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HOUSE RESEARCH ORGANIZATION

daily floor report

Wednesday, April 16, 2025
89th Legislature, Number 45
The House convenes at 10 a.m.
Part Two

One bill is on the Emergency Calendar, two bills are on the Major State Calendar, and 12 bills are on the General State Calendar for second reading consideration today. The table of contents for Part Two of the *Daily Floor Report* appears on the following page.

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Gary VanDeaver
Chairman
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HOUSE RESEARCH ORGANIZATION

Daily Floor Report

Wednesday, April 16, 2025

89th Legislature, Number 45

Part 2

SUBJECT: Authorizing, establishing requirements for virtual and hybrid education

COMMITTEE: Public Education — committee substitute recommended

VOTE: 12 ayes — Buckley, Bernal, Allen, Ashby, Cunningham, Frank, Hunter, Kerwin, Leach, Leo Wilson, Schoolcraft, Talarico

2 nays — Bryant, Hinojosa

1 absent — Dutton

WITNESSES: For — Scarlett Hopkins, Conroe ISD; Justin Terry, Forney ISD; Gabe Grantham, Texas 2036; Rex Gore; Cheryl Shaughnessy; Melissa Sowell; Wyatt Sowell (*Registered, but did not testify*: Amanda List, A-List Consulting; Jason Sabo, Children at Risk; Tracy Johnson, DFER TX; Kimberly Morisak, Forney ISD; James Mathis, Imagine Learning; Gilbert Zavala, Opportunity Austin; Raif Calvert, Texas Association of School Boards; Kelle Kieschnick, Texas Business Leadership Council; Jennifer Easley, Texas PTA; Brandon Garcia, Texas Public Charter Schools Association; Samantha Stinnett, Michelle Wittenburg, Upbring)

Against — Paul Colbert (*Registered, but did not testify*: Tricia Cave, Monty Exter, Association of Texas Professional Educators (ATPE); Carrie Griffith, Texas State Teachers Association)

On — Marian Schutte, TEA; Crystal Tran, Texas Appleseed

DIGEST: CSHB 2196 would authorize school districts and open-enrollment charter schools to offer virtual and hybrid courses and to operate full-time hybrid or virtual campuses with approval by the education commissioner. The bill would establish requirements for student eligibility, teacher qualifications, course quality, and funding mechanisms, define terms related to virtual and hybrid education, and outline conditions for authorization and revocation of commissioner permission to operate virtual and hybrid campuses. It also would include provisions on student and teacher rights and reporting obligations for third-party virtual instruction providers.

Under the bill, a full-time hybrid campus would mean a school district or open-enrollment charter school's campus at which at least 50 percent of the enrolled students were enrolled in an authorized full-time hybrid program. A full-time virtual campus would mean a district or charter school's campus at which at least 50 percent of the enrolled students were enrolled in an authorized full-time virtual program.

The bill would define a full-time hybrid program to mean a full-time educational program offered by a district or charter school campus in which hybrid courses were employed. A full-time virtual program would mean a full-time educational program offered by a district or charter school campus in which a student was in attendance in person minimally or not at all and the instruction and content were delivered synchronously or asynchronously primarily over the internet.

Hybrid and virtual education. Under the bill, districts and charter schools would be permitted to offer instruction through hybrid and virtual formats. Other entities eligible to deliver hybrid or virtual instruction would include consortia of districts or charter schools, higher education institutions, and regional education service centers. Participating districts and schools would be required to provide written information describing each available hybrid or virtual course and complying with certain notice requirements established by the bill.

Rules. The commissioner of education would be required to adopt any rules necessary to administer the bill and, to the extent practicable, would be required to consult with districts, charter schools, and parents in adopting rules. The agency also could form an advisory committee that would be exempt from certain statute regarding state agency advisory committees.

Rights of students and teachers. Students could not be forced to enroll in hybrid or virtual courses, unless the student was enrolled in a charter school. If students receiving special education services participated in such courses, the courses would have to comply with relevant state and federal disability laws.

Districts and charter schools would be prohibited from requiring teachers to provide both in-person and virtual instruction during the same class period, except in certain circumstances. The commissioner could waive this prohibition for courses included in the enrichment curriculum established under current law. A teacher could not provide hybrid or virtual course instruction unless the teacher received appropriate professional development or demonstrated sufficient experience, as determined by the district or school, to teach virtual or hybrid courses. Districts and schools could not coerce teachers hired for in-person instruction into accepting hybrid or virtual assignments.

Provision of computer equipment or internet service. Districts, charter schools, virtual course providers, and the state would not be required to provide students with home computer equipment or internet access for virtual courses. However, the bill would not prevent schools from choosing to provide these resources.

Hybrid or virtual course quality requirements. Districts and charter schools would have to certify to the commissioner that any hybrid or virtual courses met state curriculum standards, were appropriately rigorous, prepared students for future coursework, and met standards for hybrid or virtual education as adopted by the commissioner. If the commissioner had not adopted standards, the district or school would instead have to certify that it met the National Standards for Quality Online Courses or a successor publication.

Tuition and fees. Districts and charter schools could charge tuition and fees for hybrid or virtual courses only to students who were either not eligible to enroll in a public school in Texas or were not enrolled in the district or charter school offering the course.

Attendance for class credit or grade. Districts and charter schools would have to establish the participation necessary to earn credit or a grade in hybrid or virtual courses, notwithstanding statutory attendance-based requirements.

Extracurricular activity. Students enrolled in virtual or hybrid courses, programs, or campuses under the bill could participate in extracurricular

activities sanctioned by the district, the charter school, or the University Interscholastic League.

Enrollment procedures and student rights. The bill would prohibit school districts and charter schools from actively discouraging students, including by threat or intimidation, from enrolling in virtual or hybrid courses.

The bill would permit districts and charter schools to deny a request to enroll a student in a virtual or hybrid course if the district or school determined that the cost of the course was too high, rather than allowing denial of such a request if the district or school offered a substantially similar course.

The bill would require any district or charter school that denied a request to enroll a student in a virtual or hybrid course to provide a written explanation to the student and the student's parent. The explanation would have to provide notice of the student's ability to appeal the decision as well as an explanation of the appeal process. A determination made by a district's board of trustees or a school's governing board in the final appeals process would be final and could not be appealed.

Agency publication of available virtual courses. TEA would be required to publish a list of virtual courses offered by districts and charter schools in Texas. This list would have to include whether non-enrolled students could take the course, its cost, and information about any third-party providers involved in the delivery of courses. Districts and schools would be responsible for providing this information to TEA.

Funding. The commissioner would be required to adopt rules for reporting and verifying the attendance of students in hybrid or virtual courses or programs. These rules would be required to give districts and charter schools flexibility to offer online instruction through both synchronous and asynchronous methods and to allow for districts or charter schools to receive the same per-student funding as they would for in-person instruction without requiring students to attend at a specific place or time.

When determining the number of students enrolled in a district for the purposes of the basic allotment, the commissioner would have to exclude students enrolled in the district who received full-time instruction through the state virtual school network as it existed on September 1, 2024.

Assessments. State-mandated assessment instruments for students in hybrid or virtual courses would have to be administered in the same manner in which the assessment was administered to students attending in-person classes at their district or charter school, except as authorized by commissioner rule.

Private or third-party providers. Districts and charter schools would be required to notify the commissioner when using or changing a private or third-party whole program virtual instruction provider for a hybrid or virtual campus.

The commissioner would be required to evaluate and determine the eligibility of private or third-party virtual instruction providers to the extent feasible. The commissioner would have to establish standards to determine if a private or third-party was ineligible to act as a whole program virtual instruction provider. If determined ineligible, a provider would remain so for five years. Providers determined ineligible could not be used unless the district or school requested approval from the commissioner and the commissioner determined that the reasons for the provider's ineligibility would not affect its operation at the district or school.

Educator professional development. From funds appropriated or otherwise available, TEA would be required to develop professional development resources for educators aligned with research-based practices.

Virtual education as alternative to expulsion. Prior to expelling a student, districts and charter schools would be required to consider the appropriateness and feasibility of enrolling the student in a full-time hybrid or virtual program as an alternative to expulsion, unless the student was expelled for engaging in certain conduct related to a felony offense or certain serious offenses, or was expelled based on a determination that the student's presence threatened the safety of other students or teachers,

would be detrimental to the educational process, or was not be in the best interests of other students.

Dropout recovery programs. The bill would require remote or hybrid dropout recovery education programs to be full-time hybrid or virtual programs or campuses as defined by the bill. The bill would require the commissioner to include students enrolled in remote or hybrid dropout recovery education programs in the computation of the district or school's average daily attendance for funding purposes in the same manner as students in full-time hybrid or virtual programs or campuses. This would replace the current requirement that a student must have successfully completed a course offered by a remote or hybrid dropout recovery education program to be included in the computation.

Full-time hybrid or virtual campuses. CSHB 2196 would permit districts and charter schools to operate full-time hybrid or virtual campuses if approved by the commissioner.

Full-time hybrid or virtual campus authorization. Rules adopted by the commissioner regarding application and authorization to operate such campuses would have to require districts and charter schools to engage in a planning year and submit academic and operations plans containing certain information, including curriculum standards, student performance monitoring, accommodations for special populations, staffing models, and overall compliance with applicable laws and rules. The commissioner could adopt other rules requiring other written application materials and interviews.

Full-time hybrid or virtual campuses would have to include at least one grade level in which an assessment instrument was required by statute or, for campuses without grade levels, another commissioner-approved performance evaluation measure. Additionally, campuses would have to include sufficient grade levels, as determined by the commissioner, to allow for annual evaluation of the performance of students who completed the courses offered.

Authorized campuses would be limited to receiving authorization as either a full-time hybrid or a full-time virtual campus. A campus could not

change this designation during the initial authorization process or after the campus was authorized. The commissioner could only authorize a district or charter school to operate such a campus if the commissioner determined that the authorization was likely to result in improved student learning opportunities. If a district or charter school used a private or third-party entity to operate such campuses, the commissioner would be required to take into account the historical performance of that entity, if such information was available, when making a determination. Any determination made by the commissioner would be considered final and not subject to appeal.

Revocation. The commissioner's authorization of a full-time hybrid or virtual campus would continue indefinitely unless revoked. The commissioner would be required to revoke authorization if the campus had been assigned needs improvement or unacceptable performance ratings for the three preceding years. The commissioner could revoke authorization or require certain interventions based on a special investigation or if a private or third-party provider was found ineligible and no suitable replacement was approved. Appeals of such revocations would have to be made under provisions on the review of sanctions by the State Office of Administrative Hearings.

Student eligibility. Any student eligible to enroll in a Texas public school would be eligible to enroll in a full-time hybrid campus. A student would be eligible to enroll in a full-time virtual campus if the student:

- attended a Texas public school for at least six weeks in the current or preceding school year;
- was enrolled in first grade or below in the year the student sought to enroll;
- was not required to attend Texas public school due to nonresidency in the prior school year;
- was a dependent of a parent in the U.S. military; or
- had been placed in substitute care in Texas.

Funding. The commissioner would have to calculate average daily attendance for hybrid or virtual campuses using the number of full-time

equivalent students enrolled multiplied by the average attendance rate of the district or charter school that offered the campus, not including any student enrolled in a virtual or hybrid campus. If a reliable attendance rate could not be determined, the statewide average attendance rate would have to be used. The commissioner would be required to adjust funding proportionately for students alternating attendance between traditional and hybrid or virtual campuses during the school year.

For the purpose of the compensatory education allotment, students receiving full-time virtual education through a full-time virtual education campus would have to be included in determining the number of educationally disadvantaged students residing in an economically disadvantaged census block group.

Development Grants for Virtual Education. TEA would have to offer grants and technical assistance to support districts and charter schools in creating high-quality full-time hybrid or virtual campuses.

Emergency or crisis funding. If an emergency or crisis, as defined commissioner rule, caused a statewide or regional decrease in average daily attendance, the commissioner would be required to modify or waive funding-related requirements for the affected districts and adopt appropriate safeguards as necessary to ensure public schools remained efficient and continued providing high-quality instruction.

Repeals. Education Code provisions on the state virtual school network and distance learning courses would be repealed.

Districts and charter schools could continue offering electronic courses or full-time programs through the state virtual school network in accordance with statute previously governing that network until the end of the 2026-27 school year. Funding for a student enrolled in a course or program offered through the state virtual school network would be determined under provisions added by the bill.

The commissioner would be required to adopt rules to create an expedited authorization process for districts or charter schools that applied to operate a full-time hybrid or virtual campus if they were operating electronic

course or virtual programs under the state virtual school network or a virtual education program during the school years between 2022 and 2025.

Effective date. The bill would apply beginning with the 2025–2026 school year.

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, 2025.

SUPPORTERS SAY:

By authorizing and establishing requirements for virtual education in Texas public schools, CSHB 2196 would provide a student-centered, equitable framework for expanding access to high-quality virtual and hybrid education in Texas. The bill would offer families greater choice in their children's education, especially benefiting students who faced challenges in traditional school settings due to medical conditions, disabilities, anxiety, bullying, or unique learning needs. Virtual learning options would allow for flexibility in special or nuanced situations. Virtual learning environments would allow these students not only to succeed academically but also to gain confidence and receive individualized support.

The bill's provisions requiring compliance with state and federal special education protections would ensure that students with unique needs were appropriately served, and the bill would prohibit educational designs that excluded or discriminated against students with disabilities. Additionally, the bill would add stronger eligibility standards than those under current law for private or third-party providers by tying eligibility to prior performance.

CSHB 2196 would not replace traditional schools but rather ensure that all students, particularly those in rural areas or with unique circumstances, had access to and the ability to choose the educational format that worked best for them within a public system that ensured accountability and quality. The bill would empower local education agencies to innovate and tailor virtual programs to meet their communities' evolving needs. In

addition, the bill would enhance the variety of education in rural schools that may struggle to staff specialized courses.

By banning required concurrent teaching with narrow exceptions, requiring teachers offering virtual courses to have training or experience in virtual instruction, and imposing performance-based revocation of poorly performing campuses and providers, the bill would protect teachers and ensure accountability. These provisions would align with the recommendations of Texas Commission on Virtual Education, established by the 87th Legislature in 2021.

The bill would not require virtual education as a disciplinary alternative but rather allow districts to consider it as a supportive, last-resort option to keep students engaged in education. Decisions on redirection to virtual education, discipline, and expulsion would still be made based on individual needs and local discretion.

The bill would continue to allow charter schools to operate with the purpose of offering alternative models for families to voluntarily choose, including virtual education. The bill would require two separate entities to approve a charter school before it could operate a full-time virtual campus. This rigorous process would ensure that only high-capacity charters with proven quality and oversight could offer virtual programs exclusively.

By adjusting average daily attendance metrics during emergencies, such as a future pandemic, to ensure consistent funding, the bill also could help stabilize school financing.

CRITICS SAY:

CSHB 2196 could weaken oversight and remove important guardrails in virtual education. The bill would eliminate certain statutory protections that limit virtual program providers to those with a proven track record, which would allow districts and charter schools to contract with unregulated third-party entities. Eligibility for these providers would be determined solely by the commissioner without clear criteria, and providers deemed ineligible could still be contracted if approved by the commissioner.

Additionally, the bill would not sufficiently address the needs of students who require extra support, including those with disabilities or learning accommodations, as it would not ensure access to vital resources and services found at physical locations. The bill should allow enrollment in virtual education through memorandums of understanding that would ensure these students were provided with a designated physical site to take assessments and access resources.

Under the bill, virtual learning could be misused as a disciplinary alternative to expulsion, with virtual education being used as a punitive rather than supportive measure. The bill also would allow the commissioner to waive existing rules that prevented enrichment teachers from being required to teach virtually and in-person simultaneously.

While CSHB 2196 would prohibit school districts from compelling students to enroll in virtual programs, it would authorize charter schools to require students to attend virtually, raising concerns about equity and consistency.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of $ $62,588,179 to general revenue related funds through the biennium.

SUBJECT: Defining and requiring TEA to collect data on chronic absenteeism

COMMITTEE: Public Education — favorable, without amendment

VOTE: 10 ayes – Buckley, Bernal, Ashby, Bryant, Cunningham, Frank, Hinojosa, Hunter, Leach, Talarico

2 nays – Leo Wilson, Schoolcraft

3 absent — Allen, Dutton, Kerwin

WITNESSES: For - Mandi Kimball, Children at Risk; Paige Duggins-Clay, IDRA; Nicole Malone, National Association of Social Workers- Texas Chapter; Renuka Rege, Texas Appleseed (*Registered, but did not testify*: Amanda List, AList Consulting; Tricia Cave, ATPE; Addie Gomez, Bexar County Education Coalition, Gulf Coast Education Coalition, Permian Basin Education Coalition; Garry Jones, Democrats for Education Reform TX; Steven Aleman, Disability Rights Texas; Samantha Greenleaf, Educators In Solidarity; Luis Figueroa, Every Texan; Ana O'Quin, Girls Empowerment Network; Trista Bishop-Watt, Good Reason Houston; Angel Carroll, Measure; Ayaan Moledina, Students Engaged in Advancing Texas; Colby Nichols, Texas Association of Community Schools; Kelly Rasti, Texas Association of School Boards; Amanda Afifi, Texas Association of School Psychologists; Sarah Crockett, Texas CASA; Sarah Reyes, Texas Center for Justice & Equity; Alycia Castillo, Texas Civil Rights Project; Paige Williams, Texas Classroom Teachers Association; Lauren Rose, Texas Network of Youth Services; Jennifer Easley, Texas PTA; Brandon Garcia, Texas Public Charter Schools Association; HD Chambers, Texas School Alliance; Becca Harkleroad, Texas School Nurses Organization; Carrie Griffith, Texas State Teachers Association; Sabrina Gonzalez Saucedo, The Arc of Texas; Kate Greer, The Commit Partnership; Patty Quinzi, TX- American Federation of Teachers; Ashley Harris, United Ways of Texas; and 7 individuals)

Against - Alice Linahan; Hollie Plemons (*Registered, but did not testify*: Meg Bakich)

On - Paula Hilliard, Texas Education 911; Steve Swanson (*Registered, but did not testify*: Eric Marin, Amy Copeland, David Marx, Kristin McGuire, Texas Education Agency)

DIGEST:

HB 213 would require the Texas Education Agency (TEA) commissioner to create rules requiring school districts and open-enrollment charter schools to report data related to chronically absent students. A chronically absent student would be defined as a student who was absent for more than 10 percent of the minutes of school operation time during either a school year or a six-week grading period. Specifically, the bill would add to the information required to be reported through the Public Education Information Management System (PEIMS) the total number of chronically absent students enrolled at each campus, disaggregated by race, ethnicity, and status as:

- students enrolled in a special education program;
- students identified as having dyslexia;
- educationally disadvantaged students; and
- emergent bilingual students.

Additionally, TEA would be required to annually aggregate the data and make it publicly available. The data would have to be shown at the campus and district aggregate levels and include the percentage of chronically absent students in each of the demographic categories listed.

The bill also would expand the definition of a student at risk of dropping out of school to include students who were chronically absent.

The bill would take effect September 1, 2025.

SUPPORTERS SAY:

By defining and requiring additional data collection on chronically absent students, HB 213 would take a critical step toward addressing chronic absenteeism, which is one of the most persistent barriers to student success. Students who miss a significant portion of instructional time are more likely to fall behind academically, disengage from school, and drop out, and chronic absenteeism is now a stronger predictor of high school dropout rates than standardized test scores or suspensions. By formally recognizing chronically absent students as being at risk of dropping out,

the bill would ensure that these students were counted, monitored, and supported through existing intervention frameworks.

HB 213 would not impose new penalties or enforcement mechanisms but instead equip schools and policymakers with the data needed to understand and address the problem effectively. Chronic absenteeism is not the same as truancy and should not be treated as a disciplinary issue. Rather, it is often a symptom of deeper systemic challenges such as unreliable transportation, bullying, mental health concerns, homelessness, or involvement in the child welfare system. HB 213 would be particularly important in the post-pandemic context, given that absenteeism has surged and disproportionately affected economically disadvantaged students and students with disabilities. Collecting detailed, disaggregated data would allow schools to better understand which students were affected and why, helping them provide support services accordingly.

While some have suggested that the bill could erode student privacy, schools already collect this information, and any contracted vendors would not have access to the data, given that strict guidelines for data reporting and access already exist in statute. In addition, the bill would provide a threshold for students to be considered chronically absent and those with legitimate absences would not be considered “at risk.”

CRITICS SAY:

HB 213 would expand data collection, but would fall short of offering direct solutions to reduce chronic absenteeism. State-mandated data collection could become an administrative burden for schools without addressing the underlying causes of student absence.

HB 213 would give more power to the Texas Education Agency, leading to increased involvement by private data collection service providers. Such data systems could be used for purposes beyond student support, potentially limiting local decision-making and transparency, especially when tied to contracts without competitive bidding.

In addition, families could be unfairly stigmatized or penalized for legitimate absences due to illness, family emergencies, or caregiving responsibilities. Labeling students as "at risk" based solely on attendance could oversimplify complex family situations and trigger unintended

consequences for both students and districts. HB 213 could shift too much control away from families and local communities.

SUBJECT: Allowing use of school safety funds for classroom management training

COMMITTEE: Public Education — favorable, without amendment

VOTE: 12 ayes – Buckley, Bernal, Ashby, Bryant, Cunningham, Frank, Hinojosa, Hunter, Leach, Leo Wilson, Schoolcraft, Talarico

0 nays

3 absent — Allen, Dutton, Kerwin

WITNESSES: For — (*Registered, but did not testify*: Tricia Cave, ATPE; Addie Gomez, Bexar County Education Coalition, Gulf Coast Education Coalition, Permian Basin Education Coalition; Mandi Kimball, Children at Risk; Garry Jones, Democrats for Education Reform TX; Ana O'Quin, Girls Empowerment Network; Paige Duggins-Clay, IDRA; Angel Carroll, Measure; Christine Busse, NAMI Texas; Nicole Malone, National Association of Social Workers- Texas Chapter; Ayaan Moledina, Students Engaged in Advancing Texas; Amanda Brownson, TASBO; Andrea Chevalier, TCASE; Renuka Rege, Texas Appleseed; Colby Nichols, Texas Association of Community Schools; Kelly Rasti, Texas Association of School Boards; Amanda Afifi, Texas Association of School Psychologists; Paige Williams, Texas Classroom Teachers Association; Lauren Rose, Texas Network of Youth Services; Stefanie Page, Texas Pediatric Society; Jennifer Easley, Texas PTA; Brandon Garcia, Texas Public Charter Schools Association; HD Chambers, Texas School Alliance; Carrie Griffith, Texas State Teachers Association; Michelle Venegas-Matula, Texas Unitarian Universalist Justice Ministry; Patty Quinzi, TX- American Federation of Teachers; Ashley Harris, United Ways of Texas; and 10 individuals)

Against — Alice Linahan; Hollie Plemons (*Registered, but did not testify*: Mary Lowe, Families Engaged)

On — (*Registered, but did not testify*: Eric Marin, John Scott, Amy Copeland, David Marx, Texas Education Agency; Steve Swanson)

DIGEST:

HB 222 would authorize school districts to use funds from the school safety allotment under the Foundation School Program for educator professional development that includes training in classroom behavioral management.

The bill would take effect September 1, 2025.

SUPPORTERS SAY:

By allowing school safety allotment funds to be used for staff development that included classroom behavioral management, HB 222 would better prepare educators to prevent and manage disciplinary issues that arise in the classroom, which would enhance classroom productivity, academic performance, and overall safety for educators and students. While school safety allotment funds can currently be used to improve safety through facility security enhancements, HB 222 would allow local school districts the flexibility to use these funds to train educators on classroom behavioral management systems and techniques that could address discipline issues before they escalate. The bill would serve teachers and administrators who play a vital role in managing increasingly challenging student behaviors by training them to incentivize good classroom conduct, discourage negative behaviors, and shape safe, structured classroom environments conducive to learning.

HB 222 would allow educators to receive training on how to communicate effectively with parents about classroom rules and expectations, which would facilitate parent and educator collaboration to promote positive student behavior.

CRITICS SAY:

In providing for training on classroom behavioral management, the bill should ensure that training promotes student accountability and family involvement.

SUBJECT: Providing co-navigation services to individuals who are deaf-blind

COMMITTEE: Human Services — favorable, without amendment

VOTE: 10 ayes – Hull, Manuel, A. Davis, Dorazio, C. Morales, Noble, Richardson, Rose, Schatzline, Swanson

0 nays

1 absent — Slawson

WITNESSES: For - Cyral Miller, Alliance of and for Visually Impaired Texans; Jennifer Bailey; Chrispy Polanco; Kim Powers (*Registered, but did not testify*: Marc Hoskins, Disability Rights Texas; Jeff Miller, Disability Rights Texas; Amanda Tollett, Texas Medical Association; Sabrina Gonzalez Saucedo, The Arc of Texas)

Against - None

On - Ron Lucey, Governor's Committee on People with Disabilities (*Registered, but did not testify*: Keisha Rowe, Health and Human Services Commission)

DIGEST: HB 645 would require the Health and Human Services Commission (HHSC) to operate a statewide program to provide co-navigation services for individuals who are deaf-blind. The bill would define "co-navigation services" as assistance that enables an individual who is deaf-blind to physically access their environment and make informed decisions. The term would include the provision of visual and environmental information, sight guiding, and facilitation of communication using the individual's preferred language and mode of communication. The term would exclude services related to personal care, ordinary errands, decision-making, teaching, or formal interpretation in medical, business, or legal settings.

The bill would require that co-navigation services be provided by specially trained individuals known as co-navigators, whom HHSC would

be required to reimburse. The executive commissioner of HHSC would be required to adopt reimbursement rates that used a tiered wage scale based on a co-navigator's training, fluency, and skill in communication and mobility techniques used with individuals who are deaf-blind. HHSC also would be required to monitor co-navigator compliance with program rules, develop non-state funding sources to reduce reliance on state resources, and provide funds and technical assistance for training co-navigators and individuals who are deaf-blind who used the services.

The bill would authorize the executive commissioner to create an advisory committee to assist with the development and management of the program. The committee would have to include individuals who are deaf-blind and other stakeholders. The executive commissioner also would be authorized to adopt any rules needed to efficiently operate the program, maximize the number of individuals served, and ensure adequate training of co-navigators in the program.

The bill would take effect September 1, 2025. The bill would require HHSC to adopt necessary rules and begin to operate the program by September 1, 2026.

SUPPORTERS SAY:

HB 645 would fill a critical service gap and benefit the state's deaf-blind community by providing structured co-navigation services that promote autonomy and independence. Many Texans who are deaf-blind currently lack access to trained professionals who can assist them in navigating both physical spaces and daily life tasks, often relying on family members, friends, or untrained, unpaid volunteers. This is particularly true in rural areas, where resources for the deaf-blind community are scarce or nonexistent. Providing co-navigation services tailored to each individual's preferred mode of communication would enhance a deaf-blind individual's mobility, communication, informed decision-making, and ability to engage with their communities, allowing these individuals to live with greater dignity and self-determination.

CRITICS SAY:

By creating a new state-led program, HB 645 could increase government responsibility and spending rather than promoting private or charitable solutions and innovations in the co-navigation space.

NOTES: According to the Legislative Budget Board, HB 645 would have a negative impact of about $2.2 million through the biennium.

SUBJECT: Authorizing school districts to appoint reserve police officers

COMMITTEE: Public Education — committee substitute recommended

VOTE: 14 ayes – Buckley, Bernal, Allen, Ashby, Bryant, Cunningham, Frank, Hinojosa, Hunter, Kerwin, Leach, Leo Wilson, Schoolcraft, Talarico

0 nays

1 absent — Dutton

WITNESSES: For - Danny Stockton, Plano ISD; Shawn Denison (*Registered, but did not testify*: Tricia Cave, Association of Texas Professional Educators (ATPE); Andrew Wright, Houston Police Officers' Union; Carlos Ortiz, San Antonio Police Officers Association; John Wilkerson, Texas Municipal Police Association (TMPA); Jennifer Easley, Texas PTA; Brandon Garcia, Texas Public Charter Schools Assc; HD Chambers, Texas School Alliance; Thomas Parkinson)

Against - (*Registered, but did not testify*: Amanda Afifi, Texas Association of School Psychologists)

On - Steve Swanson (*Registered, but did not testify*: John Scott, TEA; Carrie Griffith, Texas State Teachers Association)

DIGEST: CSHB 1458 would authorize a school district's board of trustees to allow the chief of police of the school district police department to appoint reserve police officers for the district. The board could limit the number of reserve police officers the school district police chief could appoint.

The bill would allow a school district police chief to decide when a reserve police officer who held a permanent peace officer license could act as a peace officer or carry a weapon. The police chief could authorize a reserve officer to act as a peace officer or carry a weapon at all times, regardless of whether the officer was engaged in the actual discharge of official duties, or could limit this to only when the officer was engaged in

the actual discharge of official duties. A reserve police officer who did not hold a permanent peace officer license could only act as a peace officer during the actual discharge of official duties.

Reserve police officers on active duty at the call of the school district police chief would have the same rights, privileges, and duties as any other peace officer of the state when actively engaged in assigned duties. Reserve officers could be called into service at any time by the school district police chief when additional officers were considered necessary to preserve peace and enforce the law.

A reserve police officer would not be eligible for any program provided by the agency or school district board of trustees that was normally considered a financial benefit of full-time employment or any pension fund created by statute for the benefit of full-time paid peace officers. Reserve police officers also would not be exempt from the rules, requirements, and standards under the Private Security Act of the Occupations Code.

The bill also would expand the definition of an armed security officer under Education Code provisions requiring an armed security officer to be present during regular school hours at each district campus to include:

- a reserve deputy sheriff who is a peace officer appointed by a county sheriff as authorized by a county commissioners court;
- a reserve police officer who is a peace officer; or
- an honorably retired peace officer who previously served but is not currently serving as an elected, appointed, or employed peace officer who is commissioned as an active status peace officer and fulfilled requirements such as peace officer continuing education, active shooter response training, and weapon proficiency for qualified retired law enforcement officers.

CSHB 1458 also would amend the definition of peace officer in the Code of Criminal Procedure to include reserve officers hired under the bill who have a permanent peace officer license, and would make certain conforming changes related to legislation enacted during the 88th

Legislature. The bill also would make conforming changes to provisions of the Occupations Code defining reserve law enforcement officers.

To the extent of any conflict, the bill would prevail over another act of the 89th Legislature relating to non-substantive additions to or corrections of enacted codes.

The bill would take effect September 1, 2025.

SUPPORTERS SAY:

By authorizing school districts to appoint reserve police officers and expanding the definition of who can be considered an armed security officer under the Education Code, CSHB 1458 would help improve school safety by expanding the list of qualified individuals who could serve as armed school security officers. Many school districts have experienced difficulties hiring armed school security personnel due to budget constraints. While Texas has a strong community of retired and reserve law enforcement officers willing to volunteer as armed security in schools, the current Education Code does not allow a school district to enlist their help.

Allowing school districts to bring on these volunteers as reserve police officers could help address the shortage of armed school security personnel without imposing an additional financial burden on a district's budget. This could help schools comply with required safety measures, such as having at least one armed security officer on campus, which would help keep kids safe in Texas public schools.

CRITICS SAY:

While CSHB 1458 would give a school district flexibility to appoint reserve police officers, the bill could go further by also allowing school marshals to serve as authorized armed security officers. Under current law, schools are required to demonstrate a good cause exception to participate in the Marshal program. Given that school marshals undergo 80 hours of training, they should be able to qualify as reserve police officers for school districts to give schools even more flexibility in meeting security needs.

SUBJECT: Designating Sul Ross State University RGC as a four-year institution

COMMITTEE: Higher Education — favorable, without amendment

VOTE: 10 ayes — Wilson, A. Davis, Lalani, Lambert, V. Perez, Shaheen, Shofner, Tinderholt, VanDeaver, Ward Johnson

0 nays

1 absent — Howard

WITNESSES: For — Karen Rove, City of Eagle Pass (*Registered, but did not testify*: Sarah Berel-Harrop)

Against — None

On — Carlos Hernandez, Sul Ross State University

DIGEST: HB 1022 would amend the Education Code to reclassify Sul Ross State University Rio Grande College, beginning on January 1, 2028, as an "educational center" rather than an "upper-level educational center." The bill would take effect on September 1, 2025.

SUPPORTERS SAY: By allowing Sul Ross State University Rio Grande College to offer bachelor's degree programs to its students, HB 1022 would give students in the Middle Rio Grande region the opportunity to pursue an affordable, high-quality college education. Under current law, Sul Ross State University Rio Grande College is designated as an "upper-level educational center." This designation prevents the institution from awarding bachelor's degrees and only provides the students with an opportunity to complete upper-level coursework.

With the nearest accredited four-year institution located 120 miles away, the bill would enable students to complete their bachelor's degrees without incurring substantial debt, leaving behind their homes and communities, or leaving local jobs for a potentially expensive relocation.

By addressing these significant barriers for many prospective students, the bill would help the region and the entire state of Texas.

CRITICS SAY:

No concerns identified.

SUBJECT: Replacing Interstate Compact for the Placement of Children

COMMITTEE: Human Services — committee substitute recommended

VOTE: 10 ayes - Hull, Manuel, A. Davis, C. Morales, Noble, Richardson, Rose, Schatzline, Slawson, Swanson

1 nay - Dorazio

WITNESSES: For - (*Registered, but did not testify*: Sydney Baker, Buckner International; Tessa Galloso, Texans Care for Children; Stephanie Battaglia, Texas CASA; Ben Wright, Texas Medical Association; Clayton Travis, Texas Pediatric Society)

Against - Julia Hatcher, Texas Association of Defense Attorneys

On - Audrey O'Neill, DFPS - Resource Witness; Katherine McAnally

DIGEST: CSHB 141 would repeal the existing Interstate Compact for the Placement of Children (ICPC) and adopt a revised version in its place. The purpose of the revised compact would be to:

- establish a uniform process and procedures for applicable placements of children across state lines to ensure they are placed in safe and suitable homes in a timely manner;
- facilitate ongoing supervision of placements, delivery of services, and communication between sending and receiving states;
- provide for rulemaking, enforcement, data collection, and information sharing among the member states;
- promote coordination with other compacts affecting placement and provision of services to children;
- provide for a state's continuing legal jurisdiction and responsibility for care of a child; and
- for cases involving Indian children as permitted by federal law, provide for guidelines in collaboration with Indian tribes.

CSHB 141 would generally allow a court in the sending state to retain jurisdiction over children placed in another state, including the authority

to order the child's return if needed. Before a placement could occur, the sending state would be required to submit documentation for a placement assessment, and the child could not be placed until the receiving state granted approval. The receiving state would have to provide written documentation if it denied placement. The bill would also allow interested parties to request an administrative review of a denied placement. If a denial was overturned, and after exhaustion of administrative and legal remedies, the placement would be deemed approved.

Certain interstate placements would not be subject to the compact, including those made by parents or relatives with legal authority and placements with non-custodial parents, when a court determines there is a substantial relationship with the child and that the placement is in the child's best interest. For determining the applicability of the compact for placement of a child in a military family, the placing agency would be authorized to choose the state of the service member's legal residence or duty station.

The revised compact under the bill would establish an Interstate Commission for the Placement of Children, composed of one commissioner from each member state with equal voting rights. The commission would be authorized to collect standardized data, establish and maintain an assessment process, provide training and technical assistance, and resolve disputes between member states. The commission also would be able to pursue legal action against member states that failed to comply with the compact obligations.

A member state could withdraw from the compact by repealing the statute that enacted the compact into law. The bill would require the commission to be notified upon the introduction of repealing legislation. If membership were reduced to one state, the compact would dissolve. The compact would be binding and enforceable in each member state that enacted it and could be amended only with the unanimous consent of all member states.

In addition to repealing the statute that adopted the existing ICPC, CSHB 141 would repeal a Family Code provision authorizing a court to revoke the license of a childcare facility or general residential operation if convicted of violating the compact. The bill would leave in place a

provision making it a Class B misdemeanor to violate a provision of the compact.

CSHB 141 would take effect once the compact was enacted into law by the 35th state. However, Article 1 of the bill, adopting the compact and setting out its purpose, would take effect upon adoption by the 33rd state.

SUPPORTERS SAY:

CSHB 141 would improve the process for placing children across state lines by replacing the outdated ICPC with a revised version that streamlines procedures and reduces delays. The current compact can hinder timely placements due to inconsistent procedures and lack of enforceable timelines, often delaying permanency for children in foster care or kinship care.

As fewer than 20 states have adopted the new compact, CSHB 141 would allow Texas to participate in developing new national rules, ensuring Texas has a voice in shaping standards under the compact. If Texas delays adoption, the state would be excluded from the rulemaking process and required to follow policies without input.

The bill also would avoid the need for the state to negotiate private contracts for supervision and safety with agencies in other states every time a child is placed outside of Texas, which could result in significant delays and cost the state an estimated $5.5 million annually.

CRITICS SAY:

CSHB 141 would not sufficiently address existing concerns with the ICPC process, including delays caused by the absence of required timelines for approving and denying placements, which can prolong time in foster care. CSHB 141 could risk expanding ICPC oversight to placements that do not require compact approval, such as those involving non-custodial parents or parents with existing rights. The bill also could bind the state to future rule and enforcement mechanisms that have not yet been finalized and may conflict with Texas values. Texas would be better served by delaying adoption and pursuing a state-led alternative that aligns more closely with state priorities.

NOTES:

The committee substitute of HB 141 amends certain terminology and changes the bill's effective date from a fixed date (September 1, 2025) to the date on which the revised compact is enacted into law by the 35th state.

SUBJECT: Expanding confidentiality protections for certain crime victims

COMMITTEE: Criminal Jurisprudence — favorable, without amendment

VOTE: 11 ayes – Smithee, Wu, Bowers, Cook, J. Jones, Little, Louderback, Money, Moody, Rodríguez Ramos, Virdell

0 nays

WITNESSES: For - Stephanie Gharakhanian, Travis County District Attorney's Office; (*Registered, but did not testify*: Terra Tucker, Alliance for Safety and Justice; T. J. Patterson, City of Fort Worth; Jennifer Tharp, Comal County Criminal District Attorney; Chris Jones, Combined Law Enforcement Associations of Texas; Adam Haynes, Conference of Urban Counties; Andy Kahan, Crime Stoppers Houston; M. Paige Williams, Dallas Criminal District Attorney John Creuzot; Katelyn Caldwell, Harris County Commissioners Court; James Kershaw, Harris County Deputies' Organization FOP #39; Nathan Carroll, Houston Police Department; Andrew Wright, Houston Police Officers' Union; Ashley Brooks, Texas Association Against Sexual Assault; Jennifer Mudge, Texas Council on Family Violence; Ray Hunt and John Wilkerson, Texas Municipal Police Association; Cicely Kay, Travis County Commissioners Court; Sarah Berel-Harrop)

Against - None

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

BACKGROUND: Code of Criminal Procedure, ch. 58, subch. D, provides for the confidentiality of identifying information of victims of stalking under Penal Code sec. 42.072. This includes the use of pseudonyms in records and proceedings to prevent the disclosure of a victim's name, address, or certain other identifying details.

DIGEST: HB 502 would expand confidentiality protections under Code of Criminal Procedure, ch. 58, subch. D, to include victims of indecent assault and invasive visual recording. The bill would do so by amending the definition

of "victim" in Code of Criminal Procedure art. 58.151 to include a person who was the subject of:

- indecent assault under Penal Code sec. 22.012;
- invasive visual recording under Penal Code sec. 21.15; or
- an offense that was part of the same criminal episode as one of the listed offenses.

The bill would take effect September 1, 2025.

SUPPORTERS SAY:

HB 502 would ensure that victims of indecent assault and invasive visual recording are eligible for the same confidentiality protections currently afforded to victims of stalking and similar offenses. These offenses are comparable in their potential to cause personal harm and distress, and extending confidentiality in these cases would promote consistency in how the law treats similarly situated victims. The bill would allow victims of these offenses to use pseudonyms in records and proceedings to prevent the disclosure of identifying information.

Extending confidentiality protections could help safeguard victims' privacy and make them more willing to report offenses. In some cases, victims may fear retaliation or professional repercussions if their identities are disclosed, and the option to use a pseudonym could reduce those concerns.

CRITICS SAY:

No concerns identified.

SUBJECT: Raising the payment bond threshold for certain public work contracts

COMMITTEE: Delivery of Government Efficiency — favorable, without amendment

VOTE: 8 ayes — Capriglione, Bhojani, Alders, Bowers, Cook, Curry, L. Garcia, Rodríguez Ramos

4 nays — Cain, Olcott, Tinderholt, Troxclair

1 absent — Campos

WITNESSES: For — Ana Husted, Associated Builders and Contractors of Texas, Inc.; John Martinez, Regional Hispanic Contractors Association (RHCA) (*Registered, but did not testify*: Corbin Van Arsdale, AGC-Texas Building Branch; Julie Wheeler, Travis County Commissioners Court)

Against — None

On — (*Registered, but did not testify*: Andrea Lofye, Texas Parks and Wildlife Department)

DIGEST: HB 643 would raise from $25,000 to $100,000 the threshold for which a governmental entity making a public work contract with a prime contractor would have to require the contractor to execute a payment bond, excluding municipalities and joint airport boards.

The bill would take effect September 1, 2025, and would apply only to a public work contract for which a governmental entity first advertised or otherwise requested bids, proposals, offers, qualifications, or similar solicitations on or after the effective date.

SUPPORTERS SAY: HB 643 would provide opportunities for new and small businesses to compete for public work contracts by raising the payment bond threshold to $100,000 and ensuring that contractors proposing smaller projects did not have to execute such bonds. Currently, a prime contractor entering into a public work contract with a governmental entity that exceeds $25,000 in value must execute a payment bond as a condition of the

contract. As public works projects have increased in size and complexity, it has become more necessary for the bonding threshold to increase.

The $25,000 threshold under current law can be a barrier for many contractors who lack experience in the bonding process, particularly new and smaller businesses that may struggle to get bonds. This can result in a smaller bidding pool and less competition for public works contracts. Raising the threshold to $100,000 would increase the state's bidding pool, help historically underutilized business subcontractors compete for contracts, and lower contract expenses for state projects. The bill also would decrease the administrative burden on state agencies and strike a balance between greater administrative flexibility and payment security. In addition, HB 643 would better align the state with federal and municipal bonding thresholds, allowing the state to more effectively compete with other public sector entities for contracts.

HB 643 would simply change the bonding threshold to help more small businesses compete for public contracts, which would not erode any financial protections and would maintain strong financial accountability for contractors. By still requiring payment bonding on projects exceeding $100,000, the bill would provide for robust protections for "downstream" contractors and public owners.

CRITICS SAY:

While HB 643 would provide opportunities for smaller businesses to compete for public work contracts and reduce regulatory burdens, it could allow contractors to operate without sufficient financial accountability.

SUBJECT: Amending property tax rate calculations in certain coastal counties

COMMITTEE: Ways & Means — committee substitute recommended

VOTE: 13 ayes — Meyer, Martinez Fischer, Bernal, Button, Capriglione, Gervin-Hawkins, Hickland, Muñoz, Noble, V. Perez, Troxclair, Turner, Vasut

0 nays

WITNESSES: For — Kevin Kieschnick, Nueces County Tax Assessor Collector, Tax Assessor Collectors Association of Texas; Dr. Mark Escamilla, Del Mar College; Connie Scott, Nueces County; Brent South, Texas Association of Appraisal Districts (*Registered, but did not testify*: Ryan Skrobarczyk, City of Corpus Christi; Joel Romo, Nueces County & Del Mar College; Shayne Woodard, Valero Energy)

Against — None

BACKGROUND: Under the Tax Code, a property owner may protest a property appraisal valuation before an appraisal review board (ARB). The property owner is entitled to appeal an ARB determination of the protest to a court. An appraisal district's chief appraiser is required to certify an appraisal roll without taking into account pending litigation from an appeal that may result in lower appraised values. Taxing units are required to consider the total appraised value of property, including property in litigation, as taxable when determining the No-New-Revenue (NNR) tax rate and the Voter-Approval Tax Rate (VATR) under formulas provided in statute.

DIGEST: CSHB 3093 would amend how certain ad valorum property tax rates were calculated for an affected taxing unit in counties located on the Gulf of Mexico with a population below 500,000. The bill would exclude contested taxable value of property that was part of anticipated substantial litigation from the current total value of property listed on the appraisal roll in an affected taxing unit.

The bill would define "anticipated substantial litigation" to mean one or more appeals by a single property owner or by one or more associated business entities of a single property owner of an appraisal review board

(ARB) decision on a property appraisal protest for property located in an affected taxing unit under the bill, if any of the properties:

- had a taxable value that was one of the 20 highest in its appraisal district in the preceding tax year; and
- had a current taxable year value that exceeded 125 percent of the amount of the uncontested taxable value of the property.

The bill would require a property owner or an associated business entity that intended to file an ARB appeal that was part of anticipated substantial litigation to submit to the affected taxing unit the total uncontested taxable value of property that may be the subject of an appeal or part of the litigation and a written commitment to pay the tax due on that amount. This information would have to be submitted by the earlier of August 7 or the 21st day after the first ARB hearing. The amount of uncontested taxable value submitted could only be used to calculate NNR and VATR tax rates and could not be construed as an amount not in dispute for judicial review purposes. The affected taxing unit would be required to notify each owner of the 20 highest taxable value properties in the preceding tax year in the appraisal district by July 1 that the owner may have to comply with these requirements.

If the exclusion applied, the bill would require the affected taxing unit to submit an addendum to the required tax rate calculation forms provided to county assessor-collectors. The addendum would have to include documentation supporting the exclusion and each statement submitted by a property owner.

The bill would require tax rate calculation forms prescribed by the comptroller to allow this addendum to be included. The bill also would require these addendums to be included on a county's website, in the chief appraiser's electronic property tax database, and in the tax database information required to be made publicly available.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house and would apply to an ad valorem tax year beginning on or after January 1, 2025. Otherwise, the bill would take effect September 1, 2025, and would apply to an ad valorem tax year beginning on or after January 1, 2026.

SUPPORTERS SAY:

CSHB 3093 would help create more tax revenue certainty and prevent future financial harm to local governments along the Gulf Coast by excluding the contested amounts in appraisal disputes involving an appraisal district's 20 highest-value properties from appraisal rolls. The bill would allow qualifying counties, municipalities, and special districts to base their budgets on realistic, collectible values rather than disputed amounts.

Under current law, a taxing unit must use the total appraised value of property in the appraisal district in formulas that determine the NNR tax rate and the VATR. The total appraised value does not take into account pending litigation, which can result in lower property values than what was originally appraised. As a result, taxing units sometimes set inaccurate tax rates or overestimate anticipated revenue, which can lead to a major funding gap if pending litigation results in reduced appraisal values. These surprise budget shortages can cause severe disruption to essential operations and the provision of government services. CSHB 3093 would prevent this by modifying the property tax rate calculations for tax years in which owners of high-value properties provided notice that they intended to pursue litigation over appraised property values.

CRITICS SAY:

CSHB 3093 could harm taxpayers in qualifying coastal counties by removing contested value from the tax rolls. Excluding contested values could cause appraisal districts to underestimate the appraised value of the district's properties, which could lead to a higher tax rate under the NNR tax rate and the VATR formulas. This could result in the over-collection of taxes if pending litigation did not result in reduced appraisal values.

SUBJECT: Requiring standardized telehealth consent documentation procedures

COMMITTEE: Public Health — committee substitute recommended

VOTE: 11 ayes - VanDeaver, Campos, Bucy, Cunningham, Frank, Johnson, J. Jones, Pierson, Schofield, Shofner, Simmons

1 nay - Olcott

1 absent — Collier

WITNESSES: For - Nora Cox, Texas e-Health Alliance (*Registered, but did not testify*: Joshua Sanders, City of Houston; Kelsey Bernstein, Texas Council of Community Centers; Matt Dowling, Texas Medical Association; Rachel Wolleben, Texas Women's Healthcare Coalition; Jennifer Allmon, The Texas Catholic Conference of Bishops)

Against - (*Registered, but did not testify*: Sarah Berel-Harrop; Eve Margolis)

On - Steve Uecker, Texas Department of Licensing and Regulation (*Registered, but did not testify*: Sarah Lindley Bailey)

DIGEST: HB 1700 would require agencies that regulate health professionals providing telemedicine services, teledentistry dental services, or telehealth services to adopt rules to standardize consent-related documentation formats. The rules would need to address how providers documented patient consent for treatment, data collection, and data sharing.

The bill also would require the rules to address appropriate standards of care for documenting consent during audio-only telehealth interactions.

The bill would take effect September 1, 2025.

SUPPORTERS SAY: HB 1700 would ensure that providers documented patient consent to treatment, data sharing, and data collection in a standardized way. Standardization would address concerns raised by many healthcare providers about a lack of clarity on consent-to-care documentation

practices, particularly for audio-only telehealth interactions. Clarifying this by providing for standardized documentation would promote consistency in telemedicine and telehealth services and ease regulatory burdens by giving providers clear guidance on documentation expectations.

CRITICS SAY:

HB 1700 should ensure that clear limits are established for rulemaking authority granted to regulatory agencies. The bill could lead to overregulation and create compliance challenges, particularly for small healthcare providers.

SUBJECT: Establishing a task force on early childhood education and care

COMMITTEE: Public Education — committee substitute recommended

VOTE: 14 ayes – Buckley, Bernal, Allen, Ashby, Bryant, Cunningham, Frank, Hinojosa, Hunter, Kerwin, Leach, Leo Wilson, Schoolcraft, Talarico

0 nays

1 absent — Dutton

WITNESSES: For - Monty Exter, Association of Texas Professional Educators; Tamkeen Shroff, Goddard School Long Meadow Farms; Butch Aggen, Godddard School of Cedar Park; Taylor Landin, Greater Houston Partnership; David Fincher, NCCC; Sarah Baray, Pre-K 4 SA; Charles Miller, Texas 2036; Kelle Kieschnick, Texas Business Leadership Council; Miguel Solis, The Commit Partnership, Texas Workforce Solutions Dallas Board; Swati Kapdi, Texas Licensed Child Care Association; Eric Bonhard (*Registered, but did not testify*: Rebecca Montgomery, Center for Transforming Lives; Jason Sabo, Children at Risk; Adam Haynes, Conference of Urban Counties; Ben Stratmann, Dallas Regional Chamber; Wendy Uptain, Early Matters Texas; Becky Calahan, Philanthropy Advocates; Doug Clements, Texans Care for Children; Megan Mauro, Texas Association of Business; Carl Isett, Texas Licensed Child Care Association; Brandon Garcia, Texas Public Charter Schools Association; Madison Gessner, Texas Restaurant Association; Kerrie Judice, TexProtects; Kate Greer, The Commit Partnership; Cicely Kay, Travis County Commissioners Court; Kevin Kilgore)

Against - None

On - (*Registered, but did not testify*: Tricia Cave, Association of Texas Professional Educators; Monica Martinez, Texas Education Agency; Reagan Miller, Texas Workforce Commission)

DIGEST: CSHB 117 would establish the Governor's Task Force on Governance of Early Childhood Education and Care under the Texas Education Agency

to address governance and operational challenges within Texas' early childhood education system.

Membership. The task force would be required to include a steering committee composed of the executive commissioner of the Health and Human Services Commission (HHSC), the commissioner of the Texas Education Agency (TEA), the chair of the Texas Workforce Commission (TWC), relevant division directors designated by these individuals, and TEA's inter-agency deputy director of early childhood support.

CSHB 117 also would require the task force to be composed:

- of one public school teacher certified to teach prekindergarten;
- one certified teacher employed by a private child-care facility or prekindergarten program;
- a representative from the Texas Head Start State Collaboration Office appointed by the governor;
- a representative from the Department of State Health Services appointed by the governor;
- two representatives from the Texas Early Learning Council designated by the steering committee; and
- between two and five individuals appointed by the governor with relevant knowledge of or experience in early childhood education and care.

Powers and duties. Under CSHB 117, the task force would be required to examine governance and operational challenges within the early childhood system, including those of federal and local child-care programs and their governing regulations. The task force also would be required to conduct a comprehensive review of the existing functions and responsibilities of HHSC, TEA, and TWC with a focus on improving government efficiency, and consider methods for a large-scale redesign of early childhood programs to improve efficiency, service delivery, care quality, and the effective use of funding.

The task force's steering committee would be required to align the goals, metrics, and statewide data systems of HHSC, TEA, and TWC to measure

progress. The steering committee would also have to require these agencies to complete and submit periodic progress reports to the task force and regularly refine statewide goals and strategic plans to ensure alignment with evolving early childhood education and care needs.

No later than December 1, 2026, the task force would be required to provide budget and policy recommendations to the Legislature that would enhance early childhood education and care participant engagement with state agencies and lead to improved operational efficiency, increased affordable childcare capacity, and improved kindergarten readiness.

From money appropriated or otherwise available for the purpose, TEA would be obligated to cover the costs of data system integration, research, and administration related to the task force.

This task force would be abolished on September 1, 2027.

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, 2025.

SUPPORTERS SAY:

By establishing the Governor's Task Force on Governance of Early Childhood Education and Care, CSHB 117 would be a critical step toward creating a more structured and consistent approach to early childhood education policy and improving access to affordable childcare in Texas. Currently, a lack of coordination among the five state agencies that regulate childcare programs has resulted in a fragmented system, producing conflicting regulations and a lack of cohesive leadership. These challenges have manifested as inconsistencies between private childcare centers, which are held to stringent standards, and public kindergarten programs, which are not subject to the same level of accountability. CSHB 117 could help streamline regulations and promote a unified framework that ensures young children receive the care and education they need to succeed.

The development and implementation of recommendations set forth by the task force could also help to address the limited capacity and pervasive unaffordability of childcare throughout the state. Since the pandemic,

child care centers have struggled with rising operational costs, including an increase in rent, utilities, and wages, which has in turn raised the price of tuition, making childcare less and less affordable. The pandemic also caused a disruption in early childhood education, leading to developmental delays for many young children. HB 117 would represent an important first step in expanding access to affordable childcare, improving kindergarten readiness, and supporting better working conditions for childhood educators. Additionally, as the bill requires representation from both private and public programs, the task force would be working to improve childcare and early education for all children.

CRITICS SAY:

HB 117 should require that the task force responsible for shaping early childhood education policy be led by the HHSC, rather than TEA. HHSC has the appropriate expertise in early childhood development and child welfare, making it better suited to lead in this area. In contrast, TEA is already facing significant challenges managing K-12 education and may not be equipped to effectively expand into early education oversight.

Additionally, CSHB 117 should address concerns about fair funding and regulations for both private and public childcare services. While improving access to tuition-free childcare benefits working class families, solely focusing on the improvement of public childcare services would be detrimental to many small businesses and reduce the range of high-quality educational options available to families. Lawmakers should consider approaches that evenly allocate resources to both public and private childcare services, which would empower families to choose the services that would best suit their needs, promote equity, and ensure that private providers were not pushed out by publicly subsidized competition.

NOTES:

According to the Legislative Budget Board, CSHB 117 would have an estimated negative fiscal impact of $2,154,136 through the biennium.