**Texas True Story: Passing the Texas Mental Health Care Consortium Bill**

[ITP simulation based on MC, MS, and Ordering question templates that have already been developed]

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**Question 1:**

In May 2018, a 17-year old student killed eight students and two teachers and wounded 13 others at Santa Fe High School in the Houston area. In 2019, Texas lawmakers try to pass a bill that might help prevent school shootings by creating a consortium to better connect children to mental health services.

You are a member of the Texas House of Representatives during the 2019 session.

Senator Jane Nelson (R) asks you if you would like to cosponsor the bill in the house. When you hesitate, she provides you with a list of cosponsors.

Sponsors

|  |  |  |  |
| --- | --- | --- | --- |
| [Sen. Jane Nelson](https://legiscan.com/TX/people/jane-nelson/id/6018) [R] | [Sen. Carol Alvarado](https://legiscan.com/TX/people/carol-alvarado/id/5850) [D] | [Sen. Paul Bettencourt](https://legiscan.com/TX/people/paul-bettencourt/id/16267) [R] | [Sen. Brian Birdwell](https://legiscan.com/TX/people/brian-birdwell/id/11020) [R] |
| [Sen. Dawn Buckingham](https://legiscan.com/TX/people/dawn-buckingham/id/17985) [R] | [Sen. Donna Campbell](https://legiscan.com/TX/people/donna-campbell/id/15077) [R] | [Sen. Charles Creighton](https://legiscan.com/TX/people/charles-creighton/id/5875) [R] | [Sen. Pat Fallon](https://legiscan.com/TX/people/pat-fallon/id/14569) [R] |
| [Sen. Peter Flores](https://legiscan.com/TX/people/pete-flores/id/19686) [R] | [Sen. Bob Hall](https://legiscan.com/TX/people/bob-hall/id/17365) [R] | [Sen. Kelly Hancock](https://legiscan.com/TX/people/kelly-hancock/id/5906) [R] | [Sen. Juan Hinojosa](https://legiscan.com/TX/people/juan-hinojosa/id/6014) [D] |
| [Sen. Joan Huffman](https://legiscan.com/TX/people/joan-huffman/id/6015) [R] | [Sen. Bryan Hughes](https://legiscan.com/TX/people/bryan-hughes/id/5921) [R] | [Sen. Nathan Johnson](https://legiscan.com/TX/people/nathan-johnson/id/20805) [D] | [Sen. Lois Kolkhorst](https://legiscan.com/TX/people/lois-kolkhorst/id/5933) [R] |
| [Sen. Eddie Lucio](https://legiscan.com/TX/people/eddie-lucio/id/6017) [D] | [Sen. Jose Menendez](https://legiscan.com/TX/people/jose-menendez/id/5949) [D] | [Sen. Borris Miles](https://legiscan.com/TX/people/borris-miles/id/11599) [D] | [Sen. Robert Nichols](https://legiscan.com/TX/people/robert-nichols/id/6019) [R] |
| [Sen. Angela Paxton](https://legiscan.com/TX/people/angela-paxton/id/19730) [R] | [Sen. Charles Perry](https://legiscan.com/TX/people/charles-perry/id/11013) [R] | [Sen. Beverly Powell](https://legiscan.com/TX/people/beverly-powell/id/20633) [D] | [Sen. Jose Rodriguez](https://legiscan.com/TX/people/jose-rodriguez/id/11021) [D] |
| [Sen. Charles Schwertner](https://legiscan.com/TX/people/charles-schwertner/id/11015) [R] | [Sen. Kel Seliger](https://legiscan.com/TX/people/kel-seliger/id/6022) [R] | [Sen. Larry Taylor](https://legiscan.com/TX/people/larry-taylor/id/5986) [R] | [Sen. Kirk Watson](https://legiscan.com/TX/people/kirk-watson/id/6027) [D] |
| [Sen. Royce West](https://legiscan.com/TX/people/royce-west/id/6029) [D] | [Sen. John Whitmire](https://legiscan.com/TX/people/john-whitmire/id/6030) [D] | [Sen. Judith Zaffirini](https://legiscan.com/TX/people/judith-zaffirini/id/6032) [D] | [Rep. John Zerwas](https://legiscan.com/TX/people/john-zerwas/id/6000) [R] |
| [Rep. Four Price](https://legiscan.com/TX/people/four-price/id/11352) [R] | [Rep. Angie Button](https://legiscan.com/TX/people/angie-button/id/5862) [R] | [Rep. Stephen Allison](https://legiscan.com/TX/people/stephen-allison/id/20226) [R] | [Rep. Garnet Coleman](https://legiscan.com/TX/people/garnet-coleman/id/5869) [D] |
| [Rep. Jarvis Johnson](https://legiscan.com/TX/people/jarvis-johnson/id/17983) [D] | [Rep. Stan Lambert](https://legiscan.com/TX/people/stan-lambert/id/18675) [R] | [Rep. Tan Parker](https://legiscan.com/TX/people/tan-parker/id/5962) [R] | [Rep. Ron Reynolds](https://legiscan.com/TX/people/ron-reynolds/id/11598) [D] |
| [Rep. Ed Thompson](https://legiscan.com/TX/people/ed-thompson/id/5989) [R] | [Rep. Senfronia Thompson](https://legiscan.com/TX/people/senfronia-thompson/id/14046) [D] |  |  |

Source: <https://legiscan.com/TX/bill/SB10/2019>

[Multiple select]: Which of the following do you notice about the sponsors?

1. The bill enjoys bipartisan support in the house. [T]
2. Only Democrats support the bill in the house. [F]
3. Only Republicans support the bill in the senate. [F]
4. The bill enjoys bipartisan support in the senate. [T]

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**Question 2:**

On February, 5, 2019, the bill is received by the secretary of the senate and filed. On February 7th, the bill is read for the first time.

[Multiple select]: Who is responsible for referring the bill to committee in the senate?

1. The governor
2. The lieutenant governor [T]
3. The senate majority leader
4. The secretary of the senate

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**Question 3:**

The same day the bill is read on the floor for the first time, on February 7, Lieutenant Governor Dan Patrick referred it to the Health & Human Services committee.

Your cell phone rings. It’s one of your constituents, the head of a small mental health care group. She asks you to update her on the bill. You explain that the bill is in committee and she wants to know whether she can testify at the hearing.

[Multiple choice]: What is the best answer you can give her?

1. The committee meetings are not open to the public.
2. She should hurry up and make arrangements to come to the capitol because the hearing is scheduled for February 12th. [T]
3. Since she is not a member of the legislature, she cannot testify at the February 12th hearing, but you will be happy to relate her information and opinions to the committee.
4. Due to the accelerated pace at which the bill was filed, read, and sent to committee, the HHS committee is unlikely to take the time to hold a hearing or markup the bill.

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**Question 4:**

On February 12, the committee holds a hearing and on February 19, they mark up the bill and report it out favorably as substituted. Then a senate staffer prints and distributes the committee report to all members of the committee.

You obtain a copy and send it to your constituent. She calls you and asks you to amend the bill today to include one of her specific recommendations. You struggle to explain why you cannot act today.

[Order]: What has to happen before the senate will work on amending the bill on the floor? Place the steps in order.

1. A senator, usually the bill sponsor, places the bill on the intent calendar.
2. Senators pass a “blocker bill” each day the senate is in session.
3. Three-fifths of the senators agree to “suspend the regular order of business” and skip over the “blocker bill” to consider the bill.
4. The bill has to be read a second time.

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**Question 5:**

You explain the process to hear and that as a representative in the house, you cannot propose an amendment but you will research which senators are proposing amendments and speak with them. You find out Senators Kolkhorst, Hall, and Hughes are planning to offer amendments on March 5 when the bill is scheduled to be read a second time.

When you call your constituent to let her know, she decides to come to Austin on March 5. You meet her for lunch at the Odd Duck. A senate staffer comes in to pick up a take-out order and stops by your table to tell you that the bill was amendment and passed. The vote was recorded in journal. Your constituent wants to go to the senate gallery to watch the final vote, but you explain that that the senate may not consider it today due to the three day rule. She ask you what that is.

[Multiple choice]: What is your best response?

1. The first, second, and third readings of a bill must occur on three separate days in both the house and the senate.
2. The senate must wait three days before it can vote on an amended bill, so perhaps she can return on March 8.
3. If the senate passes a bill, the house must consider it and pass it too within three days. So, she should not get her hopes up yet.

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**Question 6:**

The senate staffer informs you that the senate has already voted to suspend the three day rule. You blush and rush with your constituent to the senate hoping to hear the third reading and be present when it passes. The bill passes unanimously.

The following day, the Texas House of Representatives receives the bill from the senate. It is now in your chamber, but it has more opponents here.

On March 28, the bill is read for the first time. How can you tell whether House Speaker Bonnen supports the bill?

[Multiple choice]: If he supports the bill, he will refer it to

1. The Calendars Committee
2. The Corrections Committee
3. The International Relations and Economic Development Committee
4. The Public Health Committee [T]

If Speaker Bonnen sends the bill to an unrelated committee whose leadership is not sympathetic to the bill, the committee is unlikely to work on it. Speaker Bonnen, a strong support of the bill, sends it to the Public Health Committee, where it reports out to the Calendar committee.

The head of the Calendar Committee, a hand-picked ally of the speaker, speeds bills favored by the speaker.

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**Question 7:**

The Calendars Committee places the bill on the General State Calendar on May 21 and it is read for a second time. But Representative Jonathan Strickland called a point of order.

The house recessed for an hour and a half later while parliamentarians, non-partisan staff who provide information on rules and historical practices, determined that Strickland was correct.

As you try to swiftly exit the floor for a quick trip to the restroom, a journalist waiting outside the rails in the House chamber stops you and asks you several questions including what is happening with SB 10. You say, “The parliamentarians sustained Strickland’s POO, so it’s been thrown out.”

The journalist does not understand. You explain that when the Public Health Committee or any committee in the lege reports out a bill favorably, they issue a report.

[Multiple select]: You list the items a report has to contain. What is on this list?

1. recommendations regarding its placement on the calendar [T]
2. the text of the bill [T]
3. a bill analysis [T]
4. a fiscal note(reflecting the potential economic impact and the consequences for balancing the budget [T]

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**Question 8:**

You explain that Strickland reviewed the committee report and noted that the bill analysis was inaccurate because it omitted details. It did not list the organizations that the bill would impact and who would make up the Consortium’s governing body. So, the bill was returned to committee.

The journalist looks at you aghast, “So that’s it? Is the bill thrown out, even though the majority of the members of the house and the senate support the bill? Is that what happens next?”

[Multiple choice] How do you answer her as accurately as possible? You say:

1. Yes, we’re back to square one. We’ll have to reintroduce the bill.
2. The bill was returned to committee and it will die there. [T]
3. The governor may intervene and force the house to pass SB 10.
4. The senate can pass the bill on its own and send it to the governor.

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**Question 9:**

You tell the journalist, on record, that the bill is likely dead for this session. You return to the house floor to gather your things and go home for the night.

However, a crafty Lege veteran, and brother to the speaker, Representative Greg Bonnen has just made a motion to reconsider SB 11, another school safety bill the lower chamber had already passed earlier in the evening. He suggests SB 11 be amended to include the significant provisions of SB 10 that were knocked out by the point of order. His timing could not have been better since midnight tonight, May 23, is the deadline to advance Senate bills through the House for the last time in the 86th session.

Suddenly, you notice Representative Stickland motioning to the speaker, likely with the plan to raise the same objection that killed SB 10. You look at the clock. It is almost 11:30 p.m.

You know there’s only one way to save SB 10 and you want to urge to the speaker to take this action.

[Multiple choice] What can the speaker do to ensure the passage of SB 10?

1. The speaker can order the capitol police to remove the representative from the house.
2. The speaker can bypass the third reading and submit the bill directly to the governor.
3. The speaker can send SB 10 back to committee to address Rep. Strickland’s objection.
4. The speaker can overrule Rep. Strickland point of order. [T]

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**Question 10:**

Speaker Bonnen overrules not one but two of Rep. Strickland points of order.

You hear a visibly angry Representative Stickland loudly telling the speaker “I’m sick of this shit.” Over his objections, SB 11 passed with the provisions taken out of SB 10.

You call your constituent with the good news. SB 11 has passed to a third reading. She asks if there will be any other surprises. You respond that the bill still needs to overcome a few hurdles but that it is looking optimistic. She asks you exactly what hurdles need to be overcome.

[Order]: How do you best answer her? Place the steps in order.

1. The house must read the bill for a third time and pass it.
2. The bill must go to conference committee to iron out any differences between it and the senate version.
3. The conference committee must pass a single of the bill.
4. Each chamber must pass this identical bill.
5. The governor must pass the bill into law.

As you hang up, the bill is read for the third time. The house floor votes to pass the bill: 130 in favor, 14 against.

The bill is rushed to conference committee and on May 26, the full floor of both the house and the senate adopt the conference committee report. Two days later, the governor is sent to the governor. The Governor Abbott has 10 days to veto the bill, but you know he supports the bill.

Now it’s your turn to go back to your constituent and those who share her views in the district and boast about your achievement.

Sources: <https://www.kxan.com/news/local/austin/heated-confrontations-last-minute-hustle-revives-dead-mental-health-overhaul-bill/>

<https://www.texastribune.org/2019/05/21/texas-mental-health-bill-killed-over-technicality/>

<https://legiscan.com/TX/bill/SB10/2019>