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HOUSE RESEARCH ORGANIZATION

daily floor report

Tuesday, April 29, 2025
89th Legislature, Number 52
The House convenes at 10 a.m.
Part One

One bill is on the Major State Calendar, two resolutions are on the Constitutional Amendments Calendar, and 137 bills are on the General State Calendar for second reading consideration today. The list of bills in Part One of the *Daily Floor Report* appears on the following page.

Gary VanDeaver
Chairman
89(R) - 52

HOUSE RESEARCH ORGANIZATION

Daily Floor Report
Tuesday, April 29, 2025
89th Legislature, Number 52
Part 1

SUBJECT: Continuing DIR; requiring advisory committees; expanding cybersecurity

COMMITTEE: Delivery of Government Efficiency — favorable, without amendment

VOTE: 13 ayes — Capriglione, Bhojani, Alders, Bowers, Cain, Campos, Cook, Curry, L. Garcia, Olcott, Rodríguez Ramos, Tinderholt, Troxclair

0 nays

WITNESSES: For – Rahul Sreenivasan, Texas 2036 (*Registered, but did not testify*: Renzo Soto, TechNet; Megan Mauro, Texas Association of Business)

Against – None

On – (*Registered, but did not testify*: Amanda Crawford, Tony Sauerhoff, Department of Information Resources; Lauren Ames, Sunset Commission)

BACKGROUND: The Department of Information Resources (DIR) was created in 1989 to coordinate the overall strategic direction for state agency use of information technology (IT), manage the state's computer services center, and approve information resources and telecommunications procurements. The department procures and manages hundreds of IT contracts used by state agencies, higher education institutions, school districts, and local governments as well as public entities in other states.

Functions. The department's mission is to serve the state government by leading the state's technology strategy, protecting state technology infrastructure, and offering innovative and cost-effective solutions for all levels of government. To achieve this mission, DIR:

- provides guidance, planning, and reporting on statewide IT priorities;
- offers outsourced IT solutions and data management services to state agencies and other public entities;
- procures IT products and services for eligible public entities;

- provides telecommunications services to the Legislature and state agencies; and
- in relation to cybersecurity, establishes statewide cybersecurity and data management standards, supports governmental entities during cyberattacks, manages the state's Network Security Operations Center, and oversees the state's data portals.

Governing structure. The department's 10-member board includes seven members appointed by the governor and three ex officio members. One member must be employed by a higher education institution.

Funding. In fiscal 2023, DIR had $760.6 million in available revenue and received $703 million in revenue across four cost-recovery accounts. DIR also received $7.9 million, or 1 percent, in general revenue specifically allocated for cybersecurity. Additionally, the department's revenue sources include $49.2 million from fiscal year 2022 that carried forward to fiscal year 2023.

Staffing. In 2023, the Legislature increased the DIR employee cap from 228 to 267 for the 2024-2025 biennium. In addition to DIR staff, the department works with 500 to 1,200 contractors at any given time to carry out its main programs.

2013 Sunset review and other legislative action. In 2013, DIR underwent Sunset review. HB 2472 continued DIR and the comptroller's authority to perform statewide procurement functions until 2021. In 2019, SB 619 continued DIR until 2025.

DIGEST:

HB 1500 would continue the Department of Information Resources (DIR) until September 1, 2037, and establish provisions regarding advisory committees, cybersecurity, and training and certification courses, among other provisions. The bill also would adopt certain across-the-board Sunset provisions for state agencies.

Advisory committees. The bill would allow the DIR board and executive director, if authorized by the board, by rule to establish, rather than appoint, advisory committees to provide expertise to DIR.

With respect to an advisory committee whose jurisdiction covered a service provided by DIR to state agencies, in appointing members to the committee, the board would be required to:

- to the extent practicable, ensure that the committee was composed of a cross-section of the department's customers who used the service; and
- appoint at least one member who was an employee of a state agency with 500 or fewer employees.

The board would have to adopt rules to govern each committee. The rules would have to include:

- the purpose, role, goals, composition, and duration of the committee;
- the appointment procedures, terms, quorum requirements, conflict-of-interest policies, and member qualifications or training requirements;
- a method DIR would have to use to receive public input; and
- a method for sharing findings and information of the committee with the public and the board.

Advisory committees on department functions. The board by rule would have to establish advisory committees that advised the board on governing DIR and cover the department's primary functions, including one committee for each of the following subjects:

- procurement of information technology commodity items;
- development and implementation of information security programs; and
- preparation of the statutorily required state strategic plan.

Statewide information security advisory committee. The board by rule would have to establish an advisory committee to make recommendations to DIR on improving the effectiveness of the department's and the state's information security operations. The committee would have to include members who were information security professionals employed by state

agencies and local governments. The committee's presiding officer would have to be the DIR chief information security officer.

Customer advisory committee. The board by rule would have to establish an advisory committee to report to and advise the board on improving the effectiveness and efficiency of DIR's services provided to customers. The board would have to appoint members who were employees of state agencies that used DIR services and had 500 or fewer full-time employees, including at least three members from state agencies with 150 or fewer employees.

Cybersecurity training. The bill would amend cybersecurity training requirements for state agencies and local governments. At least once each year, each employee, elected official, and appointed official of a state agency or local government, rather than only employees who used a computer to complete at least 25 percent of their duties, would be required to complete a state-certified cybersecurity training program. The bill would make conforming changes to apply cybersecurity training provisions to all state agency and local government employees.

Information security assessment and penetration test. At least once every two years, DIR would have to require each state agency, not including a university system or higher education institution, to complete an information security assessment and a penetration test to be performed by DIR, or, at the department's discretion, a vendor selected by the department.

Voluntary certification course on procurement of information resources technologies. The bill would require DIR, in coordination with the comptroller, to develop and implement a certification course on the procurement of information resources technologies and make the course available to a person who:

- held a state agency purchasing certification;
- held a contract management certification; or
- held both such certifications.

DIR would have to provide the course in person at least quarterly and certify a state agency employee who successfully completed the course. Successful completion could be credited toward any continuing education requirements for maintaining the aforementioned certifications.

Training on purchase of information resources technologies. The bill would require DIR to develop and provide annual training for persons who served in upper management positions at state agencies. The training would have to include information DIR covered in the aforementioned certification programs that was related to the purchase of information resources technologies. DIR could include additional topics in the training. DIR could not require a person who served in such upper management positions to participate in the training.

Reports. HB 1500 would amend and remove certain reporting requirements for DIR.

Biennial performance report. For the biennial DIR performance report on state government use of information resources technologies, the bill would remove the requirement to provide a summary of the amount and use of internet-based training conducted by each state agency and higher education institution.

Information resources officer cooperation report. The bill would remove the requirement for DIR to report the extent and results of state agencies' compliance with provisions requiring cooperation with the DIR information resources officer.

Agency data governance assessment and report. The bill would rename the DIR agency information security assessment and report to the agency data governance assessment and report. The bill would remove provisions requiring that every two years each state agency conduct an assessment of its information resources systems, network systems, digital data storage systems, digital data security measures, and information resources vulnerabilities, but would retain the requirement for such an assessment of the agency's data governance program. By June 1 of each even-numbered year, each state agency would have to report the results of the data

governance assessment to DIR and, on request, the governor, the lieutenant governor, and the speaker of the House of Representatives.

Analysis of information resources deployment review. Once every two years, DIR would have to conduct a limited evaluation of the information resources deployment review of at least five state agencies to verify the accuracy of those reviews. DIR could limit the evaluation to review responses on subjects that represented the highest risks or greatest opportunities for improvement regarding the agency's software, hardware, compliance, and cybersecurity. DIR would not be required to conduct site visits as part of the evaluation. DIR would have to use information received from the evaluation to update trainings for and outreach to information resources managers on accurately completing the review and to recommend information resources technology solutions to state agencies as needed.

Procurement services pilot program. The bill would require DIR to establish a pilot program under which the department would provide assistance in the procurement of information resources technologies on request by a participating state agency. A state agency could participate in the pilot program only if DIR gave written approval. DIR could limit the number of participating agencies and the types of information resources technologies for which procurement assistance was provided.

Services under the pilot program could include assistance with procurement planning, developing a cost estimate for an information resources technologies project, and drafting and developing a solicitation. For any procurement assistance provided under the pilot program, DIR:

- could not control the procurement for which the assistance was provided or the management of any resulting contract; and
- would not be civilly liable for damages resulting from the provision of procurement assistance unless the damages resulted from intentional conduct or gross negligence.

By December 1, 2028, DIR would have to submit a report to the Legislature that included a summary of the pilot program's activities and a recommendation of whether to continue or expand the program.

Across-the-board recommendations. HB 1500 also would apply several standard Sunset across-the-board recommendations to DIR, including provisions on DIR board membership, board member training, and complaints filed with the department.

Repeals. HB 1500 would repeal certain sections of Government Code pertaining to ex officio DIR board members, the DIR customer advisory committee, the DIR state strategic plan advisory committee, telecommunications in the state strategic plan, and reporting requirements for the agency information security assessment.

The bill would remove references to ex officio board members and would make conforming changes for other provisions throughout.

The bill would take effect September 1, 2025.

SUPPORTERS SAY:

HB 1500 would make necessary changes and updates to the structure, duties, and functions of the Department of Information Resources (DIR) to ensure DIR continued to play a central role in managing and protecting the state's IT infrastructure, coordinating cybersecurity, telecommunications, data centers, and cooperative purchasing. The current Sunset review has found that DIR has made significant improvements since its last review, including by implementing contracting best practices and working to improve customer satisfaction. The bill would build upon these improvements, primarily by enhancing customer input to DIR and expanding the department's cybersecurity authority. Additionally, the budget bills passed by the House and the Senate added 49 additional full-time equivalent positions to DIR to facilitate its ability to provide high-quality services to its customers as its role evolves.

Board structure. HB 1500, by making changes to the composition of the DIR board, would help the board better reflect the department's highest-spending customers. The bill would require the inclusion of employees from small and mid-sized agencies on the board, who would bring differing perspectives from the larger state agencies on IT needs and challenges. This broader range of expertise would help ensure DIR was

responsive to the needs of its customers and provided services that made the best use of taxpayer dollars.

Advisory committees. The bill would improve the department's ability to solicit feedback from customers and receive recommendations on IT planning and information security by requiring the establishment of various advisory committees by rule. Under the Sunset Act, continuing an agency does not automatically continue its advisory committees past the date that the agency was set to expire, and other law expires statutory advisory committees four years after their establishment unless certain conditions are in place. As a result, the DIR customer advisory and state strategic plan committees have expired by function of law and have not been fully functional since 2017. By requiring DIR to reestablish these committees, the bill would ensure that they continued to serve their critical purposes.

Cybersecurity. The bill would give DIR more tools to protect the state's cybersecurity. Cyberattacks can be hugely expensive, costing the state and other organizations hundreds of millions of dollars in a given year. By requiring all state agencies and local government employees and officials to take cybersecurity training and requiring agencies to complete information security assessments and penetration tests, the bill would help ensure that state agencies had the processes and systems in place to protect themselves from hostile actors.

Contracting programs. Though some have suggested expanding contract review processes to better assess vendor performance, DIR already has statutory authority to assess vendor performance, which the department reports to the comptroller, and the bill would continue this authority.

Data Center Services (DCS) consolidation measurement report. While concerns have been raised about the continued usefulness of the DCS consolidation measurement report, the bill would retain this report to ensure DIR had appropriate information on state agency spending on data center services and savings from moving into the state's data center. The report has value for many entities and provides information that is not easily available elsewhere.

CRITICS SAY:

HB 1500 should give DIR expanded authority its contract review processes to prioritize assessing vendor performance. Too often, large contracts awarded to vendors have resulted in unsuccessful projects. When this happens, the state can lose millions of dollars paying vendors for projects that go unfulfilled.

The bill also should abolish or replace the statutorily required Data Center Services consolidation measurement report, as this report is outdated and does not reflect the program as it currently exists.

NOTES:

The companion bill to HB 1500, SB 2404 by Parker, was referred to the Senate Business and Commerce committee on March 25.

SUBJECT: Establishing constitutionally dedicated funding for the Texas Water Fund

COMMITTEE: Natural Resources — favorable, without amendment

VOTE: 13 ayes — Harris, Martinez, Ashby, Barry, C. Bell, Buckley, Fairly, Gámez, J. Garcia, M. González, Romero, Villalobos, Zwiener

0 nays

WITNESSES: For — Scott Stewart, American Council of Engineering Companies of Texas; Matt Phillips, Brazos River Authority; Ryan Skrobarkczyk, City of Corpus Christi; Vanessa Puig-Williams, EDF; Taylor Landin, Greater Houston Partnership; Tom Glass, Lee County Conservatives; Tom Oney, Lower Colorado River Authority; Jennifer Walker, National Wildlife Federation; Rebecca Young Montgomery, North Texas Commission; Jeremy B. Mazur, Texas 2036; Tony Bennett, Texas Association of Manufacturers; Sarah Kirkle, Texas Water Association; Perry Fowler, Texas Water Infrastructure Network (TXWIN); Heather Harward, Texas Water Supply Partners, Upper Trinity Regional Water District; Marie Camino, The Nature Conservancy in TX (*Registered, but did not testify*: Neal T. Buddy Jones, Abilene Chamber of Commerce; Steven Albright, AGC of Texas; Mark Borskey, Association of Equipment Manufacturers; Travis Krogman, Austin Chamber of Commerce; Shannon Hamilton, Central Texas Water Coalition; Shauna Sledge, City of Bryan, Texas; T. J. Patterson, City of Fort Worth; Ariel Traub, City of Garland; Alexa Aragonez, City of Houston; Emily Lindley, City of Temple; Rebekah Chenelle, Dallas Regional Chamber; Sam Gammage, Dow; Shea Pearson, El Paso Water, GBRA; Rebecca Montgomery, Frisco Chamber, Greater Arlington Chamber, Hurst Euless Bedford Chamber, Mansfield Chamber; Javier Lopez, Greater Edwards Aquifer Alliance; Mindy Ellmer, Gulf Coast Water Authority, Tarrant Regional Water District; Jeff Miller, Gulf Trust; Cyrus Reed, Lone Star Chapter Sierra Club; Christine Yanas, Methodist Healthcare Ministries; Eddie Lucio, North Harris County Regional Water Authority; David Kelly, North TX Municipal Water District; James Mathis, Oxy; Carlos Rubinstein, RSAH2O LLC; Alec Lewis, Sabine River Authority; Elizabeth Montgomery, Samsung Austin Semiconductor, LLC.; Brian Sledge, San Antonio River Authority, Red

Bluff Water Power Control District, Upper Trinity GCD, Benbrook Water Authority, Prairielands GCD, Wells Branch MUD, Barton Springs Edwards Aquifer Conservation Dist.; Blaire Parker, San Antonio Water System (SAWS); Andrew Wier, Simsboro Aquifer Water Defense Fund; Cliff Kaplan, Texans for Responsible Aggregate Mining; J.D. Hale, Texas Association of Builders; Jeff Emerick, Texas Association of Business; Justin Yancy, Texas Business Leadership Council; Logan Harrell, Texas Chemistry Council; John Bender, Texas Corn Producers Association; Kyle Frazier, Texas Desalination Association; Matt Abel, Texas Economic Development Council; Billy Howe, Texas Farm Bureau; Ryan Paylor, Texas Independent Producers & Royalty Owners Association (TIPRO); Monty Wynn, Texas Municipal League; CJ Tredway, Texas Oil and Gas Association; Seth Juergens, Texas REALTORS; Lara Zent, Texas Rural Water Association; Stacey Steinbach, Texas Water Association; Gerald Lee, The Greater San Antonio Chamber of Commerce; Nzingha Williams-Eugene, Victoria Economic Development Corporation; Ty Embrey, Water Environment Association of Texas (WEAT); Kinnan Goelemon, WateRuse Association of Texas, Friends of San Saba; Jake Posey, Western Travis County Public Utility Agency; Buddy Garcia)

Against — None

On — Bryan McMath, Texas Water Development Board

DIGEST:

HJR 7 would amend the Texas Constitution to require the comptroller, in each state fiscal year, to deposit to the credit of the Texas Water Fund the net revenue derived from taxes under the Limited Sales, Excise, and Use Tax Act in excess of the first $48 billion of that revenue in the fiscal year. The total amount deposited into the Texas Water Fund could not exceed $1 billion. The deposit would be subject to constitutional provisions on the appropriation and allocation of revenue from the state sales and use tax on sporting goods.

The Legislature, by adoption of a concurrent resolution approved by a record vote of two-thirds of the members of each house, could direct the comptroller to increase or reduce the amount deposited. The comptroller could be directed to make the increase or reduction only:

- in the fiscal year in which the resolution was adopted, or in either of the following two fiscal years; and
- by an amount or percentage that did not result in an increase of more than 100 percent or a reduction of more than 50 percent of the amount that would otherwise be deposited into the fund in that fiscal year.

The comptroller's duty to make a deposit under the resolution would expire August 31, 2035. The Legislature, by adoption of a concurrent resolution approved by a record vote of the majority of the members of each house, could extend the comptroller's duty to make a deposit beyond this expiration date in 10-year increments.

Under a temporary provision that the resolution would add to the Constitution, these provisions would take effect September 1, 2026.

A ballot proposal would be presented to voters at an election on November 4, 2025, and would read: "The constitutional amendment to dedicate a portion of the revenue derived from state sales and use taxes to the Texas water fund."

SUPPORTERS SAY:

By constitutionally dedicating an annual revenue stream of $1 billion to the Texas Water Fund, HJR 7 would help address the deficit in funding for Texas' pressing water needs. In 2023, the 88th Legislature established and allocated $5 billion to the Texas Water Fund, a flexible fund administered by the Texas Water Development Board that allows the board to allocate funding to various water strategies based on differing regional needs and changing conditions. Studies have suggested that $154 billion will be needed over the next 50 years to fully address water infrastructure concerns as the state's population and water demand continue to grow, and HJR 7 would help provide a sustainable funding mechanism to help meet these needs.

The funding model established by HJR 7 would be consistent with other models of infrastructure funding, like transportation, and would provide a predictable funding stream to improve water planning efforts and ensure that infrastructure could keep up with demands without increasing

pressure on ratepayers. Without significant investment in water, the risk of shortages could impact quality of life for Texas residents and stall economic development, as businesses may choose to establish themselves elsewhere due to concerns about access to water in Texas. Since water costs are increasing and water projects can take a long time to complete, it is critical that this investment happen now to ensure the state's water security into the future.

CRITICS SAY:

HJR 7 would not provide sufficient funding to secure the state's water future given the size of projected water funding needs. As such, the resolution should not allow the Legislature to reduce the annual funding by concurrent resolution.

In addition, the resolution should explicitly dedicate part of the annual funding to new water supply development. Without new water supply investments, the state risks overdependence and possible depletion of groundwater resources due to water exports from rural areas to urban centers.

NOTES:

HB 16 is the enabling legislation for HJR 7.

According to the Legislative Budget Board, the resolution would have a negative impact of $1,000,191,689 to general revenue related funds through the biennium, including the cost to the state for publication of the resolution.

SUBJECT: Establishing constitutional rights of parents to raise their children

COMMITTEE: Judiciary & Civil Jurisprudence — favorable, without amendment

VOTE: 11 ayes — Leach, Johnson, Dutton, Dyson, Flores, J. González, Hayes, LaHood, Landgraf, Moody, Schofield

0 nays

WITNESSES: For — Jeremy Newman, Family Freedom Project; Andrew Brown, Texas Public Policy Foundation; Jonathan Covey, Texas Values; Sarah Lindley Bailey; Amy Lee Owen Kloesel; John Schmude; Cecilia Wood (*Registered, but did not testify*: Mary Elizabeth Castle, Texas Values; Megan Benton, Texas Values Action; Jennifer Allmon, The Texas Catholic Conference of Bishops)

Against — (*Registered, but did not testify*: Wendy Kalthoff)

On — Steve Bresnen, Texas Family Law Foundation

DIGEST: HJR 112 would amend the Texas Constitution to establish that a parent had the inherent right to exercise care, custody, and control of the parent's child and to make decisions for the upbringing of the parent's child.

The resolution would prohibit the state or a political subdivision from interfering with the rights of a parent unless the interference was essential to further a compelling governmental interest and narrowly tailored to accomplish that compelling governmental interest.

A ballot proposal would be presented to voters at an election on November 4, 2025, and would read: "The constitutional amendment establishing parents as the primary decision-makers for their children."

SUPPORTERS SAY: By enshrining in the Texas Constitution the right of a parent to exercise care, custody, and control of the parent's children, HJR 112 would provide a clear and solid legal foundation to protect parental rights.

Courts have long recognized that parents have a constitutionally protected right to make decisions for their children. HJR 112 would codify that

caselaw in the Texas Constitution to ensure that this important right could not be removed or diminished by future court opinions. The parent-child relationship is rooted in natural law and should be safeguarded. HJR 112 also would make the right more accessible to parents and lawyers, allowing them to cite the Constitution to help defend their rights in court.

While some have suggested HJR 112 could cause certain laws to be ruled unconstitutional, there is no existing law that would not meet the standard laid out in the proposed amendment. To determine if a law infringed on a parent's constitutional right under the resolution, a court would use the "strict scrutiny" test, which provides that a law is valid only if it furthers a compelling governmental interest and is narrowly tailored to accomplish that interest. Courts essentially are already evaluating challenges in this way, so there would be little risk that HJR 112 would invalidate any existing laws. The resolution would not change the established caselaw, but rather would protect it from future erosion.

CRITICS SAY:

HJR 112 would change the language that courts have used regarding parental rights, which could cause confusion and invalidation of certain laws. Currently, state action is evaluated under the "fit parent" presumption: courts presume that it is in every child's best interest to be raised by their parents. HJR 112 would change that framework and instead apply the strict scrutiny test. Courts could interpret this language differently than they have interpreted the fit parent language, which could lead to current laws or actions by the state being ruled unconstitutional. If the intent is to codify existing caselaw, the resolution should use the same language courts have used in relation to parents' rights.

NOTES:

According to the Legislative Budget Board, the constitutional amendment would have no cost to the state other than the cost of publication, which would be $191,689.

SUBJECT: Prohibiting state investment in certain countries of concern

COMMITTEE: Homeland Security, Public Safety & Veterans' Affairs — favorable, without amendment

VOTE: 10 ayes — Hefner, R. Lopez, Canales, Cortez, Dorazio, Hickland, Holt, Isaac, Louderback, Pierson

0 nays

1 absent — McLaughlin

WITNESSES: For — Kelley Currie, Matthew Du Mee, Michael Lucci, State Armor (*Registered, but did not testify*: Christopher Russo, Texans for Strong Borders; John Bolgiano; Dennis London)

Against — Zhengang Cheng

BACKGROUND: Concerns have been raised that Texas has investments in entities tied to countries that may be seen as risks to national security, such as China, Iran, North Korea, and Russia. Some have suggested that Texas should reduce its financial exposure to these countries by prohibiting the investment of state money in certain countries of concern and associated business entities.

DIGEST: HB 34 would prohibit an investing entity from acquiring a security issued by a country of concern or an entity owned or controlled by or subject to the jurisdiction of a country of concern. The bill would also prohibit an investing entity from investing or making a deposit in a bank with a principal place of business located in a country of concern.

The bill would establish "countries of concern" to mean China, Iran, North Korea, or Russia, or a country designated by the governor under the bill. The governor would be authorized to designate a country as a country of concern after consulting with the public safety director of the Department of Public Safety (DPS) and the Homeland Security Council to assess the status of a country. A company that was scrutinized under the

bill would also be included in the list of what constituted a scrutinized company for the purpose of existing provisions on prohibitions on the investment of public money.

Exception. The bill would include a country of concern in the countries with federal sanctions related to Sudan, Iran, or any federal sanctions regime relating to foreign terrorist organizations not subject to divestment or investment prohibition if the federal government affirmatively declared a company to be excluded from its federal sanctions regime.

Scrutinized companies in countries of concern. The bill would designate a company as a scrutinized company if the:

- company was organized under the laws of, had its principal place of business in the territory of, or was controlled by a country of concern;
- company was owned by a country of concern or individuals who are citizens of a country of concern; or
- majority of stock or other ownership interest of the company was held or controlled by a country of concern or individuals who were citizens of a country of concern.

The bill would require that the comptroller also include companies scrutinized for investment under the bill to the list of all scrutinized companies prepared and maintained by the comptroller.

Actions for a company owned or controlled by or located in a country of concern. The bill would require an investing entity to send a written notice informing the company of its listed company status and warning the company that it could become subject to divestment by investing entities if the company was a scrutinized company identified for investment.

The notice would be required to offer the scrutinized company an opportunity to change its organizational or ownership structure or location so as not to be listed as a scrutinized company to avoid qualifying for divestment by investing entities. The scrutinized company would have 90 days after receiving such a notice to make changes.

The bill would require the comptroller to remove the company from the list of scrutinized companies if the company made applicable changes required, unless the company later again becomes a scrutinized company.

After expiry of the 90 days, if the listed company continued to operate as a scrutinized company, the investing entity would be required to sell, redeem, divest, or withdraw all publicly traded securities of the company, except securities exempted from divestment, according to the investing entity's divestment of assets schedule.

The comptroller would be required to include the companies identified as a scrutinized company on the maintained list of all scrutinized companies by January 1, 2026.

The bill would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, the fiscal implications of the bill cannot be determined due to the lack of data related to the possible loss of return on investments from the Employees Retirement System of Texas and the Teacher Retirement System.

SUBJECT: Creating offenses and training to combat transnational repression

COMMITTEE: Homeland Security, Public Safety & Veterans' Affairs — committee substitute recommended

VOTE: 11 ayes — Hefner, R. Lopez, Canales, Cortez, Dorazio, Hickland, Holt, Isaac, Louderback, McLaughlin, Pierson

0 nays

WITNESSES: For — Kelley Currie, Matthew Du Mee, Michael Lucci, State Armor; Sunny Cheung, The Jamestown Foundation; Steven Deline; Bin Xie (*Registered, but did not testify*: Dennis London)

Against — Zhengang Cheng

BACKGROUND: Concerns have been raised about transnational repression, or actions of foreign governments and terrorist organizations attempting to suppress or politically persecute their citizens or dissidents living in the United States through the use of surveillance, intimidation, harassment, and threats of violence, including actions against activists and journalists. It has been suggested that the Legislature should take measures to address this growing issue, which poses a significant threat to the rights and safety of U.S. citizens.

DIGEST: CSHB 133 would establish the offenses of transnational repression and unauthorized enforcement of foreign law, and require the Department of Public Safety (DPS) to create a transnational repression training program for law enforcement officers.

Offense of transnational repression. CSHB 133 would add the offense of transnational repression to terroristic offenses under the Penal Code. Under the bill, a person would commit an offense if the person engaged or conspired to engage in human trafficking, assault, deadly conduct, harassment, stalking, or compelling prostitution while acting as an agent of a foreign government or foreign terrorist organization, as defined in current statute, with the intent to:

- cause another person to act on behalf of a foreign government or a foreign terrorist organization;
- cause another person to leave or be confined in the United States;
- discourage another person from engaging in protected conduct, defined as any constitutionally protected speech or expressive conduct; or
- retaliate against another person for engaging in protected conduct.

Under the bill, the offense of transnational repression would be one category higher than the most serious underlying offense that the person committed or conspired to commit. If the most serious underlying offense was a first-degree felony (life in prison or a sentence of five to 99 years and an optional fine of up to $10,000), the offense of transnational repression would be a first-degree felony with a minimum term of confinement of 15 years.

Unauthorized enforcement of foreign law. The bill also would add to terroristic offenses the offense of unauthorized enforcement of foreign law, punishable as a second-degree felony (two to 20 years in prison and an optional fine of up to $10,000). A person would commit the offense if, as an agent of a foreign government or foreign terrorist organization, the person, without state or federal approval:

- prevented another person in Texas from violating the laws of a foreign government; or
- detected, investigated, monitored, or surveilled another person in Texas to prevent the other person from violating the laws of a foreign government.

Transnational repression training program. By April 1, 2026, DPS would be required to develop a training program to prepare peace officers to:

- identify transnational repression;
- develop practices for preventing, reporting, and responding to transnational repression; and
- recognize communities targeted by transnational repression and misinformation that may be perpetuated by an agent of a foreign government or foreign terrorist organization.

The bill would require the DPS training to include information about foreign governments and foreign terrorist organizations frequently involved in transnational repression and the methods those governments and organizations use. The bill would also require DPS to regularly update the training to address emerging threats and new methods.

The bill would require DPS, in collaboration with the governor's office, to conduct a study on the threat of transnational repression and prepare and submit a report on the conclusions of the study and recommendations to the legislative members by March 1, 2026. The provisions in the bill related to the study would expire on April 1, 2026.

CSHB 133 would take effect September 1, 2025.

SUBJECT: Creating a science park district and temporary commission

COMMITTEE: Trade, Workforce & Economic Development — committee substitute recommended

VOTE: 10 ayes — Button, Talarico, K. Bell, Bhojani, Harris Davila, Longoria, Luther, Meza, Ordaz, Richardson

0 nays

1 absent — Lujan

WITNESSES: For — Dana Pate, Samsung; Glenn Hamer, Texas Association of Business (*Registered, but did not testify*: Fred Shannon, Applied Materials; Clifford Sparks, City of Dallas; John Kroll, HMWK, LLC; Christopher Lee, North Texas Commission; Stacy Schmitt, Opportunity Austin; Renzo Soto, TechNet; Kyle Bush, Texas Association of Manufacturers; Matt Abel, Texas Economic Development Council; Danielle Lobsinger Bush, Texas Healthcare and Bioscience Institute; Ainsleigh Broadwell, Texas Instruments; Ashley McConkey, Texas Instruments)

Against — None

On — Adriana Cruz, Texas Economic Development & Tourism, Office of the Governor

BACKGROUND: Some have suggested that establishing a framework for the establishment of a Texas science park district would help to develop such districts to attract new business, retain employees, and ensure the stability of the supply chain for national and state security.

DIGEST: CSHB 112 would establish provisions for the creation of a Texas science park district in a county with a population of 800,000 or more or adjacent to such a county.

The bill would authorize landowners to petition the Texas Economic Development and Tourism Office for the creation of a science park

district, subject to requirements regarding electricity, water, and transportation infrastructure access. If the office determined that the petition conformed to requirements and would benefit the territory, the office could approve the petition and appoint a temporary board. Otherwise, the office would be required to deny the petition or require petitioners to amend it.

Upon the creation of a science park district, the office would be required to request the appointment of a temporary board of directors for the district, composed of nine directors appointed by state officials who would oversee strategic planning and initial activities. The temporary board would be required to call for an election for four director positions as soon as practicable after the creation of the district. The following year, the board would be required to call for an election for the remaining five directors. The board would transition to nine elected directors serving staggered two-year terms. Directors would serve without compensation but could be reimbursed for expenses. The bill would establish provisions related to meetings and officer duties.

A district would be authorized to operate education and workforce programs in collaboration with Texas universities and technical institutes, enter partnerships with certain research institutions and corporations, and accept gifts and grants. A district would be required to prioritize the development of research centers, technology incubators, advanced manufacturing facilities, and office spaces. A district also would be required to adopt guidelines promoting environmental responsibility, energy efficiency, and security.

A district would be permitted to impose real property restrictions, issue bonds for financing projects, and manage financial operations through board-established procedures. A district would be required to submit annual reports to the governor, the comptroller, and the Legislature, and conduct quarterly public meetings for community input.

The bill would establish the Texas Science Park Commission within the Texas Economic Development and Tourism Office to develop a comprehensive plan for district governance, funding, partnerships, and industry targeting. The commission would submit its plan and

recommendations by December 1, 2026, and would be abolished on September 1, 2027.

The bill would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of $680,169 to general revenue related funds through the biennium.

SUBJECT: Establishing requirements for foreign adversary lobbyists

COMMITTEE: Homeland Security, Public Safety & Veterans' Affairs — favorable, without amendment

VOTE: 11 ayes — Hefner, R. Lopez, Canales, Cortez, Dorazio, Hickland, Holt, Isaac, Louderback, McLaughlin, Pierson

0 nays

WITNESSES: For — Matthew Du Mee, State Armor; Michael Lucci, State Armor; Bin Xie (*Registered, but did not testify*: Blake Roach, Texas Farm Bureau; Michelle Evans, Williamson County Republican Party; John Bolgiano; Dennis London)

Against — Zhengang Cheng (*Registered, but did not testify*: Steven Deline)

BACKGROUND: Concerns have been raised that foreign adversaries of the United States have attempted to influence state policymaking. Some have suggested that requiring a lobbyist on behalf of certain foreign entity's to register with the Texas Ethics Commission would help prevent foreign adversaries from exercising undue influence on state policy.

DIGEST: HB 119 would require a person to register as a lobbyist with the Texas Ethics Commission if the person communicated directly with one or more members of the legislative or executive branch to influence legislation or administrative action on behalf of a foreign adversary, a foreign adversary client, or a foreign adversary political party.

The bill would prohibit a person registered as such a lobbyist from receiving compensation from the entity on whose behalf the registrant communicated directly with the legislative or executive branch to influence legislation or administrative action.

Among certain other terms, the bill would define a "foreign adversary" to mean a foreign government or foreign nongovernment person designated as a foreign adversary by the United States Secretary of Commerce, an

agency or entity under the control of a country considered a foreign adversary, a person wholly or partly owned or operated by or subject to the control of a country designated as a foreign adversary or that person's subsidiary, and a person organized under the lows of or that has its principal place of business in a country designated as a foreign adversary or that person's subsidiary.

The attorney general would be authorized to bring an action for injunctive relief against a registrant who violated or threatened to violate the bill. In such an injunction, a court could include reasonable requirements to prevent further violations.

The attorney general also would be authorized to bring an action for civil penalties against a registrant who violated the bill. A civil penalty assessed under the bill could not exceed $10,000 for each violation and the amount of any compensation the registrant received in violation of the bill. The attorney general could recover reasonable expenses incurred in bringing an such an action.

The bill would take effect September 1, 2025.

SUBJECT: Prohibiting sister-city agreements with foreign adversaries

COMMITTEE: Homeland Security, Public Safety & Veterans' Affairs — favorable, without amendment

VOTE: 8 ayes — Hefner, Dorazio, Hickland, Holt, Isaac, Louderback, McLaughlin, Pierson

3 nays — R. Lopez, Canales, Cortez

WITNESSES: For — Kelley Currie, Sunny Cheung, State Armor; Jakob Dupuis, State Armor Action; (*Registered, but did not testify*: Amber Hausenfluck, City of McAllen; Steven Deline)

Against —Zhengang Cheng (*Registered, but did not testify*: Nadia Islam, City of San Antonio)

BACKGROUND: Some have suggested that it could be necessary to prohibit sister-city agreements between state governmental entities and foreign adversary countries to ensure those entities do not fall under the influence of foreign adversaries, while still encouraging such agreements with allies of the U.S.

DIGEST: HB 128 would prohibit a governmental entity from establishing, maintaining, or renewing a sister-city agreement with a country that is designated as a foreign adversary or a community located in such a country. The bill would define a foreign adversary as China, Iran, North Korea, or Russia, or a country designated as such under statute related to prohibitions on critical infrastructure contracts.

A governmental entity that was a party to a sister-city agreement on September 1, 2025, would be required to withdraw from the agreement by October 1, 2025. This requirement would expire January 1, 2027.

The bill would take effect September 1, 2025.

SUBJECT: Establishing provisions on genome sequencing related to foreign adversaries

COMMITTEE: Homeland Security, Public Safety & Veterans' Affairs — committee substitute recommended

VOTE: 11 ayes — Hefner, R. Lopez, Canales, Cortez, Dorazio, Hickland, Holt, Isaac, Louderback, McLaughlin, Pierson

0 nays

WITNESSES: For — Kelley Currie, Jacqueline Deal, Michael Lucci, State Armor; Sunny Cheung, The Jamestown Foundation; Steven Deline (*Registered, but did not testify*: Michelle Evans, Williamson County Republican Party; Thomas Parkinson)

Against — None

On — Zhengang Cheng

BACKGROUND: Concerns have been raised regarding the use of biotechnology by foreign adversary countries as a component of military power and commercial advantage. Some have suggested that security measures are needed to prevent foreign adversary companies from using genomic sequencers to collect the genomic data of Texans.

DIGEST: CSHB 130 would prohibit a medical facility, research facility, company, or nonprofit organization from using a genome sequencer or genome sequencing software produced by or on behalf of a foreign adversary, a state-owned enterprise of a foreign adversary, a company or nonprofit organization domiciled within the borders of a country that was a foreign adversary, or an owned or controlled subsidiary or affiliate of a company or nonprofit organization domiciled within the borders of a country that was a foreign adversary.

The bill would apply to a medical facility, research facility, company, or nonprofit organization that conducted research on or testing of genome sequencing or the human genome in the state. The bill would establish a state policy to oppose the collection and analysis of genomic information

by a foreign adversary or for use by a foreign adversary and to support sanctions imposed by the U.S. Department of Commerce or the U.S. Department of Defense on entities engaged in the collection and analysis of such information for use by a foreign adversary.

Entities subject to the bill would be required to store genome sequencing data of state residents at a location within the United States. Entities that stored residents' genome sequencing data, including those which contracted with a third-party storage company, would be required to ensure the security of the genome sequencing data and to ensure that the data, other than open data, was inaccessible to any person located within the borders of a country that was considered a foreign adversary.

By December 31 of each year, entities subject to the bill would be required to submit certification of compliance to the attorney general, who would be authorized to investigate allegations of violations. Entities found to have violated the bill would be liable to the state for a civil penalty of $10,000 for each violation.

The attorney general would be authorized to bring an action to recover a civil penalty in a district court in Travis County or a county in which any part of the violation occurred and would be required to deposit collected civil penalties in the state treasury to the credit of the general revenue fund. The bill also would authorize the attorney general to recover reasonable expenses, including certain costs and reasonable attorney's fees.

CSHB 130 would authorize a resident of the state who was a patient or research subject of an entity subject to the bill and who was harmed by the storage or use of the person's genome sequencing data in violation of the bill to bring an action against that facility, company, or organization in a county where the person resided. The person would be entitled to obtain the greater of actual damages or statutory damages in an amount of no more than $5,000 for each violation. The person also would be entitled to obtain court costs and reasonable attorney's fees. The bill would exclude an action brought under the bill from provisions limiting recovery of exemplary damages.

CSHB 130 would define a "medical facility" as a facility licensed or registered by a state or federal agency to provide health care services that

received any state funding, including pass-through federal money provided to a state agency for grant awards.

The bill could be cited as the Texas Genomic Act of 2025 and would take effect September 1, 2025.

SUBJECT: Requiring the confidentiality of information related to foreign adversaries

COMMITTEE: Homeland Security, Public Safety & Veterans' Affairs — favorable, without amendment

VOTE: 11 ayes — Hefner, R. Lopez, Canales, Cortez, Dorazio, Hickland, Holt, Isaac, Louderback, McLaughlin, Pierson

0 nays

WITNESSES: For — Jacqueline Deal, State Armor; Michael Lucci, State Armor (*Registered, but did not testify*: Elisa M. Tamayo, El Paso County; Santiago Franco, Harris County Commissioners Court; Steven Deline)

Against — None

On — (*Registered, but did not testify*: Nim Kidd, TDEM)

BACKGROUND: Concerns have been raised that current law does not explicitly make information related to hostile acts of foreign adversaries against the U.S. confidential. Some have suggested that strengthening confidentiality protections for certain information related to law enforcement and public protection would help Texas to more effectively counter foreign threats without compromising operationally sensitive information.

DIGEST: HB 132 would amend Government Code ch. 418 to specify that provisions establishing the confidentiality of the information collected, assembled, or maintained by or for a governmental entity for the purpose of preventing, detecting, responding to, or investigating an act of terrorism or related criminal activity would also apply to a hostile act by a foreign adversary of the United States. This clarification would be made to provisions related to the confidentiality of:

- certain information related to emergency response providers;
- certain information related to risk or vulnerability assessments;
- certain information prepared for the United States; and
- certain information related to critical infrastructure.

The bill would take effect immediately if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2025.

SUBJECT: Requiring certain training for correctional officers

COMMITTEE: Corrections — committee substitute recommended

VOTE: 9 ayes — Harless, V. Jones, Allen, Harrison, Lowe, Lozano, Meza, Schatzline, Wharton

0 nays

WITNESSES: For — Clifton Buchanan, Texas Correctional Employees Council; Charlie Malouff, TX C.U.R.E.; Rosalind Caesar; Ashleen Gaddy; Shannon Marshall; Edward Motley; Tammica Motley (*Registered, but did not testify*: Christine Busse, NAMI Texas; Cole Meyer, Texas Appleseed; Kelsey Bernstein, Texas Council of Community Centers; Thomas Parkinson)

Against — None

On — Bobby Lumpkin, Texas Department of Criminal Justice (*Registered, but did not testify*: Jack Choate, The Special Prosecution Unit)

BACKGROUND: Some have suggested that providing correctional officers with training on de-escalation, crisis intervention, and behavioral health would help reduce the risk of harm during high-risk encounters.

DIGEST: CSHB 2756 would require the Texas Department of Criminal Justice (TDJC) to provide training on de-escalation, crisis intervention techniques, and behavioral health to TDCJ correctional officers and employees responsible for the direct supervision of correctional officers.

The training would be required to include information on:

- effective communication;
- employing alternatives to physical restraints, including the availability and proper use of tools such as shields, chemical dispensing devices, and less-lethal force weapons;
- techniques for limiting the use of force resulting in bodily injury;

- proper utilization of necessary resources, including lighting;
- safety techniques during cell extractions;
- fundamental lifesaving procedures; and
- necessary personnel involvement.

The behavioral health training would be required to include information on:

- effective communication and intervention;
- increased awareness of persons with behavioral health concerns, substance use disorders, or intellectual and developmental disabilities;
- crisis recognition, prevention, and response;
- suicide risk and prevention; and
- access to available employee assistance programs.

The bill would require the training to be included in TDCJ's preservice training for correctional officers and completed annually by applicable employees.

The bill would take effect September 1, 2025.

SUBJECT: Expanding child endangerment to include exposure to certain opioids

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 — Lauren Lawrence, Tarrant County Criminal District Attorney's Office (*Registered, but did not testify*: Philip Mack Furlow, 106th Judicial District Attorney; Stephanie Mace, AARP Texas; Ryan Brannan, Austin Police Association; Jennifer Tharp, Comal County Criminal District Attorney; Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); James Parnell, Dallas Police Association; Heidi Ruiz, Houston Police Department; Ray Hunt, Houston Police Officers' Union; Cory Lee, Professional Bondmen of Texas; Bo Stallman, Sheriffs' Association of Texas (SAT); Sarah Crockett, Texas CASA; Kelsey Bernstein, Texas Council of Community Centers; John Wilkerson, Texas Municipal Police Association (TMPA); Jose Escribano, Travis County Constable Pct 3; and 10 individuals)

Against — None

BACKGROUND: Under the Penal Code, a person is presumed to have endangered a child or an elderly or disabled individual if the person engages in certain conduct involving these vulnerable individuals and methamphetamine.
Some have suggested that the Legislature should amend the law to reflect that fentanyl also poses a significant risk to vulnerable individuals.

DIGEST: HB 166 would expand the offense of endangering a child, elderly individual, or disabled individual by including certain conduct involving controlled substances listed in Penalty Group 1-B of the Texas Controlled Substances Act, including fentanyl and other opiates. The bill would extend existing presumptions of endangerment to include manufacturing, possessing, or introducing into the body any controlled substance in Penalty Group 1-B in the presence of or accessible to a child, elderly

individual, or disabled individual. The presumption also would apply if bodily substance analysis indicated the presence of these substances in such individuals.

The bill would take effect September 1, 2025.

SUBJECT: Notifying workforce boards of economic development agreements

COMMITTEE: Trade, Workforce & Economic Development — favorable, without amendment

VOTE: 9 ayes — Button, Talarico, Bhojani, Harris Davila, Longoria, Lujan, Luther, Ordaz, Richardson

0 nays

2 absent — K. Bell, Meza

WITNESSES: For — Matt Abel, Texas Economic Development Council (*Registered, but did not testify*: Jason Sabo, Children at Risk; Joshua Sanders, City of Houston; Elisa M. Tamayo, El Paso County; Mike Meroney, Texas Association of Manufacturers (TAM))

Against — None

BACKGROUND: Concerns have been raised that local workforce development boards, which oversee employment services and training in their regions, may not always be aware of local economic development agreements. Some have suggested that requiring notice of new or amended agreements could help workforce boards better align workforce development efforts with local economic activities.

DIGEST: HB 406 would require a municipality and county that entered into, amended, or renewed a local economic development agreement to provide written notice of the action to the local workforce development board serving the area. The notice would have to be sent no later than 14 days after the agreement is entered into, amended, or renewed.

The notice would have to include specific information about the agreement that would be consistent with requirements established in existing law regarding the local development agreement database.

The bill would take effect September 1, 2025.

SUBJECT: Prohibiting the use of social media platforms by minors

COMMITTEE: Trade, Workforce & Economic Development — committee substitute recommended

VOTE: 10 ayes — Button, Talarico, K. Bell, Bhojani, Harris Davila, Longoria, Lujan, Luther, Ordaz, Richardson

0 nays

1 absent — Meza

WITNESSES: For — Vanessa Sivadge, Protecting Texas Children; David Dunmoyer, Texas Public Policy Foundation; Mary Elizabeth Castle, Texas Values (*Registered, but did not testify*: Michelle Wittenburg, David's Legacy Foundation; Christine Busse, NAMI Texas; Jonathan Covey, Texas Values; Megan Benton, Texas Values Action)

Against — Andrew Hendrickson, ACLU of Texas; Ayaan Moledina, Students Engaged in Advancing Texas (*Registered, but did not testify*: Renzo Soto, TechNet)

On — Jennifer Easley, Texas PTA (*Registered, but did not testify*: Thomas Parkinson)

BACKGROUND: Concerns have been raised that children may be exposed to harmful content or dangerous behaviors through social media platforms. Some have suggested that restricting access by minors and requiring stricter age verification could help protect children's safety and privacy online.

DIGEST: CSHB 186 would prohibit children under 18 years of age from using social media platforms to the extent permitted by federal law. The bill would exclude interactive gaming services, applications, or websites from the existing statutory definition of "social media platform."

CSHB 186 would require social media platforms to verify that a user was at least 18 years old before allowing the user to create an account.

Platforms would have to use a commercially reasonable method based on transactional data to complete the verification. Information collected for age verification could be used only for that purpose and would have to be deleted immediately after verification.

The bill would require social media companies to delete a child's account within 10 days after receiving a verified request from a parent or guardian. The company also would have to cease future online collection of or further use or maintenance in retrievable form of personal information collected from the child's account on all its platforms. Companies would be required to provide a reasonable, accessible, and verifiable process for parents or guardians to request account deletion.

A social media company would violate the bill if it knowingly failed to verify a user's age, allowed a child to use its platform, misused personal information collected during verification, or failed to delete an account after a verified parental request. Violations would be considered deceptive trade practices, enforceable by the attorney general.

CSHB 186 would apply to access to social media platforms beginning January 1, 2026.

The bill would take effect September 1, 2025.

SUBJECT: Requiring the THECB to study success rates for students with disabilities

COMMITTEE: Higher Education — committee substitute recommended

VOTE: 9 ayes — Wilson, A. Davis, Lalani, Lambert, V. Perez, Shaheen, Shofner, VanDeaver, Ward Johnson

1 nay — Tinderholt

1 absent — Howard

WITNESSES: For — Linda Litzinger, Texas Parent to Parent; Sabrina Gonzalez Saucedo, The Arc of Texas (*Registered, but did not testify*: Cole Glosser, Coalition of Texans with Disabilities; Amanda Garcia, Texas American Federation of Teachers (AFT); Megan Mauro, Texas Association of Business; Andrea Chevalier, Texas Council of Administrators of Special Education (TCASE); Kelsey Bernstein, Texas Council of Community Centers; Ashley Harris, United Ways of Texas; Kasey Corpus, Young Invincibles; Sarah Berel-Harrop; Thomas Parkinson)

Against — None

BACKGROUND: Some have suggested that conducting a study of barriers faced by students with disabilities in their transition from high school to higher education could help to address and remove these barriers.

DIGEST: CSHB 271 would require the Texas Higher Education Coordinating Board (THECB) to prepare and submit to the Legislature a report on enrollment and success in higher education for students with a disability by September 1, 2027.

The report would be required to identify, to the extent practicable:

- the number and percentage of students with a disability who enrolled in a public, private, or independent institution of higher education;

- barriers to enrollment in higher education for students with a disability;
- policies of public, private, or independent institutions of higher education that promoted enrollment and success in higher education for students with a disability;
- what services and accommodations for students with a disability were provided for accessibility at public, private, or independent institutions of higher education;
- what public, private, or independent institutions of higher education had done to provide to students with a disability sufficient and accurate information regarding the educational rights and protections for persons with a disability under state and federal law; and
- any recommendations for legislative or other action.

An institution of higher education would have to provide to THECB on request, and THECB could request from a private or independent institution of higher education, any information necessary for the board to prepare the report.

The bill would expire September 1, 2028.

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.

SUBJECT: Expanding eligibility for certain medical claims by certain first responders

COMMITTEE: Trade, Workforce & Economic Development — favorable, without amendment

VOTE: 9 ayes — Button, K. Bell, Bhojani, Harris Davila, Longoria, Lujan, Luther, Ordaz, Richardson

0 nays

2 absent — Talarico, Meza

WITNESSES: For — Chris Jones, Combined Law Enforcement Associations of Texas; Matthew Sapp, Texas State Association of Fire Fighters and Frisco Firefighters Association (*Registered, but did not testify*: James Songer, Dallas Police Department; Lloyd Cook, Fort Worth POA; Joe Morris, Game Warden Peace Officers Association; James Kershaw, Harris County Deputies' Organization FOP #39; Andrew Wright, Houston Police Officers' Union; Brian Becker, Irving Professional Fire Fighters Association; Aidan Alvarado, Laredo Firefighters Association; Adrian Martinez, San Antonio Police Officers Association; Carlos Ortiz, San Antonio Police Officers Association; John Wilkerson, Texas Municipal Police Association; Glenn Deshields, Texas State Association of Fire Fighters; Ronnie Wright)

Against — None

On — Allen Craddock, Texas Dept. of Insurance, Division of Workers' Compensation (*Registered, but did not testify*: Dirk Johnson, Office of Injured Employee Counsel)

BACKGROUND: Government Code sec. 607.56 establishes conditions under which a firefighter, peace officer, or emergency medical technician who suffers an acute myocardial infarction or stroke resulting in disability or death is presumed to have suffered the disability or death during the course and scope of their employment in that specific role.

Some have suggested that the presumption under Government Code sec. 607.56 should extend to myocardial infarctions or strokes that occur up to eight hours after a first responder's shift ended to provide workers' compensation benefits coverage in these situations.

DIGEST:

HB 331 would modify the conditions under which a firefighter, peace officer, or emergency medical technician, who suffered an acute myocardial infarction or stroke resulting in disability or death, was presumed to have suffered the results during the course and scope of the individual's employment in that specific role to include situations that:

- involved stressful or strenuous physical activity involving law enforcement activity; or
- occurred less than eight hours after the end of a shift in which the first responder had engaged in a qualifying activity.

HB 331 also would expand the definition of "qualifying activity" to include all stressful or strenuous physical activity, rather than only those that are non-routine.

HB 331 would only apply to a claim for benefits or compensation brought on or after the effective date of the bill.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, the bill would take effect September 1, 2025.

SUBJECT: Amending limitation and penalty for improper educator-student offense

COMMITTEE: Criminal Jurisprudence — committee substitute recommended

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

0 nays

WITNESSES: For — Madeleine Greene, Texas Catholic Conference of Bishops; Kelly Neidert, Texas Coalition for Kids; Brianna Waldock, TexProtects; Bryan Flatt, TMPA; Faith Colson (*Registered, but did not testify*: John Litzler, Baptist General Convention of Texas Christian Life Commission; Jason Sabo, Children at Risk; Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); James Kershaw, Harris County Deputies' Organization FOP #39; Ray Hunt, Houston Police Officers' Union; Sydney Baker, Not on Our Watch Texas; Carlos Ortiz, San Antonio Police Officers Association; Alison Brock, Texas Association of School Boards; Jenny Andrews, Texas Catholic Conference of Bishops; John Wilkerson, Texas Municipal Police Association (TMPA); Thomas Parkinson; Christina Resendez)

Against — (*Registered, but did not testify*: Beverly Biehl)

BACKGROUND: Under current law, the offense of improper relationship between educator and student is subject to the general three-year statute of limitations that applies to most felonies and is not explicitly listed as a reportable conviction or adjudication for purposes of sex offender registration requirements. Some have suggested that allowing more time to prosecute this offense and adding it to the list of offenses that require registration as a sex offender would strengthen protections for students.

DIGEST: CSHB 380 would establish a 10-year statute of limitations from the date of the offense of an improper relationship between educator and student. Individuals convicted or adjudicated for the offense of improper relationship between educator and student would be required to register under the sex offender registration program.

The new statute of limitations would apply only to offenses for which prosecution had not become barred before September 1, 2025. The updated sex offender registration requirement would apply only to offenses committed on or after that date.

The bill would take effect September 1, 2025.

SUBJECT: Revising notification of emergency detention form and related provisions

COMMITTEE: Homeland Security, Public Safety & Veterans' Affairs — committee substitute recommended

VOTE: 10 ayes — Hefner, R. Lopez, Cortez, Dorazio, Hickland, Holt, Isaac, Louderback, McLaughlin, Pierson

0 nays

1 absent — Canales

WITNESSES: For — Christopher Ellis, Bell, County Sheriffs Office / TMPA (*Registered, but did not testify*: David Blackburn, Bell County; David Stout, El Paso County; Elisa M. Tamayo, El Paso County; Kathy Mitchell, Equity Action; Maya Grever, Harris County Commissioners Court; James Kershaw, Harris County Deputies' Organization FOP #39; Ray Hunt, Houston Police Officers' Union; Christine Busse, NAMI Texas; Kelsey Bernstein, Texas Council of Community Centers; Krish Gundu, Texas Jail Project; Rebecca Ramirez, The National Association of Social Workers - Texas Chapter; Bryan Flatt, TMPA; Thomas Parkinson)

Against — (*Registered, but did not testify*: Jim Crosby, Austin Justice Coalition)

BACKGROUND: Health and Safety Code sec. 573.001 authorizes a peace officer to take a person into custody without a warrant, regardless of a person's age, if the officer believes that the person has mental illness and is at risk of serious harm to self or others unless immediately restrained and there is not sufficient time to obtain a warrant before taking the person into custody. Sec. 573.002 requires an officer to immediately file a notification of detention after transporting a person to a facility, and prescribes certain requirements for the notification and a "notification of emergency detention" form.

Some have suggested that the notification of detention form required for peace officers to fill out when carrying out an emergency detention

without a warrant should be updated to reflect recommendations from the Judicial Commission on Mental Health.

DIGEST:

CSHB 1583 would amend Health and Safety Code sec. 573.002 to refer to a peace officer's notification of emergency detention, rather than detention, and make conforming changes. The bill also would amend certain requirements for the information that an officer was required to fill out in the notification form.

The bill would amend the requirements for the notice of emergency detention under sec. 573.002 to no longer require a peace officer to provide a specific description of the risk of harm. The bill would require a peace officer to fill out the notification of emergency detention form to the best of the officer's abilities.

The bill would make various revisions to the notification of emergency detention form to include in the information stated on the form, including:

- certain identifying and contact information for the person who was detained and parent or guardian contact information for a person under age 17, if applicable;
- contact information related to the detaining officer, witnesses, and emergency medical services personnel;
- certain details related to the person's behavior or evidence of severe emotional distress and deterioration; and
- information on the use of restraint, the location where the call originated, observations and history of certain mental health traits, if the person possessed a firearm, and the type of medical facility the person was transported to.

The bill would require a mental health facility to temporarily accept a person for whom an application for emergency detention was filed or for whom this notification of emergency detention form was filed.

The bill also would require that the receiving mental health facility or hospital emergency department provide to the peace officer who executed a notification of emergency detention a copy of the form, if the officer

requested, for the record of the officer's employing law enforcement agency. The agency would be required to retain a copy of the form.

CSHB 1583 would take effect September 1, 2025.

SUBJECT: Requiring electric utilities to create a list of priority facilities

COMMITTEE: State Affairs — committee substitute recommended

VOTE: 12 ayes — King, Anchía, Darby, Y. Davis, Geren, Guillen, Hull, McQueeney, Metcalf, Phelan, Raymond, Turner

0 nays

3 absent — Hernandez, Smithee, Thompson

WITNESSES: For - Brian Mason, City of Houston Office of Emergency Management; Emiliano Romero, LeadingAge Texas; Carmen Tilton, Texas Assisted Living Association (*Registered, but did not testify*: Stephanie Mace, AARP Texas; Alexa Aragonez, City of Houston; Nadia Islam, City of San Antonio; Aaron Gregg, Fresenius Medical Care; Santiago Franco, Harris County Commissioners Court; Leticia Caballero, HMG Healthcare; Cyrus Reed, Lone Star Chapter Sierra Club; Sandra Haverlah, Texas Consumer Association; Travis Clardy, Texas Health Care Association)

Against - None

On - (*Registered, but did not testify*: Connie Corona, Public Utility Commission of Texas; Blair Walsh, TDEM)

BACKGROUND: Utilities Code 38.072 establishes that the Public Utility Commission (PUC) has to require an electric utility to give to a nursing facility, an assisted living facility, and end stage renal disease facility, or a hospice services facility the same priority that it gives to a hospital in its emergency operations plan for restoring power after an extended outage.

In the wake of major power outages caused by Hurricane Beryl, concerns have been raised that there is currently confusion about what type of facilities qualify for priority power restoration. It has been suggested that requiring utilities to maintain a list of priority facilities for power restoration would address this lack of clarity.

DIGEST:

CSHB 1584 would require an electric utility to maintain a list of priority facilities in its retail service area. Under the bill, a priority facility would mean a facility listed in Utilities Code 38.072(b) or a facility for which electric service was considered crucial for public safety, including a hospital, a police station, a fire station, a critical water or wastewater facility, and a confinement facility under the Texas Department of Criminal Justice.

CSHB 1585 would require an electric utility to provide on its website a mechanism for a facility to request to be added to the priority list. The utility would be required to add the requested facility only if it was a priority facility. On request, an electric utility would have to disclose to the facility whether it was on the priority list within 14 days of receiving the request.

On a declaration of a natural disaster or other emergency by the governor affecting the utility service area, the utility would be required to provide the priority list to the Texas Division of Emergency Management (TDEM). A priority list submitted to TDEM would be confidential and not subject to disclosure under the Public Information Act.

The bill would take effect September 1, 2025.

SUBJECT: Reducing fund-matching obligation for veteran mental health grants

COMMITTEE: Homeland Security, Public Safety & Veterans' Affairs — committee substitute recommended

VOTE: 10 ayes — Hefner, R. Lopez, Canales, Cortez, Dorazio, Hickland, Holt, Isaac, McLaughlin, Pierson

0 nays

1 absent — Louderback

WITNESSES: For — Chelsea Fiduccia, Metrocare; William West, The American Legion, Dept of Texas (*Registered, but did not testify*: Kathy Green, AARP Texas; Melissa Shannon, Bexar County Commissioners Court; Ryan Skrobarczyk, City of Corpus Christi; T. J. Patterson, City of Fort Worth; Christine Wright, City of San Antonio; Adam Haynes, Conference of Urban Counties; Charles Reed, Dallas County Commissioners Court; Elisa M. Tamayo, El Paso County; Martin Hubert, Endeavors; Katie Ferrier, Greater San Antonio Chamber of Commerce; Santiago Franco, Harris County Commissioners Court; Christine Yanas, Methodist Healthcare Ministries; Christine Busse, NAMI Texas; Lori Henning, Texas Association of Goodwills; Jim Brennan, Texas Coalition of Veterans Organizations; James Cunningham, Texas Council of Chapters of MOAA and TCVO; Amanda Tollett, Texas Medical Association; Rebecca Ramirez, The National Association of Social Workers- Texas Chapter; Julie Wheeler, Travis County Commissioners Court; Mitch Fuller, VFW Dept of Texas)

Against — None

On — (*Registered, but did not testify*: George McEntyre, HHSC)

BACKGROUND: Concerns have been raised that current matching requirements for veterans' mental health grants may be burdensome for counties applying for these grants and limit access to mental health services for veterans.

Some have suggested that revisions to fund-matching obligations would help certain counties maintain access to veteran mental health services.

DIGEST:

For a grant that supported a community mental health program that provides services and treatment in a county with a population of 250,000 or more or in multiple counties, CSHB 1819 would revise existing requirements for matching grant conditions by requiring the Texas Veterans Commission to lower a grant recipient's fund-matching obligation for providing funds from non-state sources from at least 100 percent to at least 75 percent of the grant amount.

The bill would require the Health and Human Services Commission (HHSC) to implement changes made by the bill if the Legislature appropriated money specifically for that purpose. Otherwise, HHSC could use other funds to implement the bill.

The bill would take effect September 1, 2025.

SUBJECT: Prohibiting property owners' associations from restricting political gatherings

COMMITTEE: Trade, Workforce & Economic Development — favorable, without amendment

VOTE: 9 ayes — Button, K. Bell, Bhojani, Harris Davila, Longoria, Lujan, Luther, Ordaz, Richardson

0 nays

2 absent — Talarico, Meza

WITNESSES: For — (*Registered, but did not testify*: Laura Matz, Texas Community Association Advocates (TCAA); Seth Juergens, Texas realtors)

Against — None

On — William Higgins, Texas Legislative Action Committee, Community Association Institute

BACKGROUND: Concerns have been raised that some property owners' associations have restricted residents from hosting in areas owned or operated by an association certain political candidates or public officials with views differing from the association's leadership.

DIGEST: HB 621 would prohibit property owners' associations from adopting or enforcing a provision in a dedicatory instrument that prevented property owners or residents from inviting governmental officials or candidates for public office to address or meet with association members, residents, or their invitees in the association's common areas.

An association could require gatherings to abide by the same provisions of a dedicatory instrument that apply to any other gathering held in its common area, such as rental fees, occupancy limits, designated meeting times and locations, and requirements for written reservations.

HB 621 would not apply to common areas that were unavailable for meetings due to seasonal use or only used for meetings of the association, its board, or a committee. It also would not apply to associations that qualified for federal tax exemption as charitable organizations.

The bill would take effect September 1, 2025.

SUBJECT: Amending requirements for municipalities to reincorporate as Type C

COMMITTEE: Intergovernmental Affairs — favorable, without amendment

VOTE: 8 ayes — C. Bell, Zwiener, Cortez, Leo Wilson, Luther, Rosenthal, Spiller, Tepper

1 nay — Lowe

2 absent — Cole, Garcia Hernandez

WITNESSES: For — (*Registered, but did not testify*: Monty Wynn, Texas Municipal League)

Against — None

BACKGROUND: Concerns have been raised that general law cities with declining populations may have difficulty complying with certain statutory requirements applicable to larger general-law municipalities, such as requirements for city council structures. Some have suggested that removing the requirement for a minimum population for a city to reincorporate as Type C could help address this issue.

DIGEST: HB 303 would remove the minimum population thresholds of qualifying Type A or Type B general-law municipalities that could change to a Type C general-law municipality.

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.

SUBJECT: Requiring study to establish certain agricultural land tax appraisal standards

COMMITTEE: Ways & Means — committee substitute recommended

VOTE: 12 ayes — Meyer, Martinez Fischer, Bernal, Button, Capriglione, Gervin-Hawkins, Hickland, Muñoz, Noble, V. Perez, Troxclair, Turner

1 nay — Vasut

WITNESSES: For — Gary Barber, Texas Beekeepers Association (*Registered, but did not testify*: Charles Maley, South Texans' Property Rights Association; Dorothy Stillman, Texas Beekeepers Association)

Against — (*Registered, but did not testify*: Russell Hayter)

On — (*Registered, but did not testify*: Steven Klose, Texas A&M Agrilife Extension Service)

BACKGROUND: Some have suggested that uniform standards for the property tax appraisal of qualified agricultural land used to raise or keep bees would help to address inconsistencies across the state, such as different requirements for minimum acreage.

DIGEST: CSHB 552 would require the Texas A&M AgriLife Extension Service to conduct a study to determine standards for the ad valorem tax appraisal of agricultural land used to raise or keep bees. The standards could vary depending on the location or size of the land.

The study would have to consider each factor relevant to the appraisal of agricultural land used to raise or keep bees, including:

- any variations that could exist in different locations or geographic regions of this state that affect pollination activities or the production of human food or other tangible personal products having a commercial value;
- the appropriate number of bee colonies located or bees raised or kept on the land;

- the appropriate amount of pollination activity or of human food or other tangible personal products having a commercial value produced by bees raised or kept on the land; and
- any other factor determined by the Texas A&M AgriLife Extension Service to be relevant to the study.

The bill would require the Texas A&M AgriLife Extension Service to submit a report on the results of the study to the governor, the lieutenant governor, the speaker of the House of Representatives, each member of the Legislature, and the comptroller of public accounts no later than April 1, 2028.

The provisions included in the bill would expire September 1, 2029.

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.

SUBJECT: Requiring disclosure for artificially generated political advertising

COMMITTEE: State Affairs — committee substitute recommended

VOTE: 12 ayes — King, Anchía, Darby, Y. Davis, Geren, Guillen, Hull, McQueeney, Metcalf, Phelan, Raymond, Turner

0 nays

3 absent — Hernandez, Smithee, Thompson

WITNESSES: For — Greyson Gee, Texas Public Policy Foundation; Andrew Cates (*Registered, but did not testify*: Emily French, Common Cause Texas; Joey Bennett, Secure Democracy USA; Oscar Rodriguez, Texas Association of Broadcasters)

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

On — Renzo Soto, TechNet; David Dixon, Texas Department of Public Safety; James Tinley, Texas Ethics Commission

BACKGROUND: Concerns have been raised that advances in artificial intelligence (AI) technology have made it easier to falsely represent an officeholder's or candidate's appearance, speech, or conduct in political advertising. Some have suggested that requiring disclosures on artificially-modified political advertisements with accompanying enforcement mechanisms could help prevent voters from being misled.

DIGEST: CSHB 366 would prohibit a person, with the intent to influence an election, from knowingly causing to be published, distributed, or broadcasted political advertising that included an image, audio recording, or video recording of an officeholder's or candidate's appearance, speech, or conduct that did not occur in reality, including an image, audio recording, or video recording that was altered using generative AI technology, unless the political advertising included a disclosure indicating that the material did not occur in reality.

The Texas Ethics Commission by rule would be required to prescribe the form of the disclosure, including the font, size, and color, to be consistent. with other required political advertising disclosures.

A violation would be punishable as a class A misdemeanor (up to one year in jail and/or a maximum fine of $4,000).

The bill would apply only to a person who:

- was an officeholder, candidate, or political committee;
- made expenditures during a reporting period that in the aggregate exceeded $100 for political advertising, other than an expense to cover the basic cost of hardware, messaging software, and bandwidth; or
- published, distributed, or broadcast applicable political advertising in return for consideration.

The bill would not impose liability on any of the following for political advertising published, distributed, or broadcast by or at the direction of another person:

- an interactive computer service;
- an Internet service provider, cloud service provider, cybersecurity service provider, communication service provider, or telecommunications network;
- a radio or television broadcaster, including a cable or satellite television network operator, programmer, or producer; or
- the owner or operator of a commercial sign, as defined by law.

The bill would take effect September 1, 2025.

SUBJECT: Expanding pretrial dismissal and expunction for certain drug offenses

COMMITTEE: Criminal Jurisprudence — committee substitute recommended

VOTE: 9 ayes — Smithee, Wu, Bowers, J. Jones, Little, Money, Moody, Rodríguez Ramos, Virdell

2 nays — Cook, Louderback

WITNESSES: For — David Hart (*Registered, but did not testify*: Terra Tucker, Alliance for Safety and Justice; Christine Busse, NAMI Texas; Natasha Malik, Texas Appleseed; Lori Henning, Texas Association of Goodwills; Alycia Castillo, Texas Civil Rights Project; Allen Place, Texas Criminal Defense Lawyers Association; Nikki Pressley, Texas Public Policy Foundation; Sarah Berel-Harrop; Joyelle Johnson; Thomas Parkinson)

Against — (*Registered, but did not testify*: Andrew Wright, Houston Police Officers' Union; James Smith, San Antonio Police Department; Ray Hunt and John Wilkerson, Texas Municipal Police Association (TMPA))

On — (*Registered, but did not testify*: Ray Hunt, Houston Police Officers' Union)

BACKGROUND: Under Art. 28 of the Code of Criminal Procedure, a court may set a pretrial hearing to resolve certain matters such as the arraignment of the defendant, appointment of counsel, motions to suppress evidence, or motions to change venue.

Chapter 55A of the Code of Criminal Procedure establishes that a person may be entitled to the expunction of arrest records and files under certain circumstances, such as when an indictment is dismissed for lack of probable cause or after completion of a pretrial intervention program.

Some have suggested that requiring a laboratory analysis to confirm the presence of a controlled substance early in proceedings could prevent wrongful prosecutions and reduce burdens on criminal justice resources.

Some also have called for automatic expunction procedures for cases dismissed based on the absence of a controlled substance.

DIGEST:

CSHB 463 would establish and amend provisions for pretrial hearing procedures, entitlement to expunction, laboratory analysis requirements, and related procedures for criminal cases involving a suspected controlled substance that was subject of the charged offense.

Pretrial hearing procedures. CSHB 463 would amend the Code of Criminal Procedure to expand the circumstances for which a pre-trial hearing for a criminal case may be set to include motions to determine whether a suspected controlled substance contained a controlled substance.

The bill would require the court to make this determination and issue written findings of fact and conclusions of law supporting the determination upon the written motion of a defendant requesting a determination regarding a suspected controlled substance that was the subject of a charged offense. The attorney representing the state would have the burden to provide a laboratory analysis showing the presence of a controlled substance. The court would be required to dismiss the charge with prejudice if the laboratory analysis found no controlled substance or if the state failed to provide a lab analysis.

Expunction procedures. The bill would create an entitlement to expunction for individuals charged with, convicted of, or placed on deferred adjudication for certain drug offenses if:

- a laboratory analysis determined that the suspected substance contained no controlled substance; and
- for convictions or deferred adjudications, the person's sentence was fully discharged or the person had received a dismissal and discharge.

The bill also would make conforming changes to provisions related to the expunction procedures for indictments or information that was dismissed or quashed, duties of attorneys representing an expunction order,

authorized expunction petitions, contents of expunction petitions, and the disposition of expunged records.

CSHB 463 would require the relevant court to enter an expunction order for the entitled individual no later than the 30th day after the date the court either dismissed the case following a lab analysis showing no controlled substances or the date the court received information on the dismissal. A court that entered the expunction order could not charge a fee or assess a cost for the expunction issued.

The bill also would specify that fees charged for filing fees for expunction petitions filed under these provisions would be waived.

The bill would take effect September 1, 2025.

Pretrial hearing procedures under the bill would apply only to offenses committed on or after the effective date. For the expunction entitlement created by the bill for certain controlled substance offenses, the bill would apply to offenses committed before, on, or after the effective date.

For a person entitled to expunction for a dismissal due to a lack of controlled substances found in a lab analysis, the bill would apply to charges or arrests made on or after the effective date. For a person entitled to expunction under the bill, the court would be required to enter an order of expunction as soon as possible after notice was received.

SUBJECT: Removing the age deadline for certain students to use tuition exemptions

COMMITTEE: Higher Education — favorable, without amendment

VOTE: 9 ayes — Wilson, Howard, A. Davis, Lalani, V. Perez, Shaheen, Shofner, VanDeaver, Ward Johnson

1 nay — Tinderholt

1 absent — Lambert

WITNESSES: For — Sierralynn Astran; Tymothy Belseth (*Registered, but did not testify*: Priscilla Camacho, Alamo Colleges District; John Litzler, Baptist General Convention of Texas Christian Life Commission; Andrea Sparks, Buckner International; Jaime Puente, Every Texan; Heather Mckenzie, League Of Women Voters; Christine Yanas, Methodist Healthcare Ministries; Bryan Mares, National Association of Social Workers Texas; Kate Murphy, Texans Care for Children; Rachel Walters, Texas Alliance of Child and Family Services (TACFS); Sarah Crockett, Texas CASA; Kerrie Judice, TexProtects; Stephanie O'Banion, United Ways of Texas; Tory Morris; Ren Morris)

Against — None

On — Peggy Eighmy, UTSA (*Registered, but did not testify*: Lindsey Van Buskirk, Dept of Family and Protective Services)

BACKGROUND: Concerns have been raised that students formerly in foster care who are eligible to receive a tuition exemption often do not use the exemption before their 25th birthday, which is the current deadline to do so. Some have suggested that removing this deadline for former foster care students would ensure that more students had access to the resources to pursue higher education.

DIGEST: HB 1211 would remove the requirement that a student who was under the conservatorship of the Department of Family and Protective Services enroll by the student's 25th birthday in a higher education institution as an

undergraduate student or in a dual credit course or other course for which a high school student could earn joint high school and college credit in order to receive an exemption from tuition and fees.

The bill would apply beginning with tuition and fees charged for the 2025 fall semester.

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.

NOTES:

According to the Legislative Budget Board, the fiscal implications of the bill cannot be determined due to a lack of data on the number of individuals who were under the conservatorship of the Department of Family and Protective Services who may be eligible for a tuition and fees exemption at an institution of higher education.

SUBJECT: Extending the expiration date of Harris County Hospital District program

COMMITTEE: Intergovernmental Affairs — favorable, without amendment

VOTE: 8 ayes — C. Bell, Zwiener, Cortez, Leo Wilson, Luther, Rosenthal, Spiller, Tepper

1 nay — Lowe

2 absent — Cole, Garcia Hernandez

WITNESSES: For — John Hawkins, Texas Hospital Association (*Registered, but did not testify*: Melissa Shannon, Bexar County Commissioners Court; Stacy Wilson, Children's Hospital Association of Texas; Adam Haynes, Conference of Urban Counties; Rick Thompson, County Judges and Commissioners Association of Texas; Maya Grever, Harris County Commissioners Court; Ross Giesinger, Harris Health System; Meghan Weller, HCA Healthcare; Evan Autry, St. Luke's Healthcare System; Jessica Schleifer, Teaching Hospitals of Texas; Meredith Cooke, Texas Children's Hospital; Ryan Ambrose; Sarah Berel-Harrop)

Against — None

BACKGROUND: Under the Harris County Hospital District Health Care Provider Participation Program, nonpublic hospitals agree to an assessment on their total net patient revenues, which is matched with federal Medicaid dollars to supplement below-cost Medicaid payments. Under current law, the program is set to expire on December 31, 2025. Some have suggested that an extension of the program is needed to continue providing this support and to allow other hospitals to join the program.

DIGEST: HB 1327 would extend the expiration date for the Harris County Hospital District Health Care Provider Participation Program from December 31, 2025, to December 31, 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.

SUBJECT: Compensating counties for delayed transfers of confined individuals

COMMITTEE: Corrections — favorable, without amendment

VOTE: 9 ayes — Harless, V. Jones, Allen, Harrison, Lowe, Lozano, Meza, Schatzline, Wharton

0 nays

WITNESSES: For — Jen Crownover, Comal County, County Judges & Commissioners Association; Rick Thompson, County Judges and Commissioners Association of Texas; James DeLoach, Lamb County (*Registered, but did not testify*: Melissa Shannon, Bexar County Commissioners Court; Adam Haynes, Conference of Urban Counties; Bryan Mitchell, Dallas County Criminal District Attorney - John Creuzot; Elisa M. Tamayo, El Paso County; Santiago Franco, Harris County Commissioners Court; James Kershaw, Harris County Deputies' Organization FOP #39; Ray Hunt, Houston Police Officers' Union; Cindy Irwin, Hutchinson County, County Judges and Commissioners Association; Marcie McDonald, MADD; Christine Busse, NAMI Texas; Bo Stallman, Sheriffs' Association of Texas; Bryan Flatt, TMPA; Cicely Kay, Travis County Commissioners Court; Colt Christian, Walker County)

Against — None

On — (*Registered, but did not testify*: Jennie Simpson, Health and Human Services Commission; Jason Clark, TDCJ; Rene Hinojosa, Texas Department of Criminal Justice; Rachel Gandy, Texas Juvenile Justice Department)

BACKGROUND: Concerns have been raised that counties have had to cover the costs associated with the extended confinement or detention of certain individuals awaiting transfer to a state-operated or contracted facility. Some have suggested that requiring state agencies to compensate counties for delayed transfers would help offset these costs.

DIGEST:

HB 1461 would require the Health and Human Services Commission (HHSC), Texas Juvenile Justice Department (TJJD), and Texas Department of Criminal Justice (TDCJ) to take custody of individuals confined in county facilities within 45 days of a commitment order, disposition order, or completion of transfer processing, as applicable. If an agency did not take custody within that period, the agency would be required to compensate the county for each day the individual remained confined in a county facility after the 45th day. Compensation would have to be equal to the daily cost that the respective agency would have incurred to confine or detain the individual within that time period.

The compensation requirement would apply only to confinement or detention costs incurred on or after January 1, 2026, regardless of when the order was issued or transfer processing was completed.

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.

SUBJECT: Increasing membership of the Texas Medical Disclosure Panel

COMMITTEE: Judiciary & Civil Jurisprudence — committee substitute recommended

VOTE: 10 ayes — Leach, Johnson, Dutton, Dyson, Flores, J. González, Hayes, LaHood, Moody, Schofield

0 nays

1 absent — Landgraf

WITNESSES: For — Lisa McGiffert, Patient Safety Action Network; Ware Wendell, Texas Watch; Kay Van Wey

Against — Connor Kilpatrick, Texas Society of Anesthesiologists (*Registered, but did not testify*: Michelle Romero, Texas Medical Association; Tilden Childs)

BACKGROUND: Some have suggested that the composition of the Texas Medical Disclosure Panel, which determines which risks associated with medical care and surgical procedures must be disclosed by health care providers or physicians to patients or their representatives, should be revised to align with recommendations for including members of the general public on certain boards.

DIGEST: CSHB 923 would increase from nine to 13 the number of members on the Texas Medical Disclosure Panel by increasing the number of members licensed to practice medicine in Texas from six to seven and by adding three members representing the public.

For panel members representing the public, the bill would:

- require at least one of the three public members to have a background in health literacy;
- prohibit the appointment of a registered lobbyist, a health care provider, the spouse of a healthcare provider, or a person who worked in a healthcare-related field, including health insurance; and

- require preference to be given to persons with experience in advocating for the public interest.

The bill would require at least one of the three public members appointed on the basis of being licensed to practice law in Texas to have experience representing patients and at least one to have experience representing physicians or health care providers.

The bill would prohibit the panel from taking any action requiring a vote unless a majority of the members appointed to serve on the panel as members licensed to practice medicine were present at the meeting when the vote was taken. The bill would also prohibit the panel from taking any action that would change the scope of practice authority of any physician or health care provider.

The bill would require the HHSC executive commissioner, by January 1, 2026, to appoint new members to the panel in accordance with the bill.

The bill would take effect September 1, 2025.

SUBJECT: Increasing minimum prison term for intoxication manslaughter cases

COMMITTEE: Corrections — favorable, without amendment

VOTE: 9 ayes — Harless, V. Jones, Allen, Harrison, Lowe, Lozano, Meza, Schatzline, Wharton

0 nays

WITNESSES: For — Danette Goad, Ally Rocks Fund; Jackie Rhone, BeABlake Foundation; Tammy Benthall; Susan Davis (*Registered, but did not testify*: Mark Rhone, BeABlake Foundation; Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); Sasha Latham and Tess Rowland, Harris County Sheriff's Office; Ray Hunt, Houston Police Officers' Union; Erin Bowers, Frank Harris, Suzanne Beatty, Amber Kinney, Lynette Luedecke, Mothers Against Drunk Driving (MADD); Bo Stallman, Sheriffs' Association of Texas; Bryan Flatt, TMPA; Cathy Cotton; Thomas Parkinson)

Against — (*Registered, but did not testify*: Justin Martinez, LatinoJustice PRLDEF; Kirsten Budwine, Texas Civil Rights Project)

On — (*Registered, but did not testify*: Jason Clark, TDCJ)

BACKGROUND: Under Penal Code sec. 49.08(b), intoxication manslaughter is classified as a second-degree felony (two to 20 years in prison and an optional fine of up to $10,000). Government Code 508.147 establishes that a defendant may be eligible for community supervision and for early release on parole or mandatory supervision after serving part of the sentence if certain eligibility requirements are met.

Concerns have been raised that sentencing for intoxication manslaughter and opportunities for early release and community supervision may result in sentences that do not adequately reflect the severity of the offense. Some have suggested that stricter sentencing requirements are needed to address this disparity.

DIGEST:

HB 1760 would establish a minimum term of imprisonment of five years and limit eligibility for early release for individuals convicted of intoxication manslaughter.

A judge granting community supervision to a defendant convicted of intoxication manslaughter would be required to order confinement in the Texas Department of Criminal Justice for at least five years. A judge could reduce the minimum confinement period to at least two years if the judge found that doing so would serve the best interest of the community and would not harm the public. The finding would have to be entered into the record.

An inmate serving a sentence for intoxication manslaughter would not be eligible for release on parole until the inmate served at least five years of actual calendar time, without consideration of good conduct time.

An inmate serving a sentence for intoxication manslaughter would not be eligible for release to mandatory supervision unless the inmate served at least five years of actual calendar time and otherwise met eligibility requirements.

The bill would take effect September 1, 2025.

SUBJECT: Establishing requirements for earned wage access services

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

VOTE: 9 ayes — Lambert, Plesa, Bryant, Bumgarner, L. Garcia, Hayes, Holt, Schoolcraft, Vo

0 nays

WITNESSES: For — Ashley Urisman, American Fintech Council; Ryan Naples, DailyPay, LLC; Ben LaRocco, EarnIn; Sarah Mamula, Financial Technology Association (*Registered, but did not testify*: Mark Vane, Brigit; Gabriela Perdichizzi, Texas Association of Business)

Against — None

On — Stephanie Mace, AARP Texas; John Litzler, Baptist General Convention of Texas Christian Life Commission; Briana Gordley, Texas Appleseed; Shannon Jaquette, Texas Catholic Conference of Bishops (*Registered, but did not testify*: Matthew Nance, Office of Consumer Credit Commissioner; Leslie Pettijohn, Office of Consumer Credit Commissioner)

BACKGROUND: Some have suggested that greater oversight and regulation are needed to protect business-to-business and business-to-consumer transactions in the earned wage access industry, which allows workers to access their earned but unpaid wages before their regular payday.

DIGEST: CSHB 2043 would provide for the regulation of earned wage access services and establish requirements governing the interactions between businesses and consumers.

Definitions. CSHB 2043 would establish certain definitions concerning the provision of earned but unpaid wages, including:

- "consumer-directed wage access services," defined as offering or providing services directly to a consumer based on the consumer's earned but unpaid income;
- "earned wage access services," defined as the business of providing consumer-directed wage access services, employer-integrated wage access services, or both consumer-directed wage and employer-integrated wage access services;
- "employer-integrated wage access services," defined as delivering to consumers access to earned but unpaid income based on employment, income, or attendance data obtained directly or indirectly from an employer; and
- "outstanding proceeds," defined as proceeds remitted to a consumer by a provider that have not been repaid to that provider.

Applicability of other law. CSHB 2043 would establish that a provider was not engaging in lending, money transmission, or debt collection in this state, or in violation of state law governing deductions from wages or the purchase, sale, or assignment of or an order for income that was earned but not paid, if that provider complied with requirements under the bill.

Financial statements. CSHB 2043 would require an earned wage access provider, not later than the 30th day of the consumer credit commissioner's request, to file with the commissioner a financial statement, audited or unaudited, dated as of the last day of the provider's fiscal year that ended in the immediately preceding calendar year and any other information the commissioner could reasonably require.

An audited financial statement filed with the commissioner would have to be prepared in accordance with U.S. generally accepted accounting principles, be prepared by an independent certified public accountant or independent public accountant satisfactory to the commissioner, and include or be accompanied by a certificate of opinion from a public accountant. The bill also would authorize the commissioner to direct the removal of a qualification from a certificate of opinion.

Report of certain events. CSHB 2043 would require a provider to file a report with the commissioner within the first business day of the provider having reason to know of:

- the filing of a petition by or against the provider under federal law for bankruptcy or reorganization;
- the filing of a petition by or against the provider for receivership or the commencement of judicial or administrative proceedings for the provider's dissolution or reorganization;
- the making of a general assignment for the benefit of the provider's creditors; or
- the commencement of a proceeding to revoke or suspend the provider's license in any state or country in which the provider was engaged in, or licensed to engage in, earned wage access services.

The bill also would require a provider to file a report with the commissioner within three business days of having reason to know of any felony charge or conviction of the provider, a key individual, or person in control of the provider.

Timely transmission. CSHB 2043 would require a provider responsible for forwarding the total amount of earned but unpaid wages to a consumer to forward the wages to the consumer in accordance with the terms of the agreement established between the consumer and provider, unless there was reason to believe that fraud or criminal activity was occurring or could occur. A provider that withheld funds would be required to provide an explanation for the withholding the funds upon inquiry by the consumer unless providing the reason would violate a local, state, or federal law.

Requirements. Before entering into an earned wage access agreement with a consumer, the provider would be required to provide the consumer a disclosure in a format specified by the bill that informed the consumer of their rights under the contract, and fully and clearly disclosed each fee associated with the earned wage service. The provider also would be required to notify the consumer of any material change to the information provided in the disclosure before implementing any such changes with respect to that consumer.

When charging a consumer or soliciting the consumer for money, a provider would be required to offer at least one reasonable, no-cost method for the consumer to obtain proceeds and inform the consumer of how to select that option. The no-cost option also would be required to initiate the transmission of the proceeds to the consumer within one business day of the consumer's request.

Each contract for the provision of earned wage access services to a consumer could be in written or electronic form and would be required to be dated, include the consumer's written or digital signature, and use accessible language and font. An earned wage access services contract would be required to disclose information related to the consumer's fee obligations, the method by which the proceeds would be provided to the consumer, and the consumer's right to cancel the contract without incurring a fee.

The disclosure also would be required to include information regarding the provider's obligation to comply with local, state, and federal laws; the provider's policies on seeking repayment of outstanding funds and soliciting money from consumers; and the process for addressing consumer complaints.

An earned wage access services provider would be required to make a copy of the completed contract available to the consumer once the consumer acknowledged receipt of the document.

Prohibitions. CSHB 2043 would prohibit an earned wage access services provider from engaging in certain activities in connection with providing earned wage services to consumers including, sharing certain data with employers, accepting outstanding proceeds via a credit or charge card, charging certain penalties including late fees or deferral fees, requiring certain a consumer's credit score to determined eligibility, harassing consumers, misleading consumers, directly or indirectly engaging in fraudulent activity, or forcefully compelling the repayment of outstanding funds.

A provider would not be prohibited from using the otherwise restricted methods outlined in the bill to obtain or attempt to obtain repayment from a consumer if the provider was recovering funds obtained by the consumer through fraudulent means or if the provider was pursuing an employer for breach of the employer's contractual obligations to the provider.

Required registration and fees. CSHB 2043 would exempt the following from holding a registration under the bill's provisions to engage in the business of offering or providing earned wage access services in the state:

- a bank, credit union, savings bank, or savings and loan association organized under federal law or under the laws of the financial institution's state domicile; or
- an employer that offered a portion of salary, wages, or compensation directly to its employees or independent contractors before the normally scheduled pay date.

The bill also would authorize the commissioner to prescribe the form of the registration application and to establish additional requirements related to the application, including its content and associated fees.

The commissioner would be required to approve and issue the application if the commissioner found that financial responsibility of the applicant was sufficient and that the applicant had obtained the surety bond required under the bill. If the commissioner did not find that the eligibility requirements were met, the commissioner would have to notify the applicant.

If an applicant requested a hearing within 30 days of receiving the notification, the applicant would be required to a hearing on the application's denial.

An issued registration, which would be valid for a period prescribed by the Finance Commission of Texas, would require a registration holder to pay certain costs in order to maintain an active registration. A person required to hold a registration would be required to obtain a registration for each office at which the person conducted business.

Registration, suspension, revocation, or refusal to renew. After notice and an opportunity for a hearing, the bill would authorize the commissioner to suspend or revoke a registration if the commissioner determined that the registrant had failed to pay required fees imposed by the commissioner, had knowingly or carelessly violated provisions of the bill, or if certain condition existed that would have justified the commissioner's denial of an application, had they existed at the time. The commissioner could also refuse a registration renewal of a person who failed to comply with a commissioner's order.

Surety bond. CSHB 2043 would require a provider to maintain a surety bond in the amount of $200,000, available to the state and to any person harmed by a violation of the bill's provisions, that was issued by a qualified surety company. The bill also would prohibit the aggregate liability of the surety to all persons damaged by the registration holder's violations from exceeding the total amount of the bond.

Investigations, access to records, and annual reporting. CSHB 2043 would require the commissioner or their representative to, at the commissioner's discretion, examine the business establishments of each provider and investigate the provider's transactions and records. The provider would be required to give the commissioner or representative free access to both the establishment and the provider's records and allow the commissioner to make a copy of a record that may be investigated.

A provider would be required to maintain a record of each transaction conducted under the provisions of the bill to enable the commissioner to determine whether the provider was in compliance. Additionally, a provider would be required to file with the commissioner an annual report containing relevant information concerning the provider's business in the state during the preceding calendar year in the format and filed on the date prescribed by the commissioner.

The Finance Commission would be permitted to adopt rules to enforce this bill, and the commissioner would be required to recommend proposed rules to the commission.

A person engaging in business as an earned wage access services provider on the effective date of this bill would be required to obtain a registration not later than January 1, 2026.

The bill would take effect September 1, 2025, and apply only to a contract for earned wage access services entered into on or after the effective date of the bill.

SUBJECT: Expanding benefits for commissioned state fire marshal peace officers

COMMITTEE: Delivery of Government Efficiency — favorable, without amendment

VOTE: 11 ayes — Capriglione, Bhojani, Alders, Bowers, Campos, Cook, Curry, L. Garcia, Olcott, Tinderholt, Troxclair

0 nays

2 absent — Cain, Rodríguez Ramos

WITNESSES: For — Tonya Ahlschwede, 452nd District Attorney; John Wilkerson, Texas Municipal Police Association (TMPA) (*Registered, but did not testify*: Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); Regan Ellmer, Independent Insurance Agents of Texas; Clay Avery, SAFE-D, the Texas State Association of Fire and Emergency Districts)

Against — None

On — (*Registered, but did not testify*: Debra Knight, Texas Department of Insurance)

BACKGROUND: Currently, commissioned state fire marshal peace officers are compensated under Salary Schedule B, while other law enforcement officers are classified under Salary Schedule C. Some have suggested that addressing this pay disparity and expanding benefits available to these peace officers could improve current recruitment and retention challenges within the state fire marshal's office (SFMO).

DIGEST: HB 2467 would require the commissioner of insurance to ensure that a peace officer commissioned by the state fire marshal was compensated according to Schedule C of the position classification salary schedule prescribed by the General Appropriations Act.

The bill would add a commissioned law enforcement officer of the state fire marshal to the definition of a state employee eligible for the purposes of hazardous duty pay.

The bill also would add a peace officer commissioned by the state fire marshal to the list of peace officers entitled to injury leave without a deduction in salary, being required to use compensatory time off, or being required to use any other type of leave, for an injury sustained due to the nature of the officer's duties and that occurred during the course of the officer's performance of duty, with certain exceptions. This provision would apply only to an injury that occurred on or after the effective date of the bill.

The bill would require the classification officer in the office of the state auditor to classify the position of commissioned peace officer employed as an investigator by the state fire marshal's office as a Schedule C position under the state position classification plan. The change made by the classification officer would apply beginning with the state fiscal biennium beginning September 1, 2025.

The bill would take effect September 1, 2025.

SUBJECT: Establishing the STEM Excellence Graduate Fellowship Program

COMMITTEE: Higher Education — committee substitute recommended

VOTE: 9 ayes — Wilson, Howard, A. Davis, Lalani, V. Perez, Shaheen, Shofner, VanDeaver, Ward Johnson

0 nays

2 absent — Lambert, Tinderholt

WITNESSES: For - (*Registered, but did not testify*: Matt Creel, Stacy Schmitt, Opportunity Austin; Taylor Sims, Project Lead the Way; Kelle Kieschnick, Texas Business Leadership Council)

Against - None

BACKGROUND: Some have suggested that providing a fellowship program to directly invest in STEM graduate students would help these students to unlock their potential and support state goals for building a talent-strong Texas.

DIGEST: CSHB 5333 would establish the STEM Excellence Graduate Fellowship Program as a merit-based fellowship for high-achieving research doctoral students in a STEM field. The Texas Higher Education Coordinating Board (THECB) would be required to administer the program and award fellowships to eligible students to conduct research at a general academic teaching institution. THECB could contract with general academic teaching institutions to assist in administering the program. THECB also could establish advisory committees to recommend rules for program administration.

To be initially eligible for a fellowship, a student would have to:

- be a U.S. citizen;
- obtain the federal security clearance required for the research the student would be performing under the fellowship, if applicable;
- be a high-achieving student based on criteria that the student's institution would otherwise use to award merit-based aid;

- be enrolled in a research doctoral degree program in a STEM field at a general academic teaching institution; and
- comply with any additional requirement adopted by THECB.

THECB could give preference to a student who was a Texas resident.

After establishing initial eligibility to participate in the program, a student could continue participating only if the student:

- maintained a minimum overall grade point average determined by THECB rule;
- maintained the required federal security clearance for the student's research; and
- complied with any additional requirement adopted by THECB.

A student could not receive a fellowship under the program for more than five years.

THECB could solicit, accept, and spend grants, gifts, and donations for the program. As soon as practicable after the bill's effective date, THECB, in consultation with general academic teaching institutions, would be required to adopt rules for program administration, including rules providing for the amount and permissible uses of a fellowship. THECB would not be required to use negotiated rulemaking procedures for the adoption of rules 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, 2025.