

December 9, 2020

The Honorable Dan Patrick, Lieutenant Governor of Texas
The Honorable Dennis Bonnen, Speaker of the Texas House of Representatives
The Honorable Dade Phelan, Texas House of Representatives
Members of the Texas Legislature

Re: Ensuring a safe, transparent, participatory, and robust legislative session

Dear Lt. Gov. Patrick, Speaker Bonnen, Rep. Phelan, and Members of the Legislature,

Amidst the public health crisis caused by COVID-19, we recognize that Texas leaders and members of the Texas Senate and House face a difficult task as you develop safety protocols for the 2021 legislative session. As state leaders develop those protocols, we believe it will be important to protect health and safety, foster public confidence in government, and to assure a transparent and effective legislative process that permits ample and meaningful public input. A full, robust legislative session will be necessary to address the challenges the state faced before COVID-19 struck as well as the many challenges the pandemic has created for our health care system, schools, businesses, state and local agencies, local communities, and millions of children and adults across Texas.

Texans deserve a legislative session that addresses these critical needs. Texans also expect to be able to participate in and observe the actions taken by their elected representatives. It will be difficult, we know, but special action will be needed to assure that the government operates openly, even in these extraordinary times. The people's right to know should not be a victim to COVID-19.

The undersigned Texas organizations work to ensure the decisions made at the Texas Capitol every biennium improve the lives of children, families, and communities in the state. Texans have regularly traveled to the State Capitol to meet with lawmakers and testify at hearings to ensure the decisions made by Texas legislators are informed by the individuals and communities most impacted by those decisions. We call on the leaders and members of the Texas Senate and House to take steps to ensure public participation in the legislative process is not diminished because of health and safety protocols during the pandemic.

Since March 2020, public and private entities throughout the state and the country have provided for remote stakeholder participation through written, video, and online testimony, in addition to limited in-person options if conducted safely. We are confident that the Texas Legislature can do so as well.

We understood the limited options for public participation in Texas government during the interim, but as we move into a regular session when proceedings lead to policy decisions, full public participation is absolutely essential. For example, the ability to submit public written testimony is no substitute for members of the public having the opportunity to provide testimony, raise questions, and respond to committee members' questions during live hearings.

To ensure both transparency of the actions of elected officials and public participation in the state legislative process, we call on the legislative leadership and members of the Texas House and Senate to ensure that rules and procedures for the 2021 session include at least the following practices:

Transparency in Legislative Decision-making

- Publish information on changes made to the Legislature's rules, protocols and proceedings, including the time and manner in which those changes will be implemented.
- Broadcast live hearings and other meetings that are traditionally open to the public, whether the event takes place in person or in a virtual setting. Post information such as documents being discussed and testimony materials shared by invited and public witnesses for public access during the live event.
- All committee business, including deliberations and votes, must be accessible to the public in a timely fashion. Record, transcribe, and archive all hearings and other meetings that are traditionally open to the public and make recordings and meeting materials available for later access online within 48 hours.
- Utilize technology that permits significant numbers of Texans to access online hearings and other public meetings simultaneously. In the event audio or video coverage of a proceeding or meeting is interrupted, require the Committee Chair or other presiding official to suspend discussion until audio/video is restored.

Public Participation in Legislative Process

- Legislators should ensure that staff are readily accessible through video meetings, phone, email, and in-person visits as safe and appropriate.
- Committees should establish a process for receiving invited and public testimony during hearings that is equitable and does not create separate protocols for invited, professional, and public testimony.
- Committees should provide access to electronic registration outside the Capitol complex in a safe location in order to allow for the public to register support for or opposition to legislation being considered by committees whether or not they intend to submit oral or written testimony.
- Use technology to facilitate and not limit public participation. When technology is the sole means of providing public input, accommodations must be made for individuals with disabilities in accordance with the Americans with Disabilities Act.
- If people are allowed in the Capitol to have contact with members or to testify, provide appropriate PPE, sanitizer, and other protections to allow them to interact safely.

We appreciate your consideration and look forward to working with you during a safe, transparent, participatory, and robust legislative session.

Sincerely,

Texans Care for Children
Access Esperanza Clinics Inc.
Any Baby Can
Austin / Travis County Success By 6 Coalition
Austin Public Health

Autism Society of Texas
Autism Speaks
Camp Fire First Texas
CHILDREN AT RISK
Circle Up, United Methodist Women
Clarity Child Guidance Center
Dallas Early Education Alliance
Dillon Joyce Ltd
Doctors for America, Texas Chapter
Easter Seals Central Texas ECI
Every Body Texas
Every Texan
Faith in Texas
Feeding Texas
First3Years
Good Reason Houston
HISPANICS ORGANIZED FOR POLITICAL EDUCATION TEXAS H.O.P.E.
IDRA (Intercultural Development Research Association)
Kiddie Academy of Lakes of Savannah
Leadership ISD
League of Women Voters of Texas
Lena Pope
Lumin Education
Mental Health America of Greater Dallas
Methodist Healthcare Ministries of South Texas
Mexican American Legal Defense and Educational Fund (MALDEF)
Momentous Institute
National Alliance on Mental Illness (NAMI) Texas
National Association of Social Workers - Texas Chapter
One Voice Central Texas
Pastors for Texas Children
Philanthropy Advocates
Postpartum Support International Texas Chapter
Public Citizen
Raise Your Hand Texas
RecoveryPeople
Reissa Foundation
SAC Early Childhood Program
Saint Francis Ministries
Texas Alliance of Child & Family Services
Texas Appleseed
Texas Association of Counties
Texas Campaign to Prevent Teen Pregnancy
Texas Coalition for Healthy Minds
Texas Council for Developmental Disabilities
Texas Council of Child Welfare Boards
Texas Counseling Association

Texas Grandparents Raising Grandchildren
Texas Health Institute
Texas Lawyers for Children
Texas Licensed Child Care Association
Texas Network of Youth Services
Texas Pediatric Society
Texas Public Charter Schools Association
Texas Women's Healthcare Coalition
TexProtects
The Education Trust in Texas
The Pregnancy and Postpartum Health Alliance of Texas
United Way for Greater Austin
United Way of Central Texas
United Way of Metropolitan Dallas
United Way of Southern Cameron County
United Way of Tarrant County
United Ways of Texas
Upbring
Voices for Children of San Antonio
Young Invincibles