

**Steering Committee:**  
Alma Allen, Chairman  
Gary VanDeaver, Vice Chairman

Dustin Burrows  
Angie Chen Button

Liz Campos  
Mary González

Donna Howard

Ken King  
J. M. Lozano

Andrew Murr  
Toni Rose

# HOUSE RESEARCH ORGANIZATION

## daily floor report

Friday, May 05, 2023  
88th Legislature, Number 57  
The House convenes at 10 a.m.  
Part Two

One bill is on the Major State Calendar and 47 bills are on the General State Calendar for second reading consideration today. The table of contents for Part Two 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) - 57

## HOUSE RESEARCH ORGANIZATION

Daily Floor Report

Friday, May 05, 2023

88th Legislature, Number 57

Part 2

HB 2493 by Capriglione	Adding requirements for handling electronic public information requests	60
HB 2146 by Howard	Extending certain health care provider participation programs	62
HB 3033 by Landgraf	Revising the public information law	63
HB 2956 by Shine	Allowing municipalities to annex areas by certain railways	65
HB 2879 by Oliverson	Voiding certain venue provisions in contracts regarding real property	67
HB 3046 by Kacal	Allowing deceased candidates to be removed from certain ballots	68
HB 3104 by Anderson	Creating a sales and use tax exemption for certain tangible property	70
HB 3350 by Holland	Allowing certain license holders to buy and sell vintage distilled spirits	73
HB 3374 by Button	Authorizing waivers for certain enterprise program requirements	76
HB 3843 by Wilson	Requiring TxDOT to conduct a study regarding toll project entities	78
HB 4185 by Bailes	Establishing a program for personalized treatment for certain veterans	79
HB 233 by Murr	Amending annual training requirements for certain providers	81
HB 712 by Shaheen	Establishing local government cybersecurity notification provisions	83
HB 1654 by Cook	Extending eligibility for a determinate sentence to certain juvenile conduct	85
HB 1675 by Holland	Establishing a border operations training program for certain officers	87
HB 77 by Neave Criado	Repealing the status offense of a child running away from home	89
HB 1649 by Button	Requiring certain health benefit plans to cover fertility preservation	91
HB 3981 by Paul	Classifying certain fire marshals as peace officers	93
HB 1926 by Hull	Continuing the Supplemental Special Education Services program	94
HB 5277 by Bucy III	Requiring public access to certain magistrate court proceedings	96
HB 2675 by Jetton	Allowing justice court clerks to deposit funds into court registries	98
HB 4702 by Campos	Requiring Medicaid coverage of certain peer support services	99
HB 4477 by Landgraf	Repealing certain scheduling prohibitions for UIL competitions	101
HB 3501 by Thimesch	Requiring tattoo studios to complete human trafficking prevention training	103

- SUBJECT:** Adding requirements for handling electronic public information requests
- COMMITTEE:** State Affairs — committee substitute recommended
- VOTE:** 8 ayes — Hunter, Hernandez, Anchía, Dean, Metcalf, Slawson, Smithee, Turner  
0 nays  
5 absent — Geren, Guillen, Raymond, Spiller, S. Thompson
- WITNESSES:** For — Dick Lavine, Every Texan; Clyde Neel, Texas First; Rod Bordelon, Texas Public Policy Foundation (*Registered, but did not testify*); Kelley Shannon, Freedom of Information Foundation of Texas; Oscar Rodriguez, Texas Association of Broadcasters; Roberto Lopez, Texas Civil Rights Project; Pamela McPeters, Texas Classroom Teachers Association; Donnis Baggett, Laura Prather, Texas Press Association; Texas Association of Broadcasters; Texas Sunshine Coalition; Terri Hall, Texas TURF, Texans for Toll-free Highways)  
Against — None
- BACKGROUND:** Concerns have been raised that some governmental entities do not provide electronic public information to requestors in spreadsheet format, making it more difficult for the recipient to search and sort the information.
- DIGEST:** CSHB 2493 would require a person responding to a request for public information that included a request for electronic public information in a searchable or sortable format to provide an electronic copy of the information in the requested format using computer software the person used in the ordinary course of business. If the requested preferred, the person responding to the request would be required to provide a copy of the information as a paper printout.  
  
A person responding to a request for public information could not refuse to provide a copy of electronic public information on the grounds that exporting the information or redacting excepted information would

require searching, sorting, or filtering the information. The person also could not, with certain exceptions, charge the requestor for searching, sorting, or filtering the information.

The bill would provide for a requestor to request that a copy of electronic public information be provided in the format in which it was maintained by or for the governmental body or other applicable formats.

The bill would require each party to a contract for the creation and maintenance of electronic public information to use reasonable efforts to ensure the contract did not impair the public's ability to inspect or copy the information.

The definition of public information would include a data dictionary or other indicia of the type or category of information held in the applicable field of a database, other than metadata that directly implicated database security.

CSHB 2493 would repeal the existing statutory procedure for a governmental body's response to a request for information that required programming or manipulation of data.

The bill would take effect September 1, 2023, and would apply only to a request received on or after that date.

- SUBJECT:** Extending certain health care provider participation programs
- COMMITTEE:** County Affairs — favorable, without amendment
- VOTE:** 5 ayes — Neave Criado, Gerdes, J. Jones, Orr, Rosenthal
- 3 nays — Stucky, Slaton, Tinderholt
- 1 absent — Schatzline
- WITNESSES:** For — (*Registered, but did not testify:* Gregg Knaupe, Ascension Seton; Jesse Sifuentez, Baylor Scott & White Health; Juliana Kerker, HCA Healthcare; Guy Herman, Presiding Judge Travis County Probate Court #1; Jessica Schleifer, Teaching Hospitals of Texas; Jennifer Banda, Texas Hospital Association; Julie Wheeler, Travis County Commissioners Court; Mike Geeslin, Travis County Healthcare District (dba Central Health))
- Against — None
- On — Mark Bordas, Family Hospital Systems
- BACKGROUND:** Some have suggested that legislative action is needed to continue the Travis County Hospital District.
- DIGEST:** CSHB 2146 would extend the authority of certain hospital districts to operate a health care provider participation program until December 31, 2027. The bill would apply only to hospital districts created in a county with a population of more than 800,000 that was not included in the boundaries of a hospital district before September 1, 2003.
- The bill would take effect September 1, 2023.

- SUBJECT:** Revising the public information law
- COMMITTEE:** State Affairs — committee substitute recommended
- VOTE:** 7 ayes — Hunter, Hernandez, Dean, Metcalf, Slawson, Smithee, Turner
- 0 nays
- 5 absent — Geren, Guillen, Raymond, Spiller, S. Thompson
- 1 present not voting — Anchía
- WITNESSES:** For — (*Registered, but did not testify:* Kelley Shannon, Freedom of Information Foundation of Texas; Michael Schneider, Texas Association of Broadcasters; Mike Hodges, Texas Press Association)
- Against — (*Registered, but did not testify:* Clifford Sparks, City of Dallas; M Paige Williams, Dallas Criminal District Attorney John Creuzot; Bill Kelly, Mayor’s Office, City of Houston)
- BACKGROUND:** Some have suggested that state law should be revised to expedite the release of public information by governmental bodies.
- DIGEST:** CSHB 3033 would require a governmental body, as soon as practicable but no later than 30 days after the attorney general issued an opinion on a public information request, to:
- provide the requestor an itemized estimate of charges for production of the information if applicable;
  - produce the information if required;
  - notify the requestor in writing that the governmental body was withholding the information as authorized by the opinion; or
  - notify the requestor in writing that the governmental body had filed suit against the attorney general regarding the information.

The bill would repeal authorization for the attorney general to extend the 45 day period for issuing a decision on a public information request by 10 business days.

CSHB 3033 would require a governmental body that requested an attorney general decision on a public information request to submit its request through the attorney general's designated electronic filing system. This requirement would not apply to a request if the governmental body requesting the decision has fewer than 16 full-time employees or was located in a county with a population of less than 150,000 or if the amount or format of responsive information at issue made use of the attorney general's electronic filing system impractical or impossible.

CSHB 3033 would require the attorney general to make available an accessible and searchable online database consisting of each request for a decision on a public information request and the corresponding opinion issued. The bill would require the database to be searchable by the name of the governmental body making the request and the exception that a governmental body asserted applied to its request to withhold information from disclosure. The database would have to allow a person to view the current status of a decision request and an estimated timeline indicating each stage of review.

The bill would require a governmental body to promptly release basic information about an arrested person, an arrest, or a crime in response to a public information request unless the body sought to withhold the information under another provision of applicable statute and regardless of whether the body requested an attorney general decision regarding other information subject to the request.

The attorney general could require each official of a governmental body to complete a course of training in responsibilities related to public information if the attorney general determined that the governmental body had failed to comply with a relevant statutory requirement.

The bill would take effect September 1, 2023, and would apply only to a request for an attorney general decision made on or after that date.

- SUBJECT:** Allowing municipalities to annex areas by certain railways
- COMMITTEE:** Land & Resource Management — favorable, without amendment
- VOTE:** 8 ayes — Burns, Rogers, C. Bell, K. Bell, Buckley, Ortega, Reynolds, Sherman
- 1 nay — Schofield
- WITNESSES:** For — Rob Parsons, American Planning Association - Texas Chapter; Brynn Myers, City of Temple (*Registered, but did not testify*: Brie Franco, City of Austin; Guadalupe Cuellar, City of El Paso; TJ Patterson, City of Fort Worth; Nadia Islam, City of San Antonio; Rick Ramirez, City of Sugar Land; Bill Kelly, Mayor’s Office, City of Houston; Monty Wynn, Texas Municipal League; Dennis Kearns, Texas Railroad Association)
- Against — None
- BACKGROUND:** Concerns have been raised that current law does not explicitly allow a municipality to annex an area within its extraterritorial jurisdiction if a railroad separates the area.
- DIGEST:** Notwithstanding any other law, HB 2956 would allow a municipality that was annexing an area under certain annexing provisions to also annex an additional area adjacent to a right-of-way of a railway line, spur, or other railroad property that was contiguous and ran parallel to the municipality’s boundaries and was contiguous to the initial area being annexed under certain annexing provisions.
- For the purposes of the bill or other law with a municipal boundary contiguous requirement, an area adjacent or contiguous to the initial area being annexed would be considered adjacent and contiguous to the annexing municipality. Certain width requirements for annexation would not apply to the additional area being annexed under the bill.

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.

**SUBJECT:** Voiding certain venue provisions in contracts regarding real property

**COMMITTEE:** Judiciary & Civil Jurisprudence — favorable, without amendment

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

0 nays

1 absent — Davis

**WITNESSES:** For — None

Against — (*Registered, but did not testify*: Lee Ann Alexander, American Property Casualty Insurance Association)

**BACKGROUND:** Concerns have been raised about certain contracting practices that may be used by large, out-of-state contractors on construction projects in Texas. Some have suggested that legislation could help prevent Texas contractors who perform work at local Texas projects from having to litigate certain issues in a foreign jurisdiction.

**DIGEST:** HB 2879 would make void as a matter of public policy a venue provision in a contract for an improvement to real property that required an action involving a contractor, subcontractor, or materialman who is a resident of this state to be brought outside the state. To the extent a venue provision in a contract was void under the provisions of the bill, unless the parties stipulated to another venue after the dispute arose, an action arising out of the contract would have to be brought only in Texas in the county in which the defendant resided, the cause of action accrued, or the property that was the subject of the litigation was located.

The bill would take effect September 1, 2023, and would apply only to a contract entered into on or after the effective date.

- SUBJECT:** Allowing deceased candidates to be removed from certain ballots
- COMMITTEE:** Elections — committee substitute recommended
- VOTE:** 9 ayes — Smith, Bucy, Burrows, Capriglione, DeAyala, Manuel, E. Morales, Swanson, Vo
- 0 nays
- WITNESSES:** For — (*Registered, but did not testify*: Trudy Hancock, Texas Association of Elections Administrators; Robert L. Green, Travis County Republican Party Election Integrity Committee for Legislation; Valerie DeBill; Elizabeth Geretz; Lucy Trainor)
- Against — Ed Johnson (*Registered, but did not testify*: Roxy Williamson, Galveston Island Voter Education Resource and Services, Texas Grassroots Alliance and New Endeavor Texas; Alan Vera, Harris County Republican Party Ballot Security Committee; Emily Eby French, Texas Civil Rights Project; Carisa Lopez, Texas Freedom Network; and eight individuals)
- On — Christina Adkins, Texas Secretary of State (*Registered, but did not testify*: Lori Gallagher, Texas First; Sergio Carranza; Karen Darby; Chris Womack)
- BACKGROUND:** Some have suggested that allowing elections officials and administrators to remove a deceased candidate from a ballot at any point before an election could reduce additional costs for some small counties.
- DIGEST:** CSHB 3046 would require that, if the deadline for filing an application for a place on a ballot was extended due to the death of a candidate, the authority responsible for preparing the ballot prepared a notice identifying the name of the deceased candidate, the office sought by the candidate, and the date of the new filing deadline.
- The authority would be required to publish the notice on the website maintained by the political subdivision holding the election or, if the

political subdivision did not maintain a website, on the bulletin board used for posting meeting notices of the political subdivision's governing body.

If a candidate for an office of a city with a population of 100,000 or less died before the ballots were printed, the authority responsible for preparing the ballots could choose to omit the candidate from the ballot.

The bill would take effect September 1, 2023, and would apply only to an election ordered on or after the effective date of the bill.

- SUBJECT:** Creating a sales and use tax exemption for certain tangible property
- COMMITTEE:** Ways & Means — committee substitute recommended
- VOTE:** 11 ayes — Meyer, Thierry, Button, Craddick, Gervin-Hawkins, Hefner, Muñoz, Noble, Raymond, Shine, Turner
- 0 nays
- WITNESSES:** For — Kevin Hughes, Stack Infrastructure (*Registered, but did not testify*: Ray Sullivan, Amazon Web Services; Travis Krogman, Austin Chamber of Commerce; Robert Wood, CyrusOne; Jennifer Perkins, Dallas Regional Chamber; Tristan Castaneda Jr, Data Center Coalition; Andrew Wise, Microsoft; Annie Spilman, NFIB; Haynes Strader, Skybox Datacenters; Craig Casselberry, Stack Infrastructure; Megan Mauro, Texas Association of Business; Carlton Schwab, Texas Economic Development Council; Colette Vallot, Vantage Data Centers)
- Against — (*Registered, but did not testify*: Julie Wheeler, Travis County Commissioners Court)
- On — (*Registered, but did not testify*: Shannon Brandt, Comptroller of Public Accounts)
- BACKGROUND:** Some have suggested that Texas could encourage more cybersecure, resilient, and reliable data centers by establishing a more modernized incentive structure that includes an exemption from sales and use tax for tangible personal property for certain connected data center projects.
- DIGEST:** CSHB 3104 would authorize an exemption from sales and use tax for tangible personal property necessary and essential to the operation of a qualifying connected data center project if the tangible personal property had been purchased for installation at, incorporation into, or in the case of electricity, used in a qualifying connected data center project by a qualifying owner, qualifying operator, or qualifying occupant. The bill would specify tangible personal property that would qualify for the sales

and use tax exemption, and tangible personal property that would not qualify for the exemption.

Under criteria specified in the bill, a connected data center project could be certified by the comptroller as a qualifying connected data center project in order to receive the sales and use tax exemption. Certification could begin on or after September 1, 2023.

An eligible connected data center project would be required to apply to the comptroller for certification as a qualifying connected data center project and to receive a registration number or numbers.

The exemption would begin on the date the connected data center project received certification from the comptroller and if the qualifying occupant, qualifying owner, or qualifying operator independently or jointly made a capital investment of \$500 million or more, would expire on the 20th anniversary of the certification date.

Each person eligible to claim a tax exemption would be required to have a registration number issued by the comptroller. A purchaser would be required to provide the registration number on the exemption certificate to a seller of tangible personal property eligible for the exemption.

The comptroller would revoke all registration numbers issued in connection with a qualifying connected data center project that the comptroller determined did not meet requirements under the bill. Each person who had a registration number revoked by the comptroller would be liable for sales and use taxes, including penalty and interest from the date of purchase, on purchases for which the person claimed an exemption regardless of whether the purchase occurred before the date the registration number was revoked.

A connected data center project would not be eligible for the sales and use tax exemption if the project had been subject to an agreement that limited the appraised value of the center's property under former provisions of the Texas Economic Development Act.

The bill would add a connected data center project and a qualifying connected data center project to the list of uses for which no sales and use tax would be applied to electricity and gas.

Revisions made in the bill would not affect tax liability that accrued before the effective date. Liability would continue for the collection of taxes due and for civil and criminal enforcement of the liability for those taxes.

The bill would take effect September 1, 2023.

- SUBJECT:** Allowing certain license holders to buy and sell vintage distilled spirits
- COMMITTEE:** Licensing & Administrative Procedures — committee substitute recommended
- VOTE:** 10 ayes — K. King, Walle, Goldman, Harless, Hernandez, Herrero, Patterson, Schaefer, Shaheen, S. Thompson
- 0 nays
- 1 absent — T. King
- WITNESSES:** For — Lance Lively, Texas Package Stores Association; Phillip Brown (*Registered, but did not testify*: Rick Donley, JP Urrabazo, The Beer Alliance of Texas; Doug Davis, Tom Spilman, Wholesale Beer Distributors of Texas; Daniel Gonzalez, Phillip Brown)
- Against — None
- On — (*Registered, but did not testify*: Thomas Graham, Texas Alcoholic Beverage Commission; Shawn Hall Lecuona, The Voice of Justice and of Consanguinity)
- BACKGROUND:** Concerns have been raised that Texas's three-tiered system for the alcoholic beverage industry does not allow package store permittees or local distributor permittees to purchase certain vintage distilled spirits and sell them legally.
- DIGEST:** CSHB 3350 would define "vintage distilled spirits" as distilled spirits that:
- were in the original manufacturer's sealed container, including a bottle or case of bottles;
  - were not owned by a distiller's and rectifier's permit holder or a nonresident seller's permit holder;
  - were not otherwise available for purchase from a wholesaler's permit holder;

- had not been offered for sale by a wholesaler's permit holder within the preceding five years; and
- were possessed by a person in this state.

The bill would define a "vintage distilled spirits seller" as a person who was at least 21 years of age, did not hold an alcohol-related license or permit, and was:

- an administrator, executor, receiver, or other fiduciary who received and sold vintage distilled spirits in execution of the person's fiduciary capacity;
- a creditor who received or took possession of vintage distilled spirits as security for or in payment of debt;
- a public officer or court official who levied on vintage distilled spirits under order or process of any court or magistrate to sell the vintage distilled spirits in satisfaction of the order or process; or
- any other person who did not hold or have an interest in an alcohol-related permit or license or in the business of a permit or license holder and was not engaged in the business of selling alcoholic beverages.

A package store or local distributor's permit holder could purchase and sell vintage distilled spirits under certain conditions. A package store or local distributor's permit holder would be required to maintain a record of each purchase of vintage distilled spirits with certain information until the second anniversary of the date the vintage distilled spirits were purchased and provide the record to the Texas Alcoholic Beverage Commission on request. A vintage distilled spirits seller could sell to a package store or local distributor's permit holder, for each permitted premises, a maximum of 24 containers of vintage distilled spirits during any 12-month period.

Any package store or local distributor's permit holder who was injured in the permittee's business or property by a vintage distilled spirits seller by the sale of forged, adulterated, or counterfeit vintage distilled spirits to the permittee could file suit in any district court in the county in which the violation was alleged to have occurred to require enforcement by

injunctive procedures and to recover triple damages plus costs of suit including reasonable attorney's fees.

A package store permit holder could sell vintage distilled spirits to consumers for off-premises consumption only and to passenger transportation permit holders.

A local distributor's permit holder could sell to the holder of a mixed beverage permit a maximum of six containers of vintage distilled spirits during any 12-month period. The bill would specify that all vintage distilled spirits sold by a mixed beverage permit holder would have to be purchased from a local distributor's permit holder in the county in which the premises of a mixed beverage permittee was located.

It would be a defense to prosecution or to the imposition of a civil or administrative penalty for a violation related to illicit beverages that:

- the package store or local distributor's permit holder purchased an illicit beverage from a vintage distilled spirits seller in good faith;
- the package store or local distributor's permit holder reasonably believed the illicit beverage was vintage distilled spirits at all times the beverage was in the permittee's possession;
- the package store or local distributor's permit holder sold the illicit beverage to an authorized purchaser in good faith; and
- an authorized purchaser, to whom the package store or local distributor's permit holder sold an illicit beverage, reasonably believed the beverage was vintage distilled spirits and not an illicit beverage.

The bill would specify that no tax could be collected on vintage distilled spirits.

The bill would take effect September 1, 2023.

- SUBJECT:** Authorizing waivers for certain enterprise program requirements
- COMMITTEE:** International Relations & Economic Development — committee substitute recommended
- VOTE:** 9 ayes — Button, Ordaz, Bumgarner, Clardy, Hayes, Meza, C. Morales, Plesa, Shine
- 0 nays
- WITNESSES:** For — Michael Eickhoff, Grant Thornton LLP (*Registered, but did not testify*: Guadalupe Cuellar, City of El Paso; Matthew Garcia, Dallas Regional Chamber; Chris Britton, Grant Thornton LLP; Annie Spilman, NFIB; Zach Scott, Round Rock Chamber; Megan Mauro, Texas Association of Business; James LeBas, Texas Association of Manufacturers)
- Against — None
- On — (*Registered, but did not testify*: Shannon Brandt, Comptroller of Public Accounts; Terry Zrubek, Economic Development and Tourism Office, Office of the Governor)
- BACKGROUND:** Some have suggested that, due to the COVID-19 pandemic, certain Texas Enterprise Zone Program projects should be given a temporary waiver from the eligibility requirement that an employee has to perform 50 percent of their work on-site.
- DIGEST:** CSHB 3374 would waive the requirement for a person to be considered a “qualified employee” that the employee performed at least 50 percent of services for a business at the qualified business site for an enterprise with a designation period that included all or a portion of the COVID relief period. The waiver would extend through the job retention period for those employees. This provision and the definition of "qualified employee" would only apply to an employee who was a Texas resident. These provisions would expire December 31, 2030.

For the purposes of the bill, "COVID relief period" would mean the period between March 2, 2020 through December 31, 2021.

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. The bill would apply only to a tax audit by the comptroller of whether an enterprise project was eligible for a tax refund that was not finally completed before the effective date.

NOTES: The Legislative Budget Board estimates a negative impact of \$16,536,000 through fiscal 2024-25.

- SUBJECT:** Requiring TxDOT to conduct a study regarding toll project entities
- COMMITTEE:** Transportation — favorable, without amendment
- VOTE:** 11 ayes — Canales, Raney, Ashby, Gamez, Caroline Harris, Landgraf, Lozano, Lujan, Ordaz, Perez, Romero
- 1 nays — Davis
- 1 absent — Patterson
- WITNESSES:** For — Terri Hall, Texas TURF, Texans for Toll-free Highways  
(*Registered, but did not testify:* Wilma Joy Putnam; Terry Putnam)
- Against — (*Registered, but did not testify:* Terry Putnam)
- On — Stephen Stewart, TxDOT (*Registered, but did not testify:* Shawn Hall Lecuona, Kri’ah b’shalom)
- BACKGROUND:** Concerns have been raised that current statute does not easily allow for transparent comparisons in the practices and operations of toll project entities.
- DIGEST:** HB 3843 would require the Texas Department of Transportation (TxDOT) to conduct a study comparing the practices and operations of toll project entities statewide. The study would have to compare toll operations, error rates, customer complaints, speed of processing, billing practices, and any other factors TxDOT deemed appropriate. By December 1, 2024, TxDOT would be required to submit a written report of the study's findings to the governor, lieutenant governor, and the Legislature. The bill would expire May 1, 2025.
- 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.

- SUBJECT:** Establishing a program for personalized treatment for certain veterans
- COMMITTEE:** Defense & Veterans' Affairs — favorable, without amendment
- VOTE:** 9 ayes — Wilson, R. Lopez, Bumgarner, Dorazio, Frank, Garcia, Morales Shaw, Muñoz, Slaton
- 0 nays
- WITNESSES:** For — Mitch Fuller, Veterans of Foreign Wars Department of Texas; Norman Betts, Andrew Marr, Warrior Angels Foundation; Christie Shaver; Joshua Shaver (*Registered, but did not testify*: Louie Sanchez, Texans For Greater Mental Health; Susan Stewart)
- Against — None
- On — George McEntyre, Health & Human Services Commission
- BACKGROUND:** Some have suggested that access to alternative forms of medical therapies could help veterans with certain trauma-induced conditions that cannot be mitigated through traditional forms of treatment or therapy.
- DIGEST:** HB 4185 would require the Health and Human Services Commission (HHSC), using available resources and in cooperation with a nonprofit veterans organization, to establish and operate a pilot program to award grants for the provision of a personalized treatment protocol to at least 250 veterans diagnosed with PTSD, including treatment-resistant PTSD.
- A personalized treatment protocol provided to a veteran under the program would have to be administered at the veteran's home and designed to reduce neuroinflammation and replenish deficient or insufficient brain chemistry to an optimal level.
- HHSC could award a grant under the pilot program only in accordance with a contract with a grant recipient. The contract would be required to include provisions under which HHSC was granted sufficient control to

ensure the public purpose of providing treatment to veterans was accomplished and the state received the return benefit.

HHSC could accept gifts, grants, and donations to operate the pilot program. The HHSC executive commissioner would be required to adopt rules to implement the program.

By October 1, 2028, HHSC would be required to prepare and submit a report to the governor, lieutenant governor, speaker of the House of Representatives, and appropriate standing committees of the Legislature. The report would include information on the number of veterans who received a personalized treatment protocol under the pilot program and an evaluation of the program's effectiveness.

The pilot program would conclude September 1, 2029.

The bill would take effect September 1, 2023. HHSC would be required to establish and begin operating the pilot program as soon as practicable after the bill's effective date.

- SUBJECT:** Amending annual training requirements for certain providers
- COMMITTEE:** Public Health — committee substitute recommended
- VOTE:** 11 ayes — Klick, Campos, Collier, Jetton, A. Johnson, J. Jones, V. Jones, Oliverson, Price, Smith, Tinderholt
- 0 nays
- WITNESSES:** For — Cynthia Humphrey, Association of Substance Abuse Programs; Sherri Layton, La Hacienda Treatment Center, Texas Association of Addiction Professionals (*Registered, but did not testify*: Duane Galligher, Association of Substance Abuse Programs; Christina Hoppe, Children’s Hospital Association of Texas; Kevin Hale, Libertarian Party of Texas; Guy Herman, Statutory Probate Courts of Texas; Thomas Parkinson)
- Against — None
- On — Lee Spiller, Citizens Commission on Human Rights
- BACKGROUND:** Health and Safety Code sec. 161.133(a) requires each inpatient mental health facility, treatment facility, or hospital that provides comprehensive medical rehabilitation services to annually provide as a condition of continued licensure a minimum of eight hours of inservice training related to identifying patient abuse or neglect and illegal, unprofessional, or unethical conduct by or in the facility.
- Some have suggested that requiring fewer hours of continuing inservice training could allow providers to spend more time with patients.
- DIGEST:** CSHB 233 would amend Health and Safety Code sec. 161.133 to require applicable facilities to annually provide eight hours of initial inservice training for new employees and four hours of continuing inservice training for continuing employees. The training could be provided in person or through a live, interactive, instructor-led electronic method using synchronous audiovisual interaction between the instructor and employees.

The bill would take effect September 1, 2023, and would apply only to inservice training hours provided on or after the effective date.

- SUBJECT:** Establishing local government cybersecurity notification provisions
- COMMITTEE:** State Affairs — committee substitute recommended
- VOTE:** 11 ayes — Hunter, Hernandez, Geren, Guillen, Metcalf, Raymond, Slawson, Smithee, Spiller, S. Thompson, Turner
- 0 nays
- 2 absent — Anchía, Dean
- WITNESSES:** For — (*Registered, but did not testify:* Paula Pinzon, Casa de Encuentro; Nadia Islam, City of San Antonio; Bill Kelly, Mayor’s Office, City of Houston; Rahul Sreenivasan, Texas 2036; Fran Rhodes, True Texas Project; Martha Fierro)
- Against — (*Registered, but did not testify:* Clifford Sparks, City of Dallas)
- On — (*Registered, but did not testify:* Nancy Rainosek, Texas Department of Information Resources)
- BACKGROUND:** Some have suggested that in light of increased cybersecurity attacks on local governments, local governments should be required to report these incidents to the Department of Information Resources (DIR) as state agencies do.
- DIGEST:** CSHB 712 would define a “security incident” as a breach or suspected breach of system security and the introduction of ransomware into a computer, computer network, or computer system.
- The bill would extend requirements for state agencies that own, license, or maintain computerized data to notify DIR of security incidents to local governments that own, license, or maintain such data. The bill would require state agencies and local governments to comply with all DIR rules relating to reporting security incidents.

The bill would not apply to a security incident that a local government was required to report to an independent organization certified by the Public Utility Commission of Texas.

The bill would remove the definition of a “breach of system security” and replace references in statute to a “breach of system security” with references to a “security incident.”

The bill would take effect September 1, 2023.

SUBJECT: Extending eligibility for a determinate sentence to certain juvenile conduct

COMMITTEE: Juvenile Justice & Family Issues — favorable, without amendment

VOTE: 7 ayes — Dutton, Lujan, Cook, Leo-Wilson, J. Lopez, Smithee, Wu

2 nays — Martinez Fischer, Talarico

WITNESSES: For — Stephanie Richardson, Tarrant County Criminal District Attorney Phil Sorrells (*Registered, but did not testify*: James Parnell, Dallas Police Association; Ray Hunt, HPOU; William Carter)

Against — Alycia Castillo, Texas Center for Justice and Equity

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

BACKGROUND: Family Code sec. 54.04 establishes the conditions under which a juvenile would be given a determinate sentence, or commitment in the Texas Juvenile Justice Department or a post-adjudication secure correctional facility with a possible transfer to the Texas Department of Criminal Justice for a term between 10 and 40 years.

Some have suggested that allowing the state to seek a determinate sentence for organized criminal activity involving violent criminal conduct by a juvenile would provide juveniles who engaged in such conduct the benefit of rehabilitative services while upholding community safety.

DIGEST: HB 1654 bill would expand the delinquent conduct that made a child eligible for a determinate sentence to include engaging in organized criminal activity if the subject of the activity was:

- murder or capital murder;
- manslaughter;
- aggravated kidnapping;

- sexual assault or aggravated sexual assault;
- aggravated assault;
- aggravated robbery;
- injury to a child, elderly individual or disabled individual, if the offense was punishable as a felony other than a state-jail felony;
- felony deadly conduct involving discharging a firearm;
- certain offenses involving controlled substances;
- criminal solicitation;
- indecency with a child;
- criminal solicitation of a minor;
- criminal attempt, if the offense attempted was murder, capital murder, or an offense disqualifying the defendant from judge-ordered community supervision;
- arson, if bodily injury or death was suffered by any person by reason of the conduct;
- intoxication manslaughter; or
- criminal conspiracy, if the subject of the conspiracy was any of the former offenses.

The bill would take effect September 1, 2023, and would apply only to conduct violating a penal law of this state that occurred on or after that date.

**NOTES:**

According to the Legislative Budget Board, the fiscal implications of the bill cannot be determined and would be dependent on the number of youth given a determinate sentence or committed to the Texas Juvenile Justice Department.

- SUBJECT:** Establishing a border operations training program for certain officers
- COMMITTEE:** Homeland Security & Public Safety — favorable, without amendment
- VOTE:** 6 ayes — Guillen, Jarvis Johnson, Bowers, Dorazio, Harless, Holland  
0 nays  
3 absent — Canales, Goodwin, Troxclair
- WITNESSES:** For — Charles Maley, South Texans’ Property Rights Association  
(*Registered, but did not testify:* Jennifer Szimanski, Combined Law Enforcement Associations of Texas; Carlos Ortiz, San Antonio Police Officer's Association; Jose Escribano, Travis County Constable Pct3)  
  
Against — (*Registered, but did not testify:* Lauren Johnson, ACLU of Texas; Guadalupe Cuellar, City of El Paso; Jaime Puente, Every Texan; Fatima Menendez, Mexican American Legal Defense and Educational Fund; Roberto Lopez, Texas Civil Rights Project; Jaime Puente, TRUST Coalition)  
  
On — (*Registered, but did not testify:* Cullen Grissom, Texas Commission on Law Enforcement)
- BACKGROUND:** Some have suggested that facilitating collaboration between state, local, and federal law enforcement in regards to border security could reduce strain on law enforcement agencies operating along the Texas-Mexico border.
- DIGEST:** HB 1675 would require the Department of Public Safety (DPS), in coordination with local law enforcement agencies, to establish and administer a border operations training program for peace officers employed by local law enforcement agencies. The program would prepare officers to collaborate and cooperate with and assist any law enforcement agency in the interdiction, investigation, and prosecution of criminal activity in the Texas-Mexico border region. Officers also would be prepared to collaborate and cooperate with and assist district attorneys,

county attorneys, the border prosecution unit, and other prosecutors in the investigation and prosecution of allegations of criminal activity in the Texas-Mexico border region.

The training program would be required to include information on certain criminal activity occurring along the Texas-Mexico border and on methods for identifying northbound, southbound, and intrastate criminal activity associated with drug trafficking, human trafficking, and other organized criminal activity. The training program also would include best practices for investigating and prosecuting such criminal activity and securing the Texas-Mexico border, along with an overview of DPS border operations, including any collaboration with U.S. Customs and Border Protection.

DPS would be required to identify opportunities for a peace officer to assist with duties related to border operations. DPS could authorize the officer to assist in carrying out such duties. Such an officer would not be entitled to compensation from DPS for the assistance provided.

DPS could partner with federal agencies in administering the training program and facilitating any assistance provided by a peace officer.

The bill would authorize the Texas Commission on Law Enforcement (TCOLE) to recognize or, with consent from DPS, administer or assist in administering the border operations training program as a continuing education program for officers. TCOLE also would be authorized to credit an officer who successfully completed the program with the appropriate number of continuing education hours.

The bill would take effect September 1, 2023.

- SUBJECT:** Repealing the status offense of a child running away from home
- COMMITTEE:** Juvenile Justice & Family Issues — favorable, without amendment
- VOTE:** 7 ayes — Dutton, Lujan, Cook, Leo-Wilson, J. Lopez, Talarico, Wu  
1 nay — Smithee  
1 absent — Martinez Fischer
- WITNESSES:** For — Shannon Epner, Big Thought; Martin Martinez, Texas Appleseed; Cydney Davis, TNOYS Young Adult Leadership Council (*Registered, but did not testify*); Lauren Johnson, ACLU of Texas; Jason Sabo, Children at Risk; Jennifer Balido, Dallas County Criminal District Attorney John Creuzot; Aaryce Hayes, Disability Rights Texas; Ricardo Martinez, Lauren Landry, Equality Texas; Hannah Gill, NAMI Texas; Kate Murphy, Texans Care for Children; Sarah Crockett, Texas CASA; Alycia Castillo, Texas Center for Justice and Equity; Justin Lanier, Texas Network of Youth Services; Nikki Pressley, Texas Public Policy Foundation; Kerrie Judice, TexProtects; and 16 individuals)  
  
Against — Marc Bittner, Juvenile Probation Department serving the counties of Blanco, Burnet, Gillespie, Llano, and San Saba
- BACKGROUND:** Family Code sec. 51.02 defines a status offender as a child who is accused, adjudicated, or convicted for conduct that would not, under state law, be a crime if committed by an adult.  
  
Concerns have been raised that current procedures relating to the detention of youth who run away from home may not adequately meet the needs of these individuals.
- DIGEST:** HB 77 would remove running away from home as conduct constituting a status offense. The bill also would remove the voluntary absence of a child from the child’s home without the consent of the child’s parent or guardian for a substantial length of time or without the intent to return as

conduct indicating a need for supervision and classify a child who engaged in such behavior under the definition of a "missing child."

The bill would specify that a child accused only of a status offense could be detained only in a juvenile processing office, place of nonsecure custody, or a nonsecure correctional facility, if the first two options were not available. A child accused only of a status offense could not be detained at a place of nonsecure custody for longer than six hours or at a nonsecure correctional facility for longer than 24 hours from the time the child arrived at the place of detention. If the child was not released before the sixth hour, the child would be entitled to a detention hearing that would have to be held within 24 hours of the time the child arrived at the place of detention, excluding weekends and holidays. Barring certain exceptions, the judge or referee conducting the detention hearing would be required to release the child from detention.

The bill would repeal:

- provisions relating to the definition of "child" for the purposes of defining conduct indicating a need for supervision;
- provisions authorizing a court, under certain conditions, to order a disposition of secure confinement of a status offender for violating a valid court order; and
- provisions allowing a law enforcement officer to fingerprint or photograph a child for the purpose of identifying runaways.

The bill would take effect September 1, 2023, and would apply only to conduct that occurred on or after that date.

- SUBJECT:** Requiring certain health benefit plans to cover fertility preservation
- COMMITTEE:** Insurance — favorable, without amendment
- VOTE:** 6 ayes — Oliverson, A. Johnson, Cortez, Caroline Harris, Julie Johnson, Paul
- 1 nay — Cain
- 2 absent — Hull, Perez
- WITNESSES:** For — Amanda Rice, The Chick Mission; Karen Albritton; Haleigh Curlee; Tom Whiteside (*Registered, but did not testify*: David Lofye, Alliance for Fertility Preservation; James Gray, American Cancer Society Cancer Action Network; Lindsay Lanagan, Legacy Community Health; Georgia Bates, Leukemia & Lymphoma Society; Maureen Milligan, Teaching Hospitals of Texas; Joe Pojman Ph.D., Texas Alliance for Life; Danielle Lobsinger Bush, Texas Healthcare and Bioscience Institute; Elisabeth Potter, Ben Wright, Texas Medical Association; Kyle Mauro, Texas Society of Clinical Oncology; Ware Wendell, Texas Watch; Randy Cubriel; Alyse Meyer; Jason Ryan)
- Against — (*Registered, but did not testify*: Annie Spilman, NFIB; Matt Abel, Texas Association of Business; Blake Hutson, Texas Association of Health Plans)
- On — Terri Woodard, M.D., The University of Texas MD Anderson Cancer Center
- BACKGROUND:** Concerns have been raised that certain cancer patients, whose treatment can affect fertility, may be unable to access fertility preservation treatments.
- DIGEST:** HB 1649 would require certain health benefit plans to provide coverage for fertility preservation services to a covered person who would receive a medically necessary treatment, including surgery, chemotherapy, and radiation, that the American Society of Clinical Oncology or the American

Society for Reproductive Medicine had established could directly or indirectly cause impaired fertility. The fertility preservation services would have to be standard procedures to preserve fertility consistent with established medical practices or certain professional guidelines.

The bill would apply only to a health benefit plan issued by an insurance company, a group hospital service corporation, a health maintenance organization, and certain other entities. The bill would not apply to Medicaid or the Child's Health Insurance Program. The bill also would not apply to a health benefit plan that provided coverage for wages or payment in lieu of wages for a period during which an employee was absent from work because of sickness or injury or provided coverage only for hospital expenses.

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

**SUBJECT:** Classifying certain fire marshals as peace officers

**COMMITTEE:** Homeland Security & Public Safety — committee substitute recommended

**VOTE:** 9 ayes — Guillen, Jarvis Johnson, Bowers, Canales, Dorazio, Goodwin, Harless, Holland, Troxclair

0 nays

**WITNESSES:** None

**BACKGROUND:** Some have suggested that fire marshals commissioned by municipalities should be classified as peace officers, as fire marshals commissioned by counties receive this classification.

**DIGEST:** CSHB 3981 would include fire marshals and any related officers, inspectors, or investigators of a municipality who held a permanent peace officer license as peace officers.

The bill would take effect September 1, 2023.

- SUBJECT:** Continuing the Supplemental Special Education Services program
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 8 ayes — Buckley, Allison, Cunningham, Cody Harris, Harrison, Hefner, K. King, Schaefer
- 2 nays — Hinojosa, Talarico
- 3 absent — Allen, Dutton, Longoria
- WITNESSES:** For — Shana Fancher, Texas Council of Administrators of Special Education (*Registered, but did not testify*: Garry Jones, Democrats for Education Reform TX; Barry Haenisch, Texas Association of Community Schools; Julia Hatcher, Christina Perrone, Texas Association of Family Defense Attorneys; Casey McCreary, Texas Association of School Administrators; Raif Calvert, Texas Association of School Boards; Andrea Chevalier, Texas Council of Administrators of Special Education; Linda Litzinger, Texas Parent to Parent; Suzi Kennon, Texas PTA; Matthew McCormick, Texas Public Policy Foundation; Jennifer Allmon, The Texas Catholic Conference of Bishops; and 10 individuals)
- Against — Linda Arbuckle (*Registered, but did not testify*: Emily Amps, Texas AFL-CIO; Kelsey Kling, Texas AFT; Carrie Griffith, Texas State Teachers Association; Marissa Curtis Gough; Susan Stewart)
- On — (*Registered, but did not testify*: Eric Marin, Kristin McGuire, Texas Education Agency)
- BACKGROUND:** Under Education Code sec. 29.050, the Supplemental Special Education Services (SSES) program expires September 1, 2024.
- Some have suggested that the SSES program established during COVID-19 school closures should be continued to provide important special education resources and supplies to students that could otherwise be inaccessible.

DIGEST: HB 1926 would repeal the expiration date of the SSES program.

This bill would take effect September 1, 2023.

NOTES: According to the Legislative Budget Board, HB 1926 would have a negative impact of about \$1.4 million during fiscal 2024-25, with reduced negative impacts during subsequent biennia.

- SUBJECT:** Requiring public access to certain magistrate court proceedings
- COMMITTEE:** Criminal Jurisprudence — committee substitute recommended
- VOTE:** 9 ayes — Moody, Cook, Bhojani, Bowers, Darby, Harrison, Leach, E. Morales, Schatzline
- 0 nays
- WITNESSES:** For — Thomas Downing, Advocates for Social Justice Reform; Nick Hudson, American Civil Liberties Union of Texas; Camilla Hsu, Texas Fair Defense Project (*Registered, but did not testify*: Idona Griffith; Eve Margolis; Thomas Parkinson)
- Against — (*Registered, but did not testify*: David Batton, Harris County Deputies Organization FOP 39; Ray Hunt, Houston Police Officers' Union; AJ Louderback, Texas Sheriffs Regional Alliance)
- On — Nicholas Chu, Justices of the Peace and Constables Association of Texas (*Registered, but did not testify*: John Wilkerson, Texas Municipal Police Association)
- BACKGROUND:** Some have suggested that making magistrate court proceedings more publicly accessible could help to ensure that a defendant's due process rights are respected.
- DIGEST:** CSHB 5277 would require magistrate court proceedings established under Code of Criminal Procedure to be made public. As soon as possible before the proceeding, the court would be required to publish the following information on its website or at the location of the proceeding:
- the manner in which the public may inquire about a specific arrested person or proceeding;
  - the time, if known, and location of the proceeding; and
  - the manner in which the public may access the proceeding, including the website link for the live stream or videoconference, if applicable.

The bill would not prohibit a judge from placing reasonable limits on in-person access to the court for safety or to prevent overcrowding.

Any person, including members of the media or the attorney general, could file a petition for a writ of mandamus or application to enforce the right of the public to access a proceeding. The bill would require the petition or application to be filed in a district court in the appropriate county or, if it was filed by the attorney general, in a district court in Travis County.

The bill would require a court that, as of January 1, 2024, did not have the physical capability to provide in-person public access to such a proceeding to provide a live stream or videoconference in which the public would be able to clearly see and hear the proceeding.

The bill would take effect September 1, 2023 and would apply only to criminal proceedings that commenced on or after January 1, 2024.

**SUBJECT:** Allowing justice court clerks to deposit funds into court registries

**COMMITTEE:** Judiciary & Civil Jurisprudence — favorable, without amendment

**VOTE:** 8 ayes — Leach, Julie Johnson, Flores, Moody, Murr, Schofield, Slawson, Vasut  
0 nays  
1 absent — Davis

**WITNESSES:** For — (*Registered, but did not testify:* J.R. Woolley, Justices of the Peace and Constables Association)  
Against — None

**BACKGROUND:** Local Government Code ch. 117 allows certain funds to be tendered to the court registry by a county clerk or district clerk, including funds of minors.  
  
Some have suggested that allowing justice court clerks to deposit funds in the court registry would enable them to operate more efficiently regarding money awarded to minors.

**DIGEST:** HB 2675 would amend Local Government Code ch. 117 and make conforming changes to allow a justice court clerk to deposit registry funds in the same manner as a county clerk or district clerk.  
  
The bill would take effect September 1, 2023.

- SUBJECT:** Requiring Medicaid coverage of certain peer support services
- COMMITTEE:** Human Services — committee substitute recommended
- VOTE:** 8 ayes — Frank, Rose, Campos, Klick, Manuel, Noble, Ramos, Shaheen  
1 nay — Hull
- WITNESSES:** For — Dennis Borel, Coalition of Texans with Disabilities; Isabel Casas, Texas Council of Community Centers; Jordan Smelley (*Registered, but did not testify*); Georgia Bates, City of Uvalde; Christine Bryan, Clarity Child Guidance Center; Aaryce Hayes, Disability Rights Texas; Christine Yanas, Methodist Healthcare Ministries; Greg Hansch, National Alliance on Mental Illness Texas; Bryan Mares, National Association of Social Workers-Texas; Kate Murphy, Texans Care for Children; Linda Litzinger, Texas Parent to Parent; Ashley Ford, The Arc of Texas; Ashley Harris, United Ways of Texas; Sandra Blankenship; Thomas Parkinson; Susan Stewart)
- Against — (*Registered, but did not testify*): Henry Bohnert; Richard Bohnert)
- On — Lauren Gerken, Texas Council for Developmental Disabilities (*Registered, but did not testify*); Michelle Erwin, Health and Human Services Commission)
- BACKGROUND:** Some have suggested that peer support services for individuals with intellectual or developmental disabilities could help these individuals with their life activities.
- DIGEST:** CSHB 4702 would include peer support services provided to individuals with an intellectual or developmental disability in the peer support services provided under Medicaid.
- The bill would require the executive commissioner of the Health and Human Services Commission (HHSC) to adopt certain rules with input

from intellectual and developmental disability peer support specialists and a stakeholder work group. The rules would:

- establish certain training, certification, and supervision requirements for intellectual and developmental disability peer support specialists;
- define the scope of services these specialists could provide; and
- distinguish peer support services for individuals with intellectual and developmental disability from other services that require licensure or certification.

The HHSC executive commissioner could adopt any other rules necessary to protect the health and safety of individuals receiving peer support services. These rules would not apply to peer support services provided to residents of a state support living center.

HHSC would establish a stakeholder work group to provide input for these rules that would include certain peer support specialists and representatives from certain organizations related to disability services and advocacy. The HHSC executive commissioner would appoint members of the work group and the presiding officer. The work group would meet once a month and would be automatically abolished on the adoption of the rules required by the bill.

If a state agency determined that a waiver or authorization from a federal agency was necessary to implement the bill, the agency would be required to request the waiver and could delay implementation until the waiver or authorization was granted.

The bill would take effect September 1, 2023. As soon as practicable after the effective date, the HHSC executive commissioner would appoint the members of the stakeholder work group and adopt the required rules.

- SUBJECT:** Repealing certain scheduling prohibitions for UIL competitions
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 9 ayes — Buckley, Allison, Cunningham, Cody Harris, Hefner, Hinojosa, K. King, Schaefer, Talarico
- 1 nays — Harrison
- 3 absent — Allen, Dutton, Longoria
- WITNESSES:** For — (*Registered, but did not testify*: Barry Haenisch, Texas Association of Community Schools; Casey McCreary, Texas Association of School Administrators; Raif Calvert, Texas Association of School Boards; Mark Terry, Texas Elementary Principals and Supervisors Association; Suzi Kennon, Texas PTA; Tracy Fisher)
- Against — (*Registered, but did not testify*: Paige Williams, Texas Classroom Teachers Association)
- On — Jamey Harrison, UIL (*Registered, but did not testify*: Eric Marin, Monica Martinez, Texas Education Agency)
- BACKGROUND:** Education Code sec. 33.0812 requires the State Board of Education to prohibit participation in a University Interscholastic League (UIL) area, regional, or state competition:
- on Monday through Thursday of the school week in which the primary administration of assessment instruments occurs; or
  - if the primary administration of the assessment instruments is completed before Thursday of the school week, beginning on Monday and ending on the last school day on which the assessment instruments are administered.
- Concerns have been raised that prohibiting UIL playoff games to be scheduled on Monday-Thursday during a school week in which statewide

standardized or end-of-course tests are administered may lead to scheduling conflicts and participation challenges for students.

DIGEST: HB 4477 would repeal Education Code sec. 33.0812.

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.

SUBJECT: Requiring tattoo studios to complete human trafficking prevention training

COMMITTEE: Public Health — favorable, without amendment

VOTE: 9 ayes — Klick, Campos, Collier, Jetton, J. Jones, Oliverson, Price,  
Smith, Tinderholt

0 nays

2 absent — A. Johnson, V. Jones

WITNESSES: For — (*Registered, but did not testify*: James Parnell, Dallas Police Association; Ray Hunt, HPOU; Dallas Reed, Texas Municipal Police Association; Michelle Evans; Eve Margolis; Thomas Parkinson)

Against — None

On — (*Registered, but did not testify*: Timothy Stevenson, DSHS; Amy Meredith, Office of the Attorney General)

BACKGROUND: Some have suggested that the state should provide resources to help tattoo artists and body piercers identify victims of trafficking and report suspected trafficking, as human traffickers sometimes coerce their victims into getting identifying tattoos.

DIGEST: HB 3501 would require each employee of a tattoo studio or body piercing studio to complete an approved training course on identifying and assisting victims of human trafficking. The executive commissioner of the Health and Human Services Commission (HHSC) would be required to approve training courses on human trafficking prevention, including at least one course that was available without charge. The Department of State Health Services (DSHS) would be required to post the list of approved training courses on the department's website.

A licensed tattoo studio or body piercing studio would be required to display in an area of the studio regularly accessible to the studio's employees a poster with information on recognizing potential victims of

human trafficking and methods for assisting such victims. DSHS would be required to develop and post the poster on its website.

As soon as practicable after the bill's effective date, the executive commissioner of HHSC would be required to approve human trafficking prevention and training courses and adopt rules necessary to implement the bill.

The bill would take effect September 1, 2023. An employee of a tattoo studio or body piercing studio would not be required to complete a training course or display the specified poster before January 1, 2024.