50	Celia	Israel	26% **	D-
House District 100	Eric	Johnson	25%	F
House District 139	Jarvis	Johnson	33%	F
House District 12	Kyle	Kacal	68% **	C-
House District 15	Mark	Keough	100%	A+
House District 61	Phil	King	50%	F
House District 80	Tracy	King	75%	C
House District 88	Ken	King	20%	F
House District 91	Stephanie	Klick	100%	A
House District 102	Linda	Koop	75%	C
House District 93	Matt	Krause	100%	A+
House District 44	John	Kuempel	40%	F
House District 71	Stan	Lambert	86%	B
House District 81	Brooks	Landgraf	75%	C
House District 60	Mike	Lang	100%	A+
House District 122	Lyle	Larson	50%	F
House District 89	Jodie	Laubenberg	63%	D
House District 67	Jeff	Leach	104% **	A+
House District 35	Oscar	Longoria	57%	F
House District 43	Jose Manuel	Lozano	75%	C
House District 38	Eddie	Lucio III	49% *	F

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REPORT CARD



House District 39	Armando "Mando"	Martinez	37% *	F
House District 16	Will	Metcalfe	86%	B
House District 108	Morgan	Meyer	100%	A+
House District 26	Rick	Miller	71%	C-
House District 124	Ina	Minjarez	65% **	C-
House District 78	Joseph "Joe"	Moody	75%	C
House District 30	Geanie W.	Morrison	38%	F
House District 36	Sergio	Muñoz Jr	88%	B+
House District 133	Jim	Murphy	43%	F
House District 53	Andrew	Murr	100%	A+
House District 107	Victoria	Neave	71%	C-
House District 74	Alfonso "Poncho"	Nevárez	57%	F
House District 37	René	Oliveira	49% *	F
House District 130	Tom	Oliverson	63%	D
House District 77	Evelina	Ortega	38%	F
House District 9	Christopher "Chris"	Paddie	67%	D+
House District 63	Tan	Parker	100%	A+
House District 129	Dennis	Paul	100%	A+
House District 144	Mary Ann	Perez	38%	F
House District 21	Dade	Phelan	100%	A+
House District 62	Larry	Phillips	49%	F
House District 79	Joe	Pickett	108% **	A+
House District 87	Walter T. "Four"	Price	75%	C
House District 14	John	Raney	63%	D
House District 42	Richard Pena	Raymond	90%	A
House District 27	Ron	Reynolds	38%	F
House District 115	Matt	Rinaldi	102% **	A+
House District 126	Kevin	Roberts	75%	C
House District 51	Eddie	Rodriguez	43%	F
House District 125	Justin	Rodriguez	25%	F
House District 90	Ramon Jr.	Romero	100%	A+
House District 110	Toni	Rose	29%	F
House District 70	Scott	Sanford	89%	B+
House District 6	Matt	Schaefer	100%	A+
House District 132	Mike	Schofield	88%	B+
House District 13	Leighton	Schubert	100%	A+
House District 66	Matt	Shaheen	105% **	A+
House District 59	J.D.	Sheffield	43%	F
House District 55	Hugh	Shine	50%	F
House District 65	Ron	Simmons	100%	A+
House District 86	John	Smithee	60%	D-
House District 68	Drew	Springer	101% **	A+
House District 85	Phil	Stephenson	88%	B+
House District 92	Jonathan	Stickland	104% **	A+

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REPORT CARD



House District	Member	Member	SPEAKER	SPEAKER
House District 121	Joe	Straus		
House District 64	Lynn	Stucky	100%	A+
House District 150	Valoree	Swanson	100%	A+
House District 146	Shawn	Thierry	50%	F
House District 29	Ed	Thompson	88%	B+
House District 141	Senfronia	Thompson	26% *	F
House District 94	Tony	Tinderholt	103% **	A+
House District 101	Chris	Turner	25%	F
House District 118	Tomas	Uresti	38%	F
House District 1	Gary	VanDeaver	76% **	C+
House District 114	Jason	Villalba	50%	F
House District 149	Hubert	Vo	25%	F
House District 140	Armando	Walle	25%	F
House District 19	James	White	100%	A+
House District 20	Terry	Wilson	100%	A+
House District 47	Paul	Workman	50%	F
House District 10	John	Wray	89% **	A-
House District 137	Gene	Wu	38%	F
House District 96	Bill	Zedler	88%	B+
House District 28	John	Zerwas	66% *	D-

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The Senate

 TURF <small>Texas Uniting for Reform & Freedom</small>		REPORT CARD		 TURF <small>Texas Uniting for Reform & Freedom</small>	
Senate District 7	Paul	Bettencourt	102% **	A+	
Senate District 22	Brian	Birdwell	101% **	A+	
Senate District 24	Dawn	Buckingham	101% **	A+	
Senate District 10	Konni	Burton	103% **	A+	
Senate District 25	Donna	Campbell	103% **	A+	
Senate District 4	Brandon	Creighton	101% **	A+	
Senate District 30	Craig L.	Estes	88%	B+	
Senate District 6	Sylvia R.	Garcia	25%	F	
Senate District 2	Bob	Hall	105% **	A+	
Senate District 9	Kelly	Hancock	100%	A+	
Senate District 20	Juan "Chuy"	Hinojosa	88%	B+	
Senate District 16	Donald	Huffines	106% **	A+	
Senate District 17	Joan	Huffman	100%	A+	
Senate District 1	Bryan	Hughes	100%	A+	
Senate District 18	Lois	Kolkhorst	108% **	A+	
Senate District 27	Eddie Jr.	Lucio	62% *	F	
Senate District 26	Jose	Menendez	63%	D	
Senate District 13	Boris	Miles	75%	C	
Senate District 12	Jane	Nelson	100%	A+	
Senate District 3	Robert	Nichols *	51%	D-	
Senate District 28	Charles	Perry	100%	A+	
Senate District 29	Jose R.	Rodríguez	63%	D	
Senate District 5	Charles	Schwertner	102% **	A+	
Senate District 31	Kel	Seliger	100%	A+	
Senate District 11	Larry	Taylor	88%	B+	
Senate District 8	Van	Taylor	101% **	A+	
Senate District 19	Carlos "Charlie"	Uresti	75%	C	
Senate District 14	Kirk	Watson	25%	F	
Senate District 23	Royce	West	75%	C	
Senate District 15	John	Whitmire	100%	A+	
Senate District 21	Judith	Zaffirini	63%	D	

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* As Transportation Committee Chair, Nichols blocked many anti-toll reform bills, ensuring they were never heard. He also served on the conference committee that gutted three key anti-toll amendments to SB 312.

The Methodology

This Report Card was determined strictly by record votes on key bills and amendments from both the 85th regular and special sessions. Legislators who authored anti-toll or property rights legislation received additional points, while those who authored the bills to hand our Texas freeways over to private toll operators in 50 year sweetheart deals were docked points.

Over 35 bills were filed to replace or curtail tolling or to make it more transparent and accountable. When factoring in property rights and efforts to restrict eminent domain abuse, the total came to 56 bills. In addition, 20 bills to stop or curtail high speed rail (at the hands of a private, foreign company planning to use the power of eminent domain) were filed. It should have sent a strong message to leadership that the taxpayers sent elected officials to Austin to significantly curb, if not stop, toll roads. However, only a handful of anti-toll bills got a hearing, four passed the Senate, and only one got a hearing in the House (and it wasn't heard until two weeks before the end of session and came out of committee too late).

The game changer this session was the sunset bill, SB 312, for the **Texas Department of Transportation (TxDOT)**. It had to pass or the highway department would cease to exist. It was the vehicle we used to get our bills attached as floor amendments. With bi-partisan teamwork, especially with the help of the **Freedom Caucus**, seven pieces of anti-toll legislation were adopted in the final bill signed by the Governor. However, most anti-toll amendments were later watered down by members of the conference committee, Sen. **Robert Nichols** and Rep. **Larry Gonzales** in particular.

House leadership failed to hear or pass bills to: take tolls off the road when it's paid for, stop the flow of gas taxes to toll roads (which is a double tax), reform toll billing/collections, subject toll agencies to sunset review or an audit, restrict eminent domain use by private companies, as well as many bills to increase transparency and accountability.

The Senate Transportation Committee passed bills to audit toll authorities (Regional Mobility Authorities), to prohibit the conversion of free lanes into toll lanes, prohibit the conversion of HOV lanes into toll lanes, and a bill to require repayment of any state funds used to subsidize toll projects. However, Sen. Nichols refused to even have a hearing on the bill to remove tolls from roads that are paid for or the bill to block the use of *any* state funds on toll projects (double taxation) — our two top priorities, both of which appear in the 2016 GOP Platform.

Bills used for Report Card Transportation

Passed the Senate, but not the House:

ALL GOOD
BILLS

SB 637 (Huffines) - To audit RMAs

SB 399 (Kolkhorst) - To prohibit the conversion of free lanes into toll lanes.

SB 1143 (Hall) - To prohibit the conversion of HOV lanes into toll lanes.

SB 812 (Kolkhorst) - To require state funds to be repaid if used to subsidize a toll project.

SB 1588 (Huffines) - Repeal of vehicle inspection fee.

SB 977 (Schwertner/Kolkhorst) - To ensure no state funds will be used for private High Speed Rail.

BECAME A GOOD
BILL DUE TO
AMMENDMENTS

TxDOT sunset bill passed both chambers and became law.

SB 312 (Nichols) - TxDOT sunset bill. This was the vehicle we used to turn our bills into amendments and get them attached to a must-pass bill (to get around House leadership who blocked all but one of our bills).

The votes we used for House members were on the following anti-toll amendments that had record votes...

Amendments to SB 312 in the House:

GOOD
AMENDMENT

Amendment #12 (Pickett) - To require state funds to be repaid if used to subsidize a toll project. (Same language as SB 812 that passed the Senate.) **ADOPTED**

GOOD
AMENDMENT

Amendment to Amendment #13 (Pickett) - To require repayment to be directed to the region where the funds came from. **ADOPTED**

GOOD
AMENDMENT

Amendment #32 (Shaheen) - To remove tolls once the debt is paid. **FAILED**

GOOD
AMENDMENT

Amendment #39 (Minjarez) - To cap administrative fines and fees on toll bills to \$48/yr and to decriminalize failure to pay a toll bill. The amendment also requires bills to be more prompt and transparent. **ADOPTED**

BAD
AMENDMENT

Motion to reconsider Amendment #12 (Martinez) - To try and strip Pickett's amendment to require repayment of any state funds used on toll projects (to prevent double taxation). **FAILED**

WORST BILL
OF THE SESSION

HB 2861 (Phillips) - To hand 20 Texas highways to private toll operators in 50 year sweetheart deals that use public funds to guarantee the private entity's losses and result in tolls as high as 90 cents per mile! Such Public Private Partnerships (P3s) represent corporate welfare and give the power to tax to private corporations taxpayers cannot hold accountable. We vehemently opposed this bill (the worst of the session with multi-generational impacts). Those who voted against it received points, and those who voted for it were penalized. **FAILED**

Property rights

GOOD
BILL

SB 6 (Campbell) - Annexation reform to give residents a right to vote before being annexed by a city. **PASSED SPECIAL SESSION, BECAME LAW**

GOOD
AMENDMENT

Amendment #25 (King, P.) - To allow residents in counties with a population under 500,000 to petition their county commissioners to force a vote before annexation.

GOOD
BILL

SB 740 (Kolkhorst) - Eminent domain reform like requiring protection from damages, most recent appraisal to be disclosed to landowners, must prove entity actually has power to exercise eminent domain, more flexibility for landowners in admitting evidence into the record. **DIED IN HOUSE**



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