**HOUSE RESEARCH ORGANIZATION • TEXAS HOUSE OF REPRESENTATIVES**
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# HOUSE RESEARCH ORGANIZATION

## daily floor report

Wednesday, April 19, 2023
88th Legislature, Number 45
The House convenes at 10 a.m.
Part One

Five bills are on the Major State Calendar and 24 bills are on the General State Calendar for second reading consideration today. The table of contents for Part One of today's *Daily Floor Report* appears on the following page.

To access the Dynamic Floor Report, visit the following link: https://hro-dfr.house.texas.gov.

Alma Allen
Chairman
88(R) - 45

# HOUSE RESEARCH ORGANIZATION

Daily Floor Report
Wednesday, April 19, 2023
88th Legislature, Number 45
Part 1


| | | |
|---|---|---|
| HB 16 by Moody | Amending juvenile court processes and planning for services for juveniles | 1 |
| HB 681 by Bell | Repealing expiration date for certain virtual remote learning provisions | 9 |
| HB 890 by Bell | Requiring school districts to adopt policies addressing complaints | 12 |
| HB 1416 by Bell | Providing accelerated and supplemental instruction for certain students | 14 |
| HB 900 by Patterson | Prohibiting certain sexually relevant material from public school libraries | 19 |
| HB 458 by Craddick | Requiring TJJD to take custody of a person within a certain time period | 26 |
| HB 213 by Moody | Changing parole eligibility for certain youthful offenders | 28 |
| HB 2217 by Button | Amending certain provisions regarding accounting certification. | 32 |
| HB 188 by Moody | Revising jury instructions in sentencing proceedings of capital cases | 36 |
| HB 2224 by Hernandez | Authorizing municipalities to lower the prima facie speed limit | 39 |
| HB 999 by Price | Requiring certain payments to count towards cost-sharing requirements | 42 |
| HB 2719 by Ashby | Allowing the Historical Commission to conduct online retail sales | 45 |
| HB 3698 by Landgraf | Adding search functionality and access to protective order registry | 48 |
| HB 1518 by Darby | Reducing requirements for post-sale appraisal reviews | 50 |
| HB 1666 by Capriglione | Regulating digital asset service providers | 52 |
| HB 995 by Muñoz, Jr. | Relating to sheriff's department disability leave in certain counties. | 56 |

SUBJECT: Amending juvenile court processes and planning for services for juveniles

COMMITTEE: Youth Health & Safety, Select — committee substitute recommended

VOTE: 7 ayes — S. Thompson, Hull, Allison, Capriglione, A. Johnson, Landgraf, Lozano

0 nays

2 absent — Dutton, T. King

WITNESSES: For — Elizabeth Henneke, Lone Star Justice Alliance; Alycia Castillo, Texas Center for Justice and Equity; Nikki Pressley, Texas Public Policy Foundation; (*Registered, but did not testify* Amanda List, AList Consulting; Jolene Sanders Foster, Coalition of Texans with Disabilities; Justin Keener, Doug Deason; Paige Duggins-Clay, IDRA; Rebecca Fowler, Mental Health America of Greater Houston; Lesley Rivas, Mexican American School Boards Association; Kristian Caballero, Martin Martinez, Texas Appleseed; Suzi Kennon, Texas PTA; Christine Busse, The National Association Of Social Workers Texas Chapter; Jennifer Allmon, The Texas Catholic Conference of Bishops; Ashley Harris, United Ways of Texas; Susana Carranza; Francesca Leahy; Thomas Parkinson)

Against — Jennifer Toon

On — Lauren Rose, Texas Network of Youth Services; (*Registered, but did not testify*: Sarah Abrahams, Erica Banuelos, Marta Talbert, DFPS; Eric Marin, TEA)

DIGEST: CSHB 16 would amend and revise provisions related to judicial proceedings under the Juvenile Justice Code. The bill also would add new provisions related to the following:

- a community-based diversion and intervention plan;
- community reinvestment funds;

- incentive funding for community-based diversion and intervention; and
- a credit toward a child's minimum length of stay.

**Detention hearings.** CSHB 16 would add provisions related to the procedure for detention hearings.

The bill would require the court, at the conclusion of the detention hearing, to refer the child to the Department of Family and Protective Services (DFPS) for early youth intervention services if the child was not released from detention due solely to a finding that:

- suitable supervision, care, or protection for the child was not being provided by a parent, guardian, custodian, or other person; or
- the child had no parent, guardian, custodian, or other person able to return the child to the court when required.

On receipt of such referral, DFPS would be required to conduct an early youth intervention services review no later than 72 hours, excluding weekends and holidays, after the conclusion of the detention hearing and to submit the review to the court.

The bill would require a court that referred a child to DFPS to consider the youth intervention services review as soon as practicable after receipt of the review and to release the child, if appropriate, no later than the 10th working day after the date of the conclusion of the hearing.

**Waiver of jurisdiction and discretionary transfer to criminal court.** CSHB 16 would add a provision relating to the procedure by which a juvenile court could waive its exclusive jurisdiction and transfer a child to a district court or criminal district court for criminal proceedings. The bill would establish a presumption, within a hearing to consider the discretionary transfer of a child to another court, that it was in the best interest of the child and of justice that the juvenile court retain jurisdiction over the child. The burden would be on the state to overcome this presumption.

CSHB 16 would require that certain components be added to the statement of reason provided by a juvenile court that waived its jurisdiction. The bill would require the statement of reason to:

- include sufficient specificity to permit meaningful review;
- provide case-specific findings of fact that do not rely solely on the nature or seriousness of the offense; and
- refer to relevant mitigating evidence.

Mitigating evidence would be defined as evidence or information that was used to assess the growth, culpability, and maturity of a child and took into consideration the diminished culpability of juveniles, as compared to that of adults, the hallmark features of youth, and the greater capacity of juveniles for change, as compared to that of adults.

**Disposition hearings.** During a disposition hearing, CSHB 16 would require that no disposition be made unless the court had first considered mitigating evidence of the child's circumstances.

**Special commitment to Texas Juvenile Justice Department.** The bill would authorize the court to consider mitigating evidence of the child's circumstances before making a special commitment finding that the child had behavioral health or other special needs that could not be met with the resources available in the community.

**Hearing to modify disposition.** CSHB 16 would add a provision relating to the procedure by which a court would modify a disposition so as to commit a child to the Texas Juvenile Justice Department (TJJD). Before committing a child to TJJD, the bill would require the court to make a special commitment finding.

**Sanction level six.** CSHB 16 would authorize TJJD to reduce the duration of the period in which a child who committed certain high level felonies (sanction level six) was required to participate in a highly structured residential program. TJJD would be required to document the reason for such a reduction.

The bill would also remove the option for courts to commit a child to a post-adjudication facility. This provision would not apply to a child currently committed to a post-adjudication correctional facility under the statutes currently in effect.

**Early youth intervention services.** Rather than authorize DFPS to provide early youth intervention services to an at-risk child, CSHB 16 would require DFPS to provide such services. The bill would raise the maximum age at which a child could be eligible for such services from 10 to 13 years old. The bill also would remove the requirement that a county be contracted with DFPS in order for services to be provided.

The bill would repeal a provision prohibiting DFPS from providing early youth intervention services to a child who had been referred to juvenile court for violating a felony-grade state law or had been found to have engaged in delinquent conduct.

**Community-based diversion and intervention plan.** CSHB 16 would require TJJD to develop, and the Juvenile Justice Board to adopt, a strategic diversion and intervention plan to establish a network of community-based programs and services within defined geographic regions of Texas for the purposes of rehabilitating and keeping children closer to home rather than placing children in post-adjudication secure correctional facilities. The bill would required the plan to develop or update the inventory of community-based programs and services provided by local juvenile justice organizations and community-based organizations that serve juveniles.

The plan also would be required to create an intercept map that identified and plotted certain data within the juvenile justice system as well as the following:

- describe barriers to securing rehabilitative and programmatic mental health and therapeutic treatment service providers in rural, multicounty, and regional jurisdictions;
- identify ways in which research-validated initial risk assessments could utilized to connect resources with risk and protective factors

identified in the assessments to create individualized diversion plans;

- highlight state and national models for community-based collaborations and cross-system partnerships for assessments and referrals of juveniles in need of certain mental health and substance use services;
- develop a model memorandum of understanding and provider contract for community-based programs and services;
- describe and track the dispositional impact of the variability of diversionary community-based programs and services on court decisions to detain children in post-adjudication secure correctional facilities;
- identify effective strategies for leveraging community resources and strengths to divert children from placement in post-adjudication secure correctional facilities;
- include a description of various community-based programs and services that promote and incorporate trauma-informed services, equity- and culturally responsive services, gender-specific services, family involvement, wraparound services, and services that promote rehabilitative juvenile services through a therapeutic perspective; and
- examine any other issue pertaining to juvenile justice service providers and community-based infrastructure in Texas.

The Juvenile Justice Board would also be required to appoint a task force, in collaboration with the department's regionalization division to consult with the department in developing the plan. The task force would be composed of certain designated individuals. CSHB 16 would require TJJD to submit a copy of the plan to each member of the Legislature no later than December 1, 2024.

**Community reinvestment fund**. CSHB 16 would require each county to establish a community reinvestment fund. The juvenile board or juvenile probation department of the county would be required to partner with research-based service providers in the community to use money in the fund to provide services as an alternative to juvenile detention for youth. Such services could including mentoring, behavioral or mental health

services, financial or housing assistance, job training, educational services, and after school-activities. The fund could be funded by the county, surplus TJJD funds, or gifts, grants, and donations.

**Incentive funding for community-based diversion and intervention.** The Legislature would be authorized to establish a special account in the general revenue fund to supplement local funds and encourage efficiencies in the formation of a network of community-based services throughout the state while generating savings by decreasing the number of post-adjudication correctional facilities.

TJJD would be required to use the money in the account to initiate and support the implementation of the strategic community-based diversion and intervention plan. The bill would require TJJD to develop discretionary grant funding protocols based on documented, data-driven, and research-based practices.

A region would be eligible to receive funding from TJJD only if the region met the performance standards established by TJJD and created available contracts for community-based programs and services. This funding would be authorized in addition to the reimbursements allocated by the TJJD under the regionalization plan.

TJJD would be required to prepare a report that:

- outlined the amount of funds distributed as incentive for the specific strategies program, and services implemented as part of the community-based diversion and intervention plan;
- defined efficiencies of scale in measurable terms;
- proposed a payment schedule for distributing funds under the special account;
- established a method for the documentation and reporting of fund distributions.

CSHB 16 would require TJJD to submit a copy of the report to each member of the Legislature no later than December 1, 2024.

**Minimum length of stay**. CSHB 16 would add a requirement regarding the minimum length of stay for each child committed to TJJD without a determinate sentence.

The bill would require the department to give credit toward the minimum length of stay established for the child for time spent in a pre-adjudication secure detention facility after commitment but before the child's transfer to TJJD.

The bill would take effect September 1, 2023, and the provisions relating to juvenile court proceedings would apply only to a hearing that occurred on or after that date.

SUPPORTERS SAY:

CSHB 16 would enhance the juvenile court system's ability to divert youth away from confinement in TJJD facilities. Since its inception, TJJD has experienced instability and intermittent crises that have affected the agency's ability to effectively treat and rehabilitate youth. This instability also has prevented the agency from focusing on reforms intended to keep youth closer to home. Treating youth locally, within their communities is believed to provide greater opportunities for rehabilitation than confining youth in overburdened and understaffed facilities in rural areas across the state. CSHB 16 would establish processes in the juvenile court system reflecting the understanding that community-based services and local interventions are the most appropriate setting for rehabilitating youth. By increasing court involvement in the juvenile justice process, establishing stricter standards for detention, and creating a presumption that a juvenile facility is the last resort, CSHB 16 would ensure that fewer juveniles are committed to TJJD, providing more opportunities for youth to be treated in their communities.

The bill also would ensure that the juvenile justice system was engaging community resources effectively. To appropriately treat and rehabilitate youth at the local level, the juvenile justice system requires community infrastructure that engages a network of stakeholders and service providers. By requiring TJJD to adopt a diversion and intervention plan and counties to establish funds for community-based interventions, CSHB 16 would ensure that the juvenile justice system is properly equipped with the information and resources needed to rehabilitate youth locally.

By increasing collaboration between TJJD and DFPS, CSHB 16 would provide opportunities for the entire family system to access rehabilitation services. Recognizing that youth involved in the justice system could benefit from wraparound services involving family, CSHB 16 would allow DFPS to provide early youth intervention services, including crisis family intervention and parent counseling, to certain youth and their families.

By increasing opportunities for courts to divert youth from TJJD commitment, CSHB 16 could save the state money, as community supervision of youth costs less than confinement. Additionally, the bill could save taxpayer dollars due to the long-term savings associated with better rehabilitation outcomes. Treating youth closer to home can reduce recidivism, which could result in fewer arrests and reduced incarceration. Further, youth who are rehabilitated could be more likely to obtain employment and contribute to the economy in the future.

CRITICS SAY:

CSHB 16 would not go far enough to transform the juvenile justice system. While CSHB 16 would rightly prioritize local treatment and interventions over TJJD commitment, reforms also should include the closure of the five remaining TJJD facilities, as an incarceration-based system should not be used for treatment and rehabilitation.

OTHER CRITICS SAY:

While the juvenile justice system should focus on keeping youth close to home, CSHB 16 may not have the consequences it intends. The early youth intervention services and community based providers identified in the bill may not be adequately structured, equipped, or funded to serve the high-risk youth population that would be referred to them. CSHB 16 should focus more on funding and developing the community resources that would be intended to support justice-involved youth.

NOTES:

According to estimates by the Legislative Budget Board, the bill would have a negative impact of $3,919,184 in general revenue related funds in fiscal 2024-25.

SUBJECT: Repealing expiration date for certain virtual remote learning provisions

COMMITTEE: Public Education — favorable, without amendment

VOTE: 11 ayes — Buckley, Allison, Cunningham, Cody Harris, Harrison, Hefner, Hinojosa, K. King, Longoria, Schaefer, Talarico

1 nay — Allen

1 absent — Dutton

WITNESSES: For — Justin Terry, Forney ISD (*Registered, but did not testify*: Amanda List, AList Consulting; Julia Grizzard, Bexar County Education Coalition; Gavin Massingill, Imagine Learning; Bob Popinski, Raise Your Hand Texas; Harold Oliver, Shulman Lopez Hoffer Adelstein; Barry Haenisch, Texas Association of Community Schools; Amy Beneski, Texas Association of School Administrators; Whitney Broughton, Texas Association of School Boards; Matthew Russell, Texas Computer Education Association; Gray Rutledge, Texas Conservative Coalition Research Institute; Suzi Kennon, Texas PTA; Christy Rome, Texas School Coalition; Amy Bruno, Upbring; Virginia Gustin; Kathryn Kizer; Eve Margolis; Jordan Preddy; Brittany Trinite;)

Against —Alice Linahan, Women On The Wall; Lynn Davenport; Ginger Russell (*Registered, but did not testify*: Meg Bakich; Terri Koen; Mary Lowe)

On —Tricia Cave, Association of Texas Professional Educators; Ryan Franklin, Educate Texas; Andrew Benscoter, Trinity Charter and Upbring; Jacob Butler; Amy Pasierb (*Registered, but did not testify*: Becky Calahan, Philanthropy Advocates; Alejandro Pena, Texas AFT; Andrea Chevalier, Texas Council of Administrators of Special Education (TCASE); Emily Garcia, Eric Marin, Monica Martinez, Jessica McLoughlin, Marian Schutte, James Terry, Texas Education Agency; Carrie Griffith, Texas State Teachers Association)

DIGEST:

HB 681 would repeal the September 1, 2023, expiration date from sections of the Education Code pertaining to:

- allowing a candidate for certification as a teacher to satisfy certification requirements through an internship that provided the candidate employment as a teacher for local remote learning program courses;
- attendance exemptions for students participating in one or more courses offered by a local remote learning program;
- counting the time a student participated in an off-campus electronic instruction program as part of the student's minimum number of instructional hours to be considered a full-time student;
- the authority of certain districts or schools to operate a local remote learning program;
- the evaluation by the education commissioner of the performance of a district or school that operated a full-time local remote learning program;
- performance indicators for reporting poses for certain students enrolled in a local remote learning program or who received remote instruction;
- excluding certain students who received virtual or remote instruction from being counted by a district or school for purposes of calculating the district's or school's average daily attendance;
- off-campus courses or programs counted for purposes of average daily attendance;
- and the establishment of an asynchronous progression funding method to be used to determine certain districts' foundation school program entitlements.

The bill also would remove the restriction for school districts and charter schools to calculate virtual and remote learning enrollment only for the 2021-2022 and 2022-2023 school years.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect August 31, 2023.

SUPPORTERS SAY:

HB 681 would expand access to the virtual remote learning courses which have been helpful to students in recent years. Due to the COVID-19 pandemic, school districts throughout Texas have developed virtual and remote learning capabilities. While virtual remote learning may not best for every student, the bill would give more students the option to learn in a manner that best suited them, which could be especially important for students in underserved communities or students with disabilities. The bill would not make students more vulnerable to data collection since the virtual education would be conducted by each district and any contracted services would not collect data differently than other websites.

CRITICS SAY:

HB 681 could lead to a reduction in instructional quality for students who would no longer participate in in-person instruction. By expanding access to virtual remote learning courses, the bill could introduce a greater risk of data collection being performed on students in the state.

SUBJECT: Requiring school districts to adopt policies addressing complaints

COMMITTEE: Public Education — committee substitute recommended

VOTE: 12 ayes — Buckley, Allen, Cunningham, Dutton, Cody Harris, Harrison, Hefner, Hinojosa, K. King, Longoria, Schaefer, Talarico

0 nays

1 absent — Allison

WITNESSES: For — Lee Spiller, Citizens Commission on Human Rights; Carrie Moore, Texas Education 911 (*Registered, but did not testify*: Tricia Cave, ATPE - Association of Texas Professional Educators; Steven Aleman, Disability Rights Texas; Grover Campbell, TASB; Barry Haenisch, Texas Association of Community Schools; Casey McCreary, Texas Association of School Administrators; Paige Williams, Texas Classroom Teachers Association; Mark Terry, Texas Elementary Principals and Supervisors Association; Meg Aerni, Texas Home School Coalition; Matthew McCormick, Texas Public Policy Foundation; Jonathan Covey, Texas Values)

Against — (*Registered, but did not testify*: Susan Stewart)

On — (*Registered, but did not testify*: Eric Marin, Marc Puig, Von Byer, Texas Education Agency)

DIGEST: CSHB 890 would require school districts to adopt policies related to the processing of complaints received from a school district employee, parent, student, or member of the public. Under the bill, school district policies would be required to:

- allow a complaint to be filed at any time, regardless of when the issue of concern occurred, if the complaint alleged a violation of law or board policy that was continuous or ongoing;

- unless otherwise prohibited by law, include an initial administrative hearing and an opportunity to appeal the administrative decision following the initial hearing;
- unless otherwise agreed to by the parties, provide for a final decision on the complaint within 120 calendar days after the date the complaint was filed; and
- if a final decision was not made by the 120th calendar day, require the district to immediately issue a final decision in favor of the complainant.

School boards would be required to adopt the policies required in the bill as soon as practicable after the effective date.

The bill would be effective September 1, 2023.

SUPPORTERS SAY:

CSHB 890 would ensure complaints received by school districts were addressed within a timely manner. Currently individuals that file a complaint with a school district do not necessarily receive information as to when the complaint will be reviewed and when the district will make a final decision regarding the issue. In some cases complaints have lingered until the issue was rendered moot by a student graduating or a teacher retiring.

Requiring districts to put policies in place that lead to a board decision on or before the 120th day would provide complainants with awareness of the process timeline and a target date by which they could expect a decision from the board. The required policy would affirm due process requirements and improve board responsiveness.

CRITICS SAY:

No concerns identified.

SUBJECT: Providing accelerated and supplemental instruction for certain students

COMMITTEE: Public Education — committee substitute recommended

VOTE: 12 ayes — Buckley, Allen, Cunningham, Dutton, Cody Harris, Harrison, Hefner, Hinojosa, K. King, Longoria, Schaefer, Talarico

0 nays

1 absent — Allison

WITNESSES: For — Sharla Horton-Williams, Commit Partnership; Andrea Chevalier, Texas Council of Administrators of Special Education; Bryce Adams, Texas Public Charter Schools Association; Dee Carney, Texas School Alliance (*Registered, but did not testify*: Amanda List, AList Consulting; Tricia Cave, Association of Texas Professional Educators; Julia Grizzard, Bexar County Education Coalition; Michelle Wittenburg, Good Reason Houston; Grover Campbell, TASB; Barry Haenisch, Texas Association of Community Schools; Casey McCreary, Texas Association of School Administrators; Paige Williams, Texas Classroom Teachers Association; Mark Terry, Texas Elementary Principals and Supervisors Association; Suzi Kennon, Texas PTA)

Against — Daniel Dawer, Texas Legislative Education Equity Coalition (*Registered, but did not testify*: Jennifer Drabbant; Susan Stewart)

On — Mary Lynn Pruneda, Texas 2036; Andrew Hodge, Texas Education Agency; Zenobia Joseph (*Registered, but did not testify*: Steven Aleman, Disability Rights Texas; Eric Marin, Justin Porter, TEA; Carrie Moore, Texas Education 911; Von Byer, Kristin McGuire, Colby Self, Iris Tian, Texas Education Agency; Daniel Dawer, TLEEC)

BACKGROUND: Sec. 28.0211 of the Education Code requires a school district to establish an accelerated learning committee for each student who does not perform satisfactorily on the third, fifth, or eighth grade mathematics or readings assessment instruments. The school district is required to provide accelerated instruction to a student in the applicable subject area during

the subsequent summer or school year each time a student fails to perform satisfactorily on an assessment instrument in grades 3 through 8. Additionally, the district must either:

- allow the student to be assigned a classroom teacher who is certified as a master, exemplary, or recognized teacher for the subsequent school year in the applicable subject area; or
- provide the student supplemental instruction.

DIGEST:

CSHB 1416 would amend Education Code provisions regarding accelerated and supplemental instruction for struggling students by reducing the required minimum instruction hours, allowing a parental opt-out for such instruction, and repealing certain sections of statute, among other provisions.

**Accelerated instruction**. CSHB 1416 would amend the requirement for a district to provide applicable accelerated instruction for students who failed to perform satisfactorily on certain an end-of course assessment instruments.

The bill would require a school district to allow a student to be assigned a qualified teacher or be provided supplemental instruction each time the student failed to perform satisfactorily on a mathematics or reading assessment instrument or the English I, English II, or Algebra I end-of-course assessment instrument.

These requirements would not apply to a student who was retained in a grade for the school year in which those requirements would otherwise apply.

A school district that was required to provide accelerated or supplemental instruction to a student would not be required to provide additional instruction to the student based on the student's failure to perform satisfactorily on an optional assessment instrument in the same subject area in which the district was required to provide accelerated or supplemental instruction.

**Supplemental instruction.** The bill would amend the hours of supplemental instruction required to be provided from no less than 30 hours to no less than 15 hours during the subsequent summer or school year. The bill would authorize the Texas Education Agency (TEA) commissioner to make exceptions to account for school holidays or shortened weeks to the requirement that instruction be provided no less than once per week during the school year. The bill would require supplemental instruction to be provided individually to a student or in groups of no more than five students below grade 9 or ten students in grade 9 and above.

The bill would allow a parent or guardian of a student who would be provided supplemental instruction to elect to reduce or remove a requirement for that instruction or for the student's accelerated education plan by submitting a written request to an administrator at the student's school. A school district would be prohibited from encouraging or directing a parent or guardian to make such an election.

The bill would require the TEA to approve an automated, computerized, or otherwise augmented method for providing supplemental instruction that could be used in lieu of individual or group instruction. The bill would allow TEA to approve such a method only if evidence indicated that the method was more effective than individual or group instruction.

**Accelerated education plan.** CSHB 1416 would require a school district to develop an accelerated education plan for each student who did not perform satisfactorily on an assessment instrument for two or more consecutive school years in the same subject area. The bill would require an accelerated education plan to identify the reason the student did not perform satisfactorily and to require the student to be provided with no less than 30 hours of supplemental instruction for each consecutive school year in which the student did not perform satisfactorily. The plan could require that:

- the student be provided individual or group supplemental instruction;
- the district expand the times in which supplemental instruction would be available to the student;

- the student be assigned to a specific teacher who was better able to provide accelerated instruction for the school year; and
- the district provide any necessary additional resources to the student.

The bill would remove the requirement for the district to administer to the student the assessment instrument for the grade level in which the student was placed at the time the district regularly administered the assessment instruments for that school year.

**Other provisions.** The bill would require the admission, review, and dismissal (ARD) committee of a special education student who did not perform satisfactorily on an assessment instrument to, at the student's next annual review meeting, review the student's participation and progress in accelerated or supplemental instruction or an accelerated education plan. The student's parent could request, or the district could schedule, an additional ARD committee meeting if a committee member believed that the student's individualized education program needed to be modified. The district would be required to provide a written explanation to the parent if it refused to convene a requested committee meeting.

If a student attended school in a homebound or other off-campus arrangement, the bill would allow a school district to determine that a student be provided accelerated instruction when the student attended school in an on-campus setting. If the student could not attend on-campus instruction for the school year during which the accelerated instruction was required, the district would not be required to provide the student accelerated instruction for that school year.

The bill would establish that a school district or charter school was not required to provide transportation to accelerated programs that occurred outside regular school hours if that district or school did not operate, or contract or agree with another entity to operate, a transportation system.

The bill would repeal sections of the Education Code pertaining to accelerated learning committees, certain grade 5 through 8 assessment instruments, and accelerated instruction for high school students. The

repeal of sec. 28.0217, regarding accelerated instruction for high school students, would apply beginning with the 2023-24 school year.

The bill would make conforming language changes throughout.

The changes in law made by the bill would apply beginning with assessment instruments administered during the 2023 spring semester.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2023.

SUPPORTERS SAY:

By revising requirements related to accelerated instruction, CSHB 1416 would help to reduce certain managerial responsibilities for schools while providing more flexibility to districts and supplemental instruction teachers. Many school districts have reported struggling to implement legislation passed during the 87th regular legislative session related to accelerated instruction, including challenges meeting requirements and staffing concerns. The bill would address these challenges and make much needed improvements to the current supplemental and accelerated instruction approaches to better serve struggling students by expanding access to more effective tutoring. In addition to offering more flexibility by lowering the number of required instructional hours, CSHB 1416 also would focus on the most important subject areas, reading and math. The bill also would increase parental control by authorizing parental opt-outs for accelerated learning requirements.

CRITICS SAY:

CSHB 1416 may not do enough to reduce teacher workloads. Many former teachers have identified supplemental instruction requirements as reasons that they left the profession. Although the bill would reduce the required supplemental instruction hours, this amount could still be too high. The bill may not create the necessary conditions for tutoring to be successful.

SUBJECT: Prohibiting certain sexually relevant material from public school libraries

COMMITTEE: Public Education — committee substitute recommended

VOTE: 10 ayes — Buckley, Allen, Allison, Cunningham, Dutton, Cody Harris, Harrison, Hefner, K. King, Longoria

2 nays — Hinojosa, Talarico

1 absent — Schaefer

WITNESSES: For —Cindy Najera, CCDF USA - Travis County; Misty Wamhoff, Families 4 Frisco; Chris Dundas, Dorothy Dundas, House of Accord; Kevin Whitt, Mass Resistance; Tracy Knudsen, Tara Petsch, Moms For Liberty-Texas Gillespie Co; Brandon Burden, North Texas Conservatives; Kelly Neidert, Protect Texas Kids; Christin Bentley, Republican Party of Texas; Cindi Castilla, Texas Eagle Forum; Diana Richards, Texas Education 911; Laura Davis, Texas Parents United PAC; Jonathan Covey, Texas Values; Mary E Castle, Texas Values Action; and 31 individuals. (*Registered, but did not testify*: Melinda Miller, CCDF USA - Travis County; Molly Sprenger, Libertforkids; Jill Glover, Republican Party of Texas; Karen Marshall, State Republican Executive Committee; Barry Haenisch, Texas Association of Community Schools; Casey McCreary, Texas Association of School Administrators; Whitney Broughton, Texas Association of School Boards; Mark Terry, Texas Elementary Principals and Supervisors Association; Beverly Roberts, Texas Mass Resistance, Houston Area Pastor Council, Texas Federation of Republican Women; Erin Valdez, Texas Public Policy Foundation; Sheila Hemphill, Texas Right To Know; Dee Carney, Texas School Alliance; Peyton LaBauve, Texas Young Republican Federation; Derrick Wilson, Texas Young Republicans; Tom Nobis, The Republican Party of Texas; Jennifer Allmon, The Texas Catholic Conference of Bishops; Fran Rhodes, True Texas Project; Joshua Medeiros, Young Conservative Federation; and 35 individuals)

Against —Brian Klosterboer, ACLU of Texas; Daniel Dawer, Educators in Solidarity; Chloe Goodman, Equality Texas; and 16 individuals

(*Registered, but did not testify*: Kathryn Kizer, Access Education RRISD; Nicole Kralj, Association of American Publishers; Nora Gustafson, Bluebrows Handmade; Maggie Stern, Children's Defense Fund - Texas; Katya Ehresman, Common Cause Texas; Ricardo Martinez, Equality Texas; Jaime Puente, Every Texan; Michael Siegel, Ground Game Texas; Paige Duggins-Clay, IDRA; Deirdre Walsh, In Good Company Inc.; Chloe Latham Sikes, Intercultural Development Research Association; Mary Cullinane, League of Women Voters of Texas; Lesley Rivas, Mexican American School Boards Association; Amber Mills, MOVE Texas Action; Marilyse Figueroa, Out Youth; Christine Broughal, Mara LaViola, Texans for Special Education Reform; Emily Amps, Texas AFL-CIO; Alejandro Pena, Texas American Federation of Teachers; Amanda Afifi, Texas Association of School Psychologists; Carisa Lopez, Texas Freedom Network; Carrie Griffith, Texas State Teachers Association; Cynthia Van Maanen, Travis County Democratic Party; Samantha Brown, United Way for Greater Austin; Nicole Ma, Quynh-Huong Nguyen, Steven Wu, Woori Juntos; and 79 individuals)

On — Wesley Cunningham, Frisco ISD; Lucy Podmore, Mary Woodard, Texas Library Association (*Registered, but did not testify*: Eric Marin, TEA; Monica Martinez, Texas Education Agency; Gloria Meraz, Texas State Library and Archives Commission; Laura Unnasch)

BACKGROUND: Penal Code sec. 43.21 defines "patently offensive" as something so offensive on its face as to affront current community standards of decency.

Sec. 43.24 defines "harmful material" as material whose dominant theme taken as a whole:

- appeals to the prurient interest of a minor, in sex, nudity, or excretion;
- is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors; and
- is utterly without redeeming social value for minors.

Sec. 43.25 defines “sexual conduct” as sexual contact, actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality,

masturbation, sado-masochistic abuse, or lewd exhibition of the genitals, the anus, or any portion of the female breast below the top of the areola.

Education Code sec. 33.021 establishes that the Texas State Library and Archives Commission (TSLAC), in consultation with the State Board of Education must adopt standards for school library services that a school district is required to consider in developing, implementing, or expanding library services.

DIGEST:

CSHB 900 would make amendments to the authority of the Texas State Library and Archives Commission, the requirements of school library vendors, and the definitions of what is considered sexually relevant or sexually explicit material. The bill would also create requirements for the Texas Education Agency (TEA) and local school districts regarding their enforcement of these provisions.

**Definitions.** CSHB 900 would define "sexually explicit material" as any communication, language, or material, including a written description, illustration, photographic image, video image, or audio file, other than library material directly related to kindergarten through twelfth grade curriculum, that described, depicted, or portrayed sexual conduct in a way that was patently offensive.

The bill would define "sexually relevant material" as any communication, language, or material, including a written description, illustration, photographic image, video image, or audio file, other than library material directly related to kindergarten through twelfth grade curriculum, that described, depicted, or portrayed sexual conduct.

The bill would define a "library material vendor" to include any entity that sold library materials to a public primary or secondary school in Texas.

**Library standards.** CSHB 900 would amend the Education Code, requiring the Texas State Library and Archives Commission, in consultation with the State Board of Education, to adopt voluntary standards for school library services, other than collection development, for a school to consider in developing, implementing, or expanding library services.

The bill would require TSLAC, with approval by majority vote of the State Board of Education, to adopt standards for school library collection development that a school district would adhere to in developing or implementing the district's library collection development policies. The standards would be reviewed and updated annually and include a collection development policy that:

- prohibited the possession, acquisition, and purchase of harmful material, library material rated sexually explicit material by the selling library material vendor, or library material that was pervasively vulgar or educationally unsuitable as established in constitutional precedent;
- recognized that obscene content was not protected by the First Amendment;
- was required for all library materials available for use or display, including material contained in school libraries, classroom libraries, and online categories;
- recognized that parents were the primary decision makers regarding a student's access to library material;
- encouraged schools to provide library catalog transparency; and
- recommended schools communicate effectively with parents regarding collection development.

**Ratings required.** The bill would prohibit a library material vendor from selling library materials to a district or school unless the vendor had issued appropriate ratings regarding sexually explicit material and sexually relevant material previously sold to a district or school. A vendor could not sell library material rated sexually explicit material and would issue a recall for all copies sold to a district or school that was rated sexually explicit and in active use by the district or school.

No later than September 1, 2023, the bill would require each vendor to develop and submit to TEA a list of library material rated sexually explicit or sexually relevant sold by the vendor to a district or school before that date and still in active use by the district or school. No later than September 1 of each year, each vendor would be required to submit to

TEA an updated list of such library materials sold during the preceding year and still in active use by a district or school. The bill would require TEA to post each list in a conspicuous place on the agency's website.

**TEA review and school/staff liability.** The bill would allow TEA to review library material sold by a vendor that was not rated or incorrectly rated by the vendor as sexually explicit material, sexually relevant material, or no rating. TEA would be required to provide written notice to the vendor if the agency determined the library material was required to be rated as sexually explicit or sexually relevant. The notice would include information regarding the vendor's rating duty and provide the corrected rating required for the library material. No later than the 60th day after the date the vendor received notice regarding such material, the vendor would be required to rate the library material according to the TEA-corrected rating and notify TEA of the updated rating.

TEA would be required to post and maintain a list of vendors who failed to update the rating and notify TEA on its website. The bill would prohibit a district or school from purchasing library material from a vendor on the list. A vendor on the list could petition TEA for removal from the list. TEA could remove the vendor from the list only if TEA was satisfied that the vendor had taken appropriate actions to update the rating and notify TEA.

The bill would establish that a district or school or a teacher, librarian, or other staff member of a school or district would not be liable for any claim or damage resulting from a vendor's violation of the bill's provisions.

**Review and reporting of library materials.** No later than August 1 of every even-numbered year, CSHB 900 would require each district and charter school to:

- review the content of each library material in the catalog of a district or school library that was rated as sexually relevant material by the vendor;
- determine in accordance with the district's or school's approval, review, and reconsideration of library materials policies whether to

retain each reviewed library material in the school library catalog; and

- either conspicuously post a report on the district or school website or provide physical copies of the report at the district's or school's central administrative building.

The bill would require the report to include the title of each relevant reviewed library material, the district's or school's decision regarding the library material, and the school or campus where the library material was located.

**Parental consent.** The bill would prohibit a district or school from allowing a student to reserve, check out, or otherwise use outside the school library any library material the vendor had rated as sexually relevant material unless the district or school first obtained consent from the student's parent or guardian.

**Other provisions.** The bill would require each library material vendor to submit the required initial list no later than October 1, 2023. The bill also would require each school district and charter school to conduct the initial content review and submit the required initial report no later than August 1, 2024.

The changes in law made by the bill would apply beginning with the 2023-2024 school year.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2023.

SUPPORTERS SAY:

CSHB 900 would make necessary changes to school libraries protect students from inappropriate sexual material. While freedom of speech should be protected, obscenity is not protected by the First Amendment, and obscene materials do not belong in school libraries. Current statutory definitions of harmful and offensive materials fail to create appropriate guidelines for schools and have led to many inappropriate books being left on school library shelves. Many school boards have not been responsive to the wishes of parents to protect their children from sexually

inappropriate library materials. By requiring parental consent for students' to check out certain library materials, the bill would improve parental control and consent over what children had access to at school.

The bill would not unduly punish schools as the enforcement impetus would largely be placed on the vendors who supplied the materials, who would in turn have ample recourse to petition a TEA decision. The bill would not discriminate against any particular group since the books eligible to be removed under the bill have been written by people of varied backgrounds and were not selected on that basis.

CRITICS SAY:

CSHB 900 would not adequately define the content in books that would make them eligible for removal and could unintentionally prohibit books that would not normally be considered objectionable. The bill could create impractical bureaucracy for libraries and vendors by giving TEA authority over what constituted appropriate material and adding unnecessary responsibilities for vendors. Libraries that do not currently have the capacity to adequately adhere to every provision created by the bill would likely have to invest in new systems to conform. Decisions about what should constitute a library collection should primarily be made by schools and librarians themselves. Additionally, some could use the bill's requirements in a way that results in discrimination against marginalized communities.

NOTES:

According to the Legislative Budget Board, the cost to the state for the biennium would be $2,968,661 in general revenue related funds.

SUBJECT: Requiring TJJD to take custody of a person within a certain time period

COMMITTEE: Juvenile Justice & Family Issues — committee substitute recommended

VOTE: 8 ayes — Dutton, Lujan, Cook, J. Lopez, Martinez Fischer, Smithee, Talarico, Wu

1 nay — Leo-Wilson

WITNESSES: For — Laura Nodolf, Midland County District Attorney's Office (*Registered, but did not testify*: Adam Haynes, Conference of Urban Counties; Rick Thompson, County Judges and Commissioners Association of Texas; Rebekah Chenelle, Dallas County Commissioners Court; Jennifer Balido, Dallas County Criminal District Attorney John Creuzot; James Parnell, Dallas Police Association; Elisa M. Tamayo, El Paso County; Francis Nugent, Harris County Commissioners Court; Ray Hunt, HPOU; Dallas Reed, Texas Municipal Police Association)

Against — (*Registered, but did not testify*: William Carter)

On — Alycia Castillo, Texas Center for Justice and Equity; Sean Grove, Texas Juvenile Justice Department (*Registered, but did not testify*: Marc Bittner, Juvenile Probation Department, serving the counties of Blanco, Burnet, Gillespie, Llano, and San Saba)

DIGEST: CSHB 458 would require the Texas Juvenile Justice Department (TJJD) to accept custody of a person sentenced to commitment in TJJD within 30 days after the judge signed the disposition order. If TJJD did not take custody of a person within those 30 days, it would be required to compensate the county for the cost of detention for each day that the person remained detained in a county facility beyond the 30 day period. The compensation would be equal to the amount that TJJD would have incurred to detain the person for that period.

The bill also would require TJJD to give credit toward the child's minimum length of stay for time spent in a pre-adjudication secure

detention facility before transferring to TJJD beginning on the 31st day after the child was committed to TJJD.

The bill would take effect January 1, 2024.

SUPPORTERS SAY:

CSHB 458 would ensure that children sentenced to a TJJD rehabilitation program begin receiving services in a timely manner. Currently, there is no statutory deadline for TJJD to begin providing rehabilitative services. Some children spend months waiting in a county facility before TJJD accepts custody, and this time is not counted towards the sentence. The bill would ensure that children were receiving the services they needed instead of waiting in a county facility. CSHB 458 also would make the process fairer by requiring time spent in a pre-adjudication facility to count towards a child's minimum length of stay after 31 days. The bill would help children work towards rehabilitation and get back to a normal life.

CRITICS SAY:

CSHB 458 should include a provision that children who were currently on the transfer waitlist would be prioritized over children who were sentenced after the effective date of the bill.

NOTES:

According to the Legislative Budget Board, the fiscal implications of CSHB 485 could not be determined because the number of youth to be committed to TJJD and its capacity to take custody of youth pending admission is unknown.

SUBJECT: Changing parole eligibility for certain youthful offenders

COMMITTEE: Youth Health & Safety, Select — committee substitute recommended

VOTE: 6 ayes — S. Thompson, Hull, Allison, Dutton, A. Johnson, Lozano

0 nays

3 absent — Capriglione, T. King, Landgraf

WITNESSES: For — Michelle Munn, Larry Robinson, Epicenter; Nikki Pressley, Texas Public Policy Foundation; (*Registered, but did not testify*: Amanda List, AList Consulting; Dennis Borel, Coalition of Texans with Disabilities; Jolene Sanders Foster, Coalition of Texans with Disabilities; Justin Keener, Doug Deason; Paige Duggins-Clay, IDRA; Jennifer Toon, Lioness Justice Impacted Women's Alliance; Elizabeth Henneke, Lone Star Justice Alliance; Rebecca Fowler, Mental Health America of Greater Houston; Lyssette Galvan, NAMI Texas; Martin Martinez, Texas Appleseed; Alycia Castillo, Texas Center for Justice and Equity; James Slattery, Texas Civil Rights Project; Christine Busse, The National Association Of Social Workers - Texas Chapter; Jennifer Allmon, The Texas Catholic Conference of Bishops; Ashley Harris, United Ways of Texas; Susana Carranza; Francesca Leahy)

Against — (*Registered, but did not testify*: James Parnell, Dallas Police Association; Ray Hunt, Houston Police Officer's Union; Mitch Landry, Texas Municipal Police Association; Adam Cahn)

On — (*Registered, but did not testify*: Eric Marin, TEA; Bobby Lumpkin, Texas Dept. of Criminal Justice)

DIGEST: CSHB 213 would revise parole eligibility for an inmate serving a sentence for a felony committed when the individual was younger than 18 years old.

**Eligibility for parole.** An inmate who was under age 18 when the offense was committed would not be eligible for release on parole until the

inmate's actual calendar time served plus good conduct time equaled one-fourth of the sentence, or 15 years, whichever was less.

An inmate serving a life sentence for a capital felony would not be eligible for parole until the inmate's actual calendar time served, without consideration of good conduct time, equaled 20 years.

**Parole considerations for youthful offenders.** When determining whether to parole an inmate who was younger than 18, a parole panel would be required to assess the growth and maturity of the inmate and take the following into consideration:

- the diminished culpability of juveniles compared to adults;
- the hallmark features of youth; and
- the greater capacity of juveniles to change as compared to adults.

The parole board would be required to adopt a policy establishing factors for a parole panel to consider when reviewing parole for an inmate who was younger than 18 years old when the offense was committed, to ensure that the inmate was provided a meaningful opportunity for release. The bill would require the policy to:

- consider the age of the inmate at the time the offense was committed as a mitigating factor in favor of granting release on parole; and
- permit persons that knew the inmate prior to the time the inmate committed the offense, or were aware of the growth and maturity of the inmate after imprisonment, to submit statements regarding the inmate to the panel for consideration.

CSHB 213 would specify that the factors parole panels would consider for granting parole would not affect rights afforded to a victim, guardian of a victim, or close relative of a deceased victim under law, and would not create a legal cause of action.

**Jury instructions.** The bill would require the court, in the penalty phase of a trial of an eligible felony case or capital felony case in which the

punishment is to be assessed by the jury, to provide the jury with specific written instructions described in the bill regarding the conditions under which the defendant could earn early parole.

CSHB 213 would repeal sections of code made obsolete by changes included in the bill.

The bill would be effective September 1, 2023. Provisions related to jury instructions would apply to a defendant sentenced for an offense on or after the bill's effective date. Provisions related to parole eligibility for an inmate under age 18 when the offense was committed would apply to any inmate who was confined in a facility operated or under contract with the Texas Department of Criminal Justice on or after the bill's effective date, regardless of whether or not the offense for which the inmate was confined occurred before, on, or after that date.

SUPPORTERS SAY:

CSHB 213 would address the often harsh sentencing policies for individuals who committed serious crimes when they were younger than 18 years old by changing parole eligibility for those individuals. Currently, many juveniles who were tried as adults for capital and first-degree felonies are serving lengthy prison sentences and are ineligible for parole until late adulthood. By allowing for a “second look” for certain individuals, CSHB 213 could motivate eligible inmates to focus on rehabilitation as they would have an earlier opportunity to prove they merited a second chance.

CSHB 213 would make changes to the parole system that reflect current understandings of the unique qualities of youth as compared to adults. In recent years, courts have recognized advances in brain science indicating that youth are more impulsive, less likely to appreciate the consequences of their actions, and are more susceptible to peer-pressure than adults. Research also suggests that juveniles have a greater capacity for rehabilitation, a fact that has been recognized in other areas of the justice system but not in our parole system. Instead, being a youth offender is often considered a detriment in the parole process. CSHB 213 would ensure that parole boards considered the same factors that Texas courts have already created for assessing the culpability of young people.

CRITICS SAY:

By changing parole eligibility for individuals serving a sentence for crimes they committed when they were younger than 18, CSHB 213 would imply that 18 is the year in which one qualifies as an adult. This is not the case under state law, as a person qualifies as an adult at 17. If an individual was certified as an adult when they were younger than 18 years old, they should be required to serve the terms decided upon.

SUBJECT: Amending certain provisions regarding accounting certification.

COMMITTEE: Licensing & Administrative Procedures — committee substitute recommended

VOTE: 8 ayes — K. King, Walle, Goldman, Harless, Hernandez, T. King, Patterson, S. Thompson

0 nays

3 absent — Herrero, Schaefer, Shaheen

WITNESSES: For — (*Registered, but did not testify*: Kenneth Besserman, Texas Society of CPAs)

Against — None

On — William “Bill” Treacy, Texas State Board of Public Accountancy (*Registered, but did not testify*: Jerry Hill, TSBPA)

BACKGROUND: Under Business Organizations Code sec. 1.002, "corporation" means an entity governed as a corporation under Title 2 or 7. The term includes a for-profit corporation, nonprofit corporation, and professional corporation.

Under Occupations Code sec. 901.054(b), a Texas State Board of Public Accountancy (TSBPA) member who has served all or part of six consecutive years is not eligible for reappointment until the second anniversary of the expiration date of the member's most recent term.

Under Occupations Code sec. 901.255, certain education eligibility requirements apply to a CPA examination applicant who:

- was enrolled in an accounting program on September 1, 1994;
- notified the board not later than September 1, 1997, of the applicant's intent to take the examination;
- is enrolled in fewer than 12 semester hours in each semester that the applicant attends a college or university; and

- completes the accounting program not later than September 1, 2002.

Under Occupations Code sec. 901.304(a), for each CPA examination or reexamination, the Texas State Board of Public Accountancy (TSBPA) collects a fee set by TSBPA rule not to exceed the cost of administering the examination.

Under Occupations Code sec. 901.310(a), TSBPA awards conditional credit to a person who passes two or more subjects in a single CPA examination, takes each part of the examination for which the person is eligible, and attains a minimum grade of 50 percent on each part of the examination the person does not pass.

Under Occupations Code sec. 901.310(b), TSBPA awards credit to a person who attains a passing score on a subsequent examination if the person takes each part of the examination for which the person is eligible and attains a minimum grade of 50 percent on each part of the examination that the person does not pass.

Under Occupations Code sec. 901.310(c), TSBPA considers a person to have passed a CPA examination if the person received credit for each subject by receiving conditional credit after September 1, 1989, and passing the remaining subjects within the six consecutive examinations following the examination for which the person receives conditional credit.

Under Occupations Code sec. 901.355(a), the holder of a certificate, license, or degree authorizing the person to practice public accountancy in a foreign country may register with TSBPA as the holder of a certificate, license, or degree issued by the foreign country, if the board determines that the standards under which the applicant was certified or otherwise authorized to practice public accountancy were at least as high as Texas standards at the time that authority was granted.

Under Occupations Code sec. 901.355(b), to register as a foreign applicant with TSBPA, the person must pay a fee for issuance of a license and a processing fee in an amount set by TSBPA that does not exceed $250.

Under Occupations Code sec. 901.355(c), a registered as a foreign applicant may renew the registration in the manner provided for renewal of a license.

DIGEST:

CSHB 2217 would redefine "corporation" as it is defined in Business Organizations Code sec. 1.002 and remove specific inclusions relating to a professional public accounting corporation organized under the Texas Professional Corporation Act.

CSHB 2217 would remove the eligibility requirements established under Occupations Code sec. 901.255.

CSHB 2217 would amend Occupations Code sec. 901.304(a) to require TSBPA to collect from each applicant a fee set by TSBPA rule not to exceed the cost of administering the parts of the examination that the applicant is eligible to take.

Occupations Code sec. 901.310(c) would be amended to require TSBPA to consider a person to have passed an examination if the person received credit for each subject within the time prescribed by TSBPA.

Occupations Code sec. 901.355(a) would be amended to allow the holder of a public accountancy certificate, license, or degree from a foreign country who, on or before September 1, 2023, registered with TSBPA as the holder of the certificate, license, or degree to continue to practice in Texas under that registration for as long as the person stayed in compliance with TSBPA rules and certain provisions applicable to the person.

CSHB 2217 would allow for TSBPA to send electronically required notices of impending license expiration and the associated renewal fee amount to an individual’s last-known e-mail address.

CSHB 2217 would change "account-client privilege" to "account-client confidentiality."

CSHB 2217 would repeal Occupations Code, secs. 901.054(b), 901.255, 901.310(a) and (b), and 901.355(b) and (c).

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2023.

SUPPORTERS SAY:

CSHB 2217 would amend current law to better reflect modern methods regarding the exam for state certification in public accountancy, which have changed significantly since the Public Accountancy Act was last amended. For example, when referring to an accountant-client relationship, "privilege" would be replaced with "confidentiality," which would better reflect the current nature of client data and privacy rights. By allowing TSBPA to email individuals about license expiration, rather than requiring written notifications, CSHB 2217 could save the state money. Additionally, institutional knowledge could be strengthened by permitting the governor to appoint TSBPA members for consecutive terms. For accountants who were already authorized to practice based on certain certifications from foreign countries, burdensome license renewal would no longer be required. CSHB 2217 would streamline the examination process for state certification in public accountancy.

CRITICS SAY:

No concerns identified.

SUBJECT: Revising jury instructions in sentencing proceedings of capital cases

COMMITTEE: Criminal Jurisprudence — committee substitute recommended

VOTE: 9 ayes — Moody, Cook, Bhojani, Bowers, Darby, Harrison, Leach, C. Morales, Schatzline

0 nays

WITNESSES: For — Jennifer Allmon, Texas Catholic Conference of Bishops (*Registered, but did not testify*: Kevin Hale, Libertarian Party of Texas; Tom Glass, Lone Star Fully Informed Jury Association; John Litzler, Texas Baptists; Allen Place, Texas Criminal Defense Lawyers Association; Bee Moorhead, Texas Impact; and 6 individuals)

Against — (*Registered, but did not testify*: Elmer Beckworth)

On — Benjamin Wolff, Office of Capital and Forensic Writs (*Registered, but did not testify*: Joyce H)

BACKGROUND: Code of Criminal Procedure, art. 37.071 states that if a defendant is tried for a capital offense in which the state seeks the death penalty, the court must then conduct a separate sentencing trial to decide whether the defendant will receive the death penalty or life in prison without parole. After evidence has been presented in the sentencing trial, the court must present the following questions to the jury:

- whether there is a probability that the defendant would commit criminal acts of violence that would constitute a continuing threat to society; and
- for cases in which the jury found the defendant guilty as a party to an offense, whether or not the defendant actually caused a death, or didn't cause a death but intended to kill or anticipated that a human life would be taken.

The court must inform the jury that it may not answer either of the two questions "yes" unless the jury agrees unanimously and that the jury may not answer "no" unless 10 or more jurors agree.

If the jury answers "yes" to both questions, the court must ask the jury whether there are sufficient mitigating circumstances to warrant a sentence of life in prison without parole rather than the death penalty.

The court must instruct the jury that it may not answer the question regarding mitigating circumstances "no" unless the jury agrees unanimously and it may not answer "yes" unless 10 or more jurors agree.

Under sec. 2(a)(1), the court, the prosecutor, the defendant, and the defendant's counsel may not inform a juror or a prospective juror of the effect of the jury's failure to agree on the questions.

DIGEST:

CSHB 188 would require the court to inform the jury that unless a jury answered "yes" unanimously regarding questions about the continuing threat to society and the defendant's role as a party to an offense, the jury would be required to answer "no."

The bill also would require the court to inform the jury that unless a jury answered "no" unanimously to the question about mitigating circumstances, the jury would be required to answer "yes."

The bill would take effect September 1, 2023, and would apply only to criminal proceedings that began on or after that date.

SUPPORTERS SAY:

CSHB 188 would help to eliminate confusion among lawyers and juries by clarifying that a jury could only convict the defendant of the death penalty if the decision was unanimous. Current jury instructions suggest that a jury decision in a capital case requires a minimum number of jurors to agree on the decision. This can lead to jurors being persuaded to change their vote or thinking that their vote will not count unless they persuaded others. This also can result in jurors answering dishonestly based on their perception of possible outcomes. CSHB 188 would help jurors make informed decisions by making their instructions more clear.

CRITICS SAY:

CSHB could place additional burden on the state to prove that there were no mitigating circumstances in a capital case. Additionally, the potential challenges achieving a unanimous vote could discourage jury deliberation.

SUBJECT: Authorizing municipalities to lower the prima facie speed limit

COMMITTEE: Transportation — committee substitute recommended

VOTE: 11 ayes — Canales, Raney, Davis, Gámez, Caroline Harris, Lozano, Lujan, Ordaz, Patterson, Perez, Romero

0 nays

2 absent — Ashby, Landgraf

WITNESSES: For — Anne O'Ryan, AAA Texas; Kathy Sokolic, Central Texas Families for Safe Streets; Jay Crossley, Farm&City (*Registered, but did not testify*: Carissa Cox, American Planning Association - Texas Chapter; Brie Franco, City of Austin; Clifford Sparks, City of Dallas; Guadalupe Cuellar, City of El Paso; TJ Patterson, City of Fort Worth; Nadia Islam, City of San Antonio; David Crossley, Houston Tomorrow; Bill Kelly, Mayor's Office, City of Houston; Adrian Shelley, Public Citizen; Heyden Walker, Safe Streets Austin; Molly Cook, Stop TxDOT I-45; Monty Wynn, Texas Municipal League; Jason Sabo, Texas Public Interest Research Group; Kenneth Flippin, U.S. Green Building Council Texas Chapter; Lance Hamm, Vision Zero South Texas; Daniel Kavelman, Vision Zero Texas; Jody Blazek; Felicity Maxwell; Jennifer Szimanski)

Against —Terri Hall, Texas TURF, Texans for Toll-free Highways, Grassroots America-We the People; Fran Rhodes, True Texas Project; Rachel Hale, TX Eagle Forum; Don Dixon (*Registered, but did not testify*: Christina Drewry, Texas Freedom Coalition; Chris Drewry; Jack Finger; Tom Glass; Calvin Tillman)

On — (*Registered, but did not testify*: Thomas Parkinson)

BACKGROUND: Transportation Code sec. 545.356(b-1) authorizes the governing body of a municipality to lower the speed limit for a road in the municipality that is not an officially designated or marked highway or road of the state highway system to a speed of no less than 25 miles per hour if the body

determines that the prima facie speed limit on the road is unreasonable or unsafe.

DIGEST:

CSHB 2224 would revise Transportation Code sec. 545.356(b-1) to lower from 25 to 20 miles per hour the minimum speed limit a municipality could establish for roads that were not part of the state highway system.

If the street was located in a residence district, the municipality would not be required to perform an engineering or traffic investigation in order to lower the speed limit.

The bill would take effect September 1, 2023.

SUPPORTERS SAY:

CSHB 2224 would help to reduce traffic crashes and fatalities and improve safety on neighborhood streets by allowing cities to set a lower speed limit than is currently allowed for roads that are not part of the state highway system. Speed-related crashes in Texas have caused hundreds of deaths and thousands of serious injuries. Lowering speed limits has been shown to significantly improve chances of survival for pedestrians struck by vehicles. CSHB 2224 would align municipal authority involving speed limits with counties' current ability to enforce a speed limit of as low as 20 miles per hour in unincorporated areas.

The Transportation Code provides a clear statutory definition of residence districts, and while statute refers to all roads as 'highways,' CSHB 2224 is aimed at making neighborhood streets more safe for children and other pedestrians who live on them. Cities should be able to accomplish this goal by lowering speed limits without conducting burdensome studies for each separate street in a residential area. The bill is permissive and ensures local control by leaving the choice to lower speed limits up to elected city officials.

CRITICS SAY:

CSHB 2224 could give cities too much latitude to arbitrarily lower speed limits on certain streets. Because the bill does not clearly define what counts as a 'residence district,' traffic on highways with minimal residential development could be needlessly slowed. Since lowering speed limits for these roads would not require an engineering study or traffic

investigation, a city’s determination that a prima facie speed limit was unsafe could be based on opinion rather than substantial evidence.

SUBJECT: Requiring certain payments to count towards cost-sharing requirements

COMMITTEE: Health Care Reform, Select — committee substitute recommended

VOTE: 7 ayes — Harless, Howard, Bonnen, Frank, Klick, Price, Walle

0 nays

4 absent — Bucy, E. Morales, Oliverson, Rose

WITNESSES: For — Chase Bearden, J Canciglia, Coalition of Texans with Disabilities; JP Summers, Global Healthy Living Foundation; Kindyl Boyer, Infusion Access Foundation; Rachel Neyland, Shelley Clawson, Melissa Compton, Ryan Crowe, Julie Fredericksen Jones, Texas Bleeding Disorders Coalition; Ezequiel Silva, Texas Medical Association, Texas Radiological Association (*Registered, but did not testify*: James Gray, American Cancer Society Cancer Action Network; Joel Romo, American Diabetes Association; Anne Dunkelberg, Every Texan; Lindsay Lanagan, Legacy Community Health; Greg Hansch, National Alliance on Mental Illness TX; Shannon Meroney, National Association of Benefits & Insurance Professionals, formerly TAHU; Bonnie Bruce, Prism Health North Texas; Jessica Schleifer, Teaching Hospitals of Texas; Mia McCord, Texans for Affordable Health Care/American Coalition for Affordable Health Care; Shelby Tracy, Texas Association of Community Health Centers; David Reynolds, Texas Chapter American College of Physicians Services; Linda Litzinger, Texas Parent to Parent; Clayton Travis, Texas Pediatric Society; Duane Galligher, Texas Pharmacy Association; Gregg Knaupe, Texas Pharmacy Business Council; David Balat, Texas Public Policy Foundation; Kwame Walker, Texas Rare Alliance; Tiffany Patterson, United Ways of Texas)

Against — None

On — Jamie Dudensing, Texas Association of Health Plans (*Registered, but did not testify*: Kenisha Schuster, Texas Department of Insurance)

DIGEST:

CSHB 999 would require health benefit plan issuers or pharmacy benefit managers to apply to the enrollee's deductible, copayment, cost-sharing responsibility, or out-of-pocket maximum any third-party payment, financial assistance, discount, product voucher, or other reduction in out-of-pocket expenses for a prescription drug that the health benefit plan covered.

The bill would apply only to a reduction in out-of-pocket expenses made by or on behalf of an enrollee for a covered prescription drug for which:

- a generic equivalent did not exist;
- an interchangeable biological product did not exist; or
- a generic equivalent or interchangeable biological product did exist, but the enrollee had obtained access to the prescription drug under the health benefit plan using a prior authorization process, a step therapy protocol, or the health benefit plan issuer's exceptions and appeals process.

The bill would take effect September 1, 2023, and would apply only to health benefit plans delivered, issued for delivery, or renewed after January 1, 2024.

SUPPORTERS SAY:

CSHB 999 would help to reduce health care costs for patients with no other options for prescription drugs by requiring health plans to count certain third-party payments towards a patient's cost-sharing responsibility. Many patients use third party financial assistance to help offset out-of-pocket costs for expensive prescriptions. Some health insurance plans have copay accumulator programs, which do not allow these third-party payments to count towards a patient's deductibles and out-of-pocket maximums. Patients often do not know that third-party assistance does not count towards their cost-sharing requirements and do not meet their deductibles or out-of-pocket maximums as soon as they expect, which can lead to a surprise bill. CSHB 999 would help patients reach their deductibles sooner and reduce their out-of-pocket costs.

The bill would apply to payments made for prescription drugs for which there is no generic equivalent or interchangeable biological product. Prescription drugs with no alternatives are often expensive and used to

treat chronic conditions, and when these prescriptions are unaffordable, patients often ration doses or skip their prescriptions entirely, which can lead to hospitalization and disease progression. By making these life-saving prescription drugs more affordable, CSHB 999 would improve health outcomes for patients. Because the bill would apply to drugs with no alternatives, it would not increase costs for health plans. If premiums did become too expensive, patients likely would choose a health plan that they could afford.

CRITICS SAY:

CSHB 999 could increase premiums for enrollees and employers if health insurance plans passed costs on to consumers.

SUBJECT: Allowing the Historical Commission to conduct online retail sales

COMMITTEE: Culture, Recreation & Tourism — committee substitute recommended

VOTE: 7 ayes — Ashby, Martinez, Bailes, Flores, Holland, Morrison, Troxclair

0 nays

2 absent — Collier, Garcia

WITNESSES: For — Angela Oglesbee, Fairfield Texas City Council, Freestone County Historical Commission; Laurie Limbacher, Texas Historical Commission (*Registered, but did not testify*: Rick Thompson, County Judges and Commissioners Association of Texas; Ron Hinkle, Texas Travel Alliance; Sandy Emmons)

Against — None

On — (*Registered, but did not testify*: Mark Wolfe, Texas Historical Commission)

DIGEST: CSHB 2719 would amend certain powers and funding mechanisms of the Texas Historical Commission (THC), including authorizing the commission to conduct online retail sales, increasing the cap on certain grant funding programs, and expanding what historical sites were under the commission's jurisdiction.

CSHB 2719 would allow THC to establish, manage, and operate gift and souvenir retail establishments and provide online retail services related to the its goals. THC would be authorized to employ the necessary staff, establish procurement standards in collaboration with the comptroller and the Department of Information Resources, and hire a nonprofit corporation to assist with the establishment of online retail.

CSHB 2719 also would create the Texas Historical Commission Retail Operations Fund as a special fund outside the treasury and administered by the comptroller. Created to support THC’s retail operations, the fund

would consist of money from its retail sales and interest gained but would not include appropriated money. Money from the fund could be spent without appropriation and used only to support state historic sites and THC's retail operations.

CSHB 2719 would specify that real property would not have to be donated to be included in the historic sites system or to be acquired or restored by THC. The bill also would increase from $6 million to $10 million the maximum amount for historic courthouse preservation grants to an individual county.

The bill would amend the jurisdiction of THC by removing references to individual historic sites and defining a "historic site" under THC's jurisdiction as any real property significant to the history of the state that the commission administered or acquired for use by the public.

This bill would take effect September 1, 2023.

SUPPORTERS SAY:

CSHB 2719 would improve and clarify THC's operations by updating current statute regarding THC. The bill would establish in statute the commission's ability to purchase and acquire property while working towards its mission. Allowing the commission to run online retail shops would financially support the commission's work in historic site preservation. Furthermore, creating a fund from revenue sales would help the commission reach its goals by generating revenue to offset appropriation requests.

The cap on state preservation grants has not been updated in 16 years, which has shifted the financial burden of courthouse restoration away from the state and onto individual counties. Increasing this cap to $10 million would create a better balance between state and county preservation funding.

Current statute lists several historic sites which fall under the commission's jurisdiction and are eligible to use the Sporting Goods Sales Tax. Replacing this list with a single, inclusive definition would clarify language and ensure eligibility for future sites to use the tax.

CRITICS SAY:

No concerns identified.

SUBJECT: Adding search functionality and access to protective order registry

COMMITTEE: Judiciary & Civil Jurisprudence — favorable, without amendment

VOTE: 8 ayes — Leach, Julie Johnson, Davis, Flores, Murr, Schofield, Slawson, Vasut

0 nays

1 absent — Moody

WITNESSES: For — (*Registered, but did not testify*: M Paige Williams, Dallas County Criminal District Attorney John Creuzot; James Parnell, Dallas Police Association; Ray Hunt, HPOU; John Wilkerson, Texas Municipal Police Association; Calvin Tillman)

Against — None

BACKGROUND: Government Code sec. 72.154(a) requires the Office of Court Administration of the Texas Judicial System to maintain its registry in a manner that allows the public to search for and received publicly accessible information relating to protective orders issued in the state. The code specifies that the registry must be searchable by county of issuance, name of person who is subject of the protective order, and birth year.

Government Code sec. 72.155(a) requires the registry to provide restricted access to copies of protective orders and copies of applications for protective orders. These documents are restricted to authorized users, the attorney general, a district attorney, a criminal district attorney, a county attorney, a municipal attorney, or a peace officer.

DIGEST: HB 3698 would amend Government Code section 72.154(a) to make the protective order registry searchable by:

- any known common misspellings of the name of a person who is the subject of the protective order; and

- any known aliases of a person who is the subject of the protective order.

The bill also would amend sec. 72.155(a) to add "magistrates" to the list of those permitted to have restricted access to copies of protective orders and copies of applications for protective orders.

The bill would take effect September 1, 2023.

SUPPORTERS SAY:

HB 3698 would help to improve public safety by providing the public with improved search results when using the protective order registry. It also would improve public safety by providing magistrates with access to the restricted versions of the protective order registry. This would allow for access to important documents, such as copies of protective orders and applications for protective orders irrespective of jurisdiction.

CRITICS SAY:

No concerns identified.

SUBJECT: Reducing requirements for post-sale appraisal reviews

COMMITTEE: Licensing & Administrative Procedures — favorable, without amendment

VOTE: 9 ayes — K. King, Walle, Goldman, Harless, Hernandez, Herrero, T. King, Patterson, S. Thompson

0 nays

2 absent — Schaefer, Shaheen

WITNESSES: For — Greg Stephens, Real Estate Valuation Advocacy Associates (*Registered, but did not testify*: Eric Woomer, Foundation Appraisers Coalition of Texas)

Against — None

On — (*Registered, but did not testify*: Tony Slagle, Texas Appraiser Licensing and Certification Board)

BACKGROUND: Under Occupations Code sec. 1104.153, a person who performs an appraisal review for an appraisal management company must be licensed as an appraiser, unless exempt by board rule, and qualified to perform the appraisal being reviewed.

DIGEST: HB 1518 would replace references to an appraisal review in Occupations Code sec. 1104.153 with new language that would require a person who examines the work of appraisers performing services for an appraisal management company (AMC) to be knowledgeable of appraisal practice and the Uniform Standards of Professional Appraisal Practice. An appraisal management company would be required to keep a record of the qualifications of a person conducting an appraisal services examination.

An appraisal management company would be required to periodically examine, rather than perform an appraisal review of, the work of appraisers.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2023.

SUPPORTERS SAY:

HB 1518 would bring Texas statute in line with federal requirements and streamline processes for AMCs by reducing standards for post-sale appraisal reviews. Since current language was established, industry and business practices have evolved. Texas statute goes beyond federal requirements by requiring extensive review of appraisals after a sale is closed. By providing AMCs with more flexibility to conduct reviews, HB 1518 would put Texas in line with other states.

HB 1518 also could decrease costs for consumers by expediting the appraisal review process post-sale. AMCs already conduct their own appraisal reviews before a sale is closed. Since a second appraisal does not change the value of a home, requiring an extensive review process for post-sale appraisals is redundant.

CRITICS SAY:

No concerns identified.

SUBJECT: Regulating digital asset service providers

COMMITTEE: Pensions, Investments & Financial Services — committee substitute recommended

VOTE: 7 ayes — Capriglione, Bhojani, Bryant, Leo-Wilson, Plesa, VanDeaver, Vo

0 nays

2 absent — Lambert, Frazier

WITNESSES: For — Lee Bratcher, Texas Blockchain Council (*Registered, but did not testify*: Thomas Parkinson; Mark Terry)

Against — None

On — Ann Baddour, Texas Appleseed

DIGEST: CSHB 1666 would regulate digital assets by prohibiting the comingling of customer funds with funds belonging to the digital asset service provider and instituting regulations on withdrawing funds, reserve requirements, accounting transparency to customers, annual reporting, and suspension or revocation of a money transmission license.

The bill would apply to a digital asset service provider doing business in the state that holds a money transmission license and either serves more than 500 digital asset customers in the state or has at least $10 million in customer funds. CSHB 1666 would not apply to banks or to entities excluded based on a finding by the Finance Commission that they are not required to hold a money transmission license or not subject to the requirements of the bill.

**Definitions.** CSHB 1666 would establish the following definitions:

- "Customer funds" would mean the digital assets, fiat currency, or other property deposited by a digital asset customer;

- "Digital asset" would mean a natively electronic asset that conferred economic, proprietary, or access rights and was recorded or stored in a blockchain, cryptographically secured distributed ledger, or similar technology, and included a digital asset that the laws of any country consider to be legal tender or virtual currency;
- "Digital asset customer" would mean a person who deposited fiat currency or a digital asset with a digital asset service provider; and
- "Digital asset service provider" would means an electronic platform that facilitated the trading of digital assets on behalf of a digital asset customer and maintained custody of the customer's digital assets.

**Commingling, withdrawing funds.** CSHB 1666 would prohibit digital asset service providers from commingling customer funds with funds belonging to the digital asset service provider, including operating capital, proprietary accounts, digital assets, fiat currency, or other property that was not customer funds.

The bill would prohibit a digital asset service provider from using customer funds to secure or guarantee a transaction other than a transaction for the customer contributing the funds.

Digital asset service providers also would be prohibited from maintaining customer funds in such a manner that the customer could be unable to fully withdraw their funds.

**Reserve requirements.** Digital asset service providers would have to maintain reserves in an amount sufficient to fulfill all obligations to digital asset customers. These reserves could be held:

- in separate accounts for obligations to each digital asset customer;
- in an omnibus account that only contained digital assets of digital asset customers and in which those assets were not strictly segregated from each other; or
- in the digital asset corresponding to the digital asset customer's obligations or obligations issued or guaranteed by certain governmental entities, as applicable.

**Accounting transparency to customers.** A digital asset service provider would have to create a plan to allow each digital asset customer to view at least a quarterly accounting of any outstanding liabilities owed to the digital asset customer and the digital asset customer's digital assets held in reserve by the digital asset service provider. The plan would have to allow for an auditor at any time to access and view this information.

**Annual report.** The bill would require a digital asset service provider to file a report with the Texas Department of Banking within 90 days after the end of the fiscal year. The report would be required to include:

- an attestation by the digital asset service provider of outstanding liability to digital asset customers;
- evidence of customer assets held by the provider;
- a copy of the provider's plan to provide, at least quarterly, access to accounting of liabilities owed to the customer and the digital asset customer's digital assets held in reserve by the digital asset service provider; and
- an attestation by an auditor that the information in the report was true and accurate.

The auditor would have to be an independent certified public accountant licensed in the United States and apply attestation standards adopted by the American Institute of Certified Public Accountants.

**Suspension or revocation of money transmission license.** A digital asset service provider would have to comply with the requirements created by the bill to obtain and maintain a money transmission license. The Texas Department of Banking could suspend and revoke a license for failure to comply with the requirements of the bill.

**Rules and administration.** The Finance Commission of Texas would adopt rules to administer and enforce the bill, including rules necessary and appropriate to implement and clarify these provisions. The Texas Department of Banking would be responsible for administering the law created by the bill.

The bill would take effect September 1, 2023.

SUPPORTERS SAY:

CSHB 1666 would help restore consumer trust in cryptocurrencies by regulating the entities that facilitate most digital asset consumer trading. Some digital asset service provider practices, such as the commingling of consumer investor funds with corporate assets, have led to the collapse of major providers and have resulted in a significant loss of money for many Texans. By prohibiting the commingling of funds and instituting measures regarding withdrawals, reserves, and transparency, the bill would help restore faith in the blockchain economy by ensuring that Texans have trusted and verified options when investing in digital assets. The bill also would not create onerous requirements for corporations by using existing regulatory framework.

While the bill does not explicitly establish penalties for digital asset service providers that do not comply or remedies for affected consumers, there are already mechanisms within current law that can be used to accomplish this goal, including civil penalties and civil action by the Texas Department of Banking.

CRITICS SAY:

CSHB 1666 may not contain the most effective provisions to accomplish its intended goal. The audit requirements may not be sufficient for the Texas Department of Banking to assess if there were enough funds to cover liabilities. The bill also does not provide for any specific mechanisms for penalizing digital asset service providers that do not comply or for remedying circumstances where consumers were adversely affected by noncompliance.

SUBJECT: Relating to sheriff's department disability leave in certain counties.

COMMITTEE: County Affairs — committee substitute recommended

VOTE: 9 ayes — Neave Criado, Stucky, Gerdes, J. Jones, Orr, Rosenthal, Schatzline, Slaton, Tinderholt

0 nays

WITNESSES: For — Christopher Dyer, Dallas County Sheriff's Association; David Batton, Harris County Deputies Organization FOP 39; Kevin Lawrence, Texas Municipal Police Association (*Registered, but did not testify*: Chris Jones, Jennifer Szimanski, Combined Law Enforcement Associations of Texas; Ray Hunt, HPOU; Dallas Reed, Texas Municipal Police Association)

Against — None

On — (*Registered, but did not testify*: Francis Nugent, Harris County Commissioners Court)

DIGEST: CSHB 995 would require counties to provide employees of a county sheriff's department a leave of absence with full pay for work related injuries performed in the line of duty for a period commensurate with the nature of the injury or illness for at least one year.

After a year, the commissioners court of the county could extend the leave of absence at full or reduced pay. If the employee's leave was extended or the employee's salary was reduced to 60 percent of the employee's regular pay, and the employee was a member of a pension fund, the employee could retire on pension until the employee was able to return to duty.

If the employee's leave period and any extensions had expired, and the employee was not a member of a pension fund, the employee could use sick time, vacation time, and other accumulated time before being placed on temporary leave.

CSHB 995 would allow employees who were temporarily disabled by an injury or illness in activities not related to activities performed in the line of duty to use all sick leave, vacation time, and other accumulated time before the employee was placed on temporary leave.

Another employee could volunteer to do the work of the employee on temporary leave or donate leave time to maintain the salary of the temporarily disabled employee until the inured employee returned to duty.

After recovering from temporary disability the employee would be reinstated at the same rank and seniority the employee had before going on temporary leave.

With the commission's approval, if an employee who had been receiving monthly disability pension was declared recovered by a certified physician, the employee would be eligible for reappointment to the classified position that the employee held when the employee qualified for monthly disability pension.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2023.

SUPPORTERS SAY:

CSHB 995 would provide officers injured in the line of duty the time they needed to recover and return to work. Currently, when sheriff's department officers are injured in the line of duty, the injured officer often has little time to recover, which can result in termination of an officer's employment. Replacing officers can be costly and is unfair to the officers injured in the line of duty. CSHB 995 would give these officers the time they needed to recover and continue serving their communities.

CRITICS SAY:

While CSHB 955 is well intended, the bill could raise costs for counties without providing resources from the state to accommodate these costs.