HOUSE RESEARCH ORGANIZATION • TEXAS HOUSE OF REPRESENTATIVES
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HOUSE RESEARCH ORGANIZATION

daily floor report

Wednesday, April 30, 2025
89th Legislature, Number 53
The House convenes at 10 a.m.
Part One

Two bills are on the Major State Calendar and 65 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
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HOUSE RESEARCH ORGANIZATION

Daily Floor Report
Wednesday, April 30, 2025
89th Legislature, Number 53
Part 1

SUBJECT: Revising notice and protest procedures for certain zoning changes

COMMITTEE: Land & Resource Management — committee substitute recommended

VOTE: 6 ayes — Gates, Alders, Y. Davis, Hunter, Morgan, Virdell

1 nay — Hinojosa

2 absent — Lalani, R. Lopez

WITNESSES: For - James Mayville, Americans for Prosperity, Texas; Ryan Puzycki, Austin AURA; Luke Metzger, Environment Texas; Greg Anderson, Habitat for Humanity; Samuel Hooper, Institute for Justice; Alina Carnahan, Real Estate Council of Austin; Whit Ewen, Felicity Maxwell, Texans For Housing; Stephanie Matthews, Texans for Reasonable Solutions; Emily Dove, Texas 2036; Brennan Griffin, Texas Appleseed; Glenn Hamer, Texas Association of Business; Blake Roach, Texas Farm Bureau; Judge Shepard, Texas Public Policy Foundation; and 6 individuals (*Registered, but did not testify*: Alim Virani, Aura; Zach Faddis, AURA ATX; Travis Krogman, Austin Chamber of Commerce; Alice Woods, Austin Housing Coalition; Charles Coats, BCS Habitat for Humanity; Joshua Houston, Caritas of Austin; Doug Clements, Cicero Action; Ashley Brundage, Dallas Area Habitat for Humanity; Bryan Tony, Dallas Housing Coalition; Jay Crossley, Katrina Miller, Farm&City; Stephanie Reyes, Real Estate Council of San Antonio; Shawn Breedlove, SonWest Co; J.D. Hale, Texas Association of Builders; Gray Rutledge, Texas Conservative Coalition Research Institute; Janel Young, Texas Habitat for Humanity; DJ Pendleton, Texas Manufactured Housing Association; Monty Wynn, Texas Municipal League; Seth Juergens, Texas Realtors; Becky Walker, Texas Society of Architects; Blanca Laborde, The Real Estate Council (Dallas); Jennifer Allmon, The Texas Catholic Conference of Bishops; Matt Hinterlong)

Against - Betsy Greenberg; Barbara McArthur (*Registered, but did not testify*: John Weist, City of Irving)

On - (*Registered, but did not testify*: Clifford Sparks, City of Dallas)

BACKGROUND:

Local Government Code sec. 211.006(a) establishes that a municipal zoning regulation or boundary is not effective until after a public hearing, and that notice of the hearing must be published in an official or general circulation newspaper by the 15th day before the hearing. Subsection (a-1) requires the governing body, in addition to other required notice, to provide at least 10 days in advance written notice to each property owner where the proposed use was located of each public hearing regarding any proposed zoning change under which a current conforming use of a property would be a nonconforming use under the proposed change.

Sec. 211.006(d) requires that, if a proposed zoning change is protested in writing by the owners of at least 20 percent of either the area of the lots or land covered by the proposed change or of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, the proposed change must receive the affirmative vote of at least three-fourths of the members of the governing body in order to take effect.

Sec. 211.007(d) authorizes the governing body of a home-rule municipality, by a two-thirds vote, to prescribe the type of notice to be given for a public hearing held jointly by the governing body and the municipality's zoning commission. If such notice requirements are prescribed, certain other notice requirements, including for individual mailed notices, do not apply.

DIGEST:

CSHB 24 would repeal and revise protest procedures for proposed changes to a municipal zoning regulation or district boundary other than a comprehensive zoning change as defined by the bill. The bill also would specify notice requirements for proposed comprehensive zoning changes. Under CSHB 24, a proposed comprehensive zoning change would mean a municipal proposal to:

- change an existing zoning regulation that would allow more residential development than the previous regulation and would apply uniformly to each parcel in one or more zoning districts;
- adopt a new zoning code or map that would apply to the entire municipality; or

- adopt a zoning overlay district that would allow more residential development and would include an area along a major roadway, highway, or transit corridor.

A protest of a proposed zoning change other than a comprehensive zoning change would have to be written and signed by the owners of:

- at least 20 percent of the area of the lots or land covered by the change; or
- at least 60 percent of the area of the lots or land immediately adjoining the area covered by the change and extending 200 feet from that area.

If a proposed change was protested according to these requirements, it would have to receive an affirmative vote of at least three-fourths of governing body members for a protest by the owners of at least 20 percent of the covered area, or a majority of members for a protest by the owners of at least 60 percent of the adjoining area as described above.

CSHB 24 would specify that the notices described by Local Government Code secs. 211.006(a) or 211.007(d), as applicable, and Sec. 211.006 (a-1) were the only notices required for a proposed comprehensive zoning change. The bill also would specify that notice under Local Government Code sec. 211.006(a) would have to be published on the municipality's website.

The bill would establish that a zoning change that had the effect of allowing more residential development than the previous regulation would be conclusively presumed valid and to have occurred in accordance with all applicable statutes and ordinances if an action to annul or invalidate the change had not been filed before the 60th day after the effective date of the change.

CSHB 24 would repeal Local Government Code 211.006(d).

The bill would take effect September 1, 2025, and would apply only to zoning change proposed on or after that date.

SUPPORTERS SAY:

CSHB 24 would protect property rights, facilitate housing attainability, and make zoning processes more fair and democratic by reforming the statutory procedure for protesting certain zoning changes, also known as the valid petition process. Current law allows a small minority of landowners in the area surrounding a location that would be subject to a proposed zoning change to protest the change, and the protest can only be overruled by a supermajority of city council members, which can be difficult to achieve in many cities.

The valid petition process is often used to stop changes that would allow denser housing, including middle-income housing such as townhomes and duplexes in neighborhoods. Even if the valid petition is eventually overruled, delays due to protests can drive up development costs and ultimately increase the price of housing. Valid petition can have a chilling effect even when not actually used, since some developers are reluctant to invest in projects that may face opposition, constraining housing supply and preventing communities from adjusting to growing populations. A small minority of landowners should not be empowered to unnecessarily block the housing affordability that is essential to Texas' continued economic success.

CSHB 24 would rebalance power around zoning protests to favor input from those directly affected by a proposed change by maintaining the current thresholds for a valid petition and city council vote for such landowners but raising the petition threshold for adjoining landowners. This increase also would help protect the property rights of landowners actually affected by a proposed change.

The bill would reinforce the authority of elected leaders over zoning and planning by lowering the threshold to approve a change protested by adjoining landowners to a simple majority. The current supermajority requirement is an unusually high threshold and should be aligned with the simple majority required for most municipal policy decisions.

Allowing cities and landowners to reform land use regulations for more density could provide environmental benefits by reducing the amount of open space and agricultural land lost to residential sprawl. By lowering barriers to such reforms, CSHB 24 also could allow communities to

densify in ways that make it easier for families to stay in the same neighborhoods by not pricing out successive generations.

CSHB 24 would provide additional clarity in notice requirements for zoning proposals and associated public meetings by distinguishing between narrower zoning changes that would still allow for the valid petition process, and broader, comprehensive zoning changes. The bill also would preserve due process in zoning, including by retaining individual mailed notice for non-comprehensive zoning proposals.

CRITICS SAY:

CSHB 24 would reduce the ability of community residents to provide input on zoning changes that could negatively affect them. The current threshold of neighboring property owners required for a valid petition is already difficult to achieve in many areas, and a 60 percent threshold would be practically unattainable in most cases, especially in low-income areas vulnerable to gentrification.

CSHB 24 could facilitate the displacement of longtime community residents and luxury redevelopment of existing affordable neighborhoods composed of family homes. Greater density and redevelopment under the bill could reduce the value of such properties, which are often a homeowner's most valuable asset.

The bill's changes to notice requirements would allow broad upzoning across a city without providing adequate notice to affected individuals. A 60-day deadline to contest a comprehensive zoning change would be a significant shift from current practice. This deadline for taking action would not be reasonable, since it can take time to organize and file a lawsuit.

SUBJECT: Requiring the attorney general to prosecute certain trafficking offenses

COMMITTEE: State Affairs — committee substitute recommended

VOTE: 13 ayes — King, Hernandez, Anchía, Darby, Geren, Guillen, Hull, McQueeney, Metcalf, Phelan, Raymond, Smithee, Turner

1 nay — Y. Davis

1 present not voting — Thompson

WITNESSES: For — (*Registered, but did not testify*: Rebecca Ramirez, The National Association of Social Workers- Texas Chapter; Tom Glass; Perla Hopkins; Bonnie Wallace)

Against — Andrew Hendrickson, ACLU of Texas (*Registered, but did not testify*: Bryan Mitchell, Dallas County Criminal District Attorney - John Creuzot; Susan Stewart)

On — (*Registered, but did not testify*: Josh Reno, Office of the Attorney General)

DIGEST: CSHB 45 would authorize the attorney general to prosecute certain offenses related to trafficking of persons under Penal Code ch. 20A.

When a law enforcement agency submitted a report to a local prosecuting attorney stating there was probable cause to believe that a person engaged in a trafficking offense, the bill would require the agency to simultaneously submit the report to the attorney general. Upon request, a local prosecuting attorney or law enforcement agency would be required to provide any additional information about the investigation to the attorney general.

The attorney general would have jurisdiction to prosecute and would be required to represent the state in the prosecution if six months elapsed after submission of the probable cause report without the local prosecuting attorney initiating prosecution.

The bill would take effect September 1, 2025.

SUPPORTERS SAY:

CSHB 45 would ensure that human trafficking offenses were prosecuted when local prosecuting attorneys did not initiate charges by requiring the attorney general to represent the state if a local prosecutor had not acted within six months. The bill would preserve the primary role of local prosecutors by requiring a six-month waiting period before attorney general action and would comply with the Texas Constitution by not interfering with the exclusive initial authority of county and district attorneys, consistent with the holding in *State v. Stephens* (2021).

CRITICS SAY:

CSHB 45 could violate the Texas Constitution by improperly assigning the attorney general prosecutorial authority reserved for county and district attorneys. In *State v. Stephens* (2021), the Texas Court of Criminal Appeals held that the Legislature could not expand the attorney general's criminal prosecution authority beyond what is already authorized under the Texas Constitution. Allowing the attorney general to initiate prosecutions independently of a local prosecutor could infringe on the separation of powers and could require a constitutional amendment.

SUBJECT: Amending domestic entity fiduciary duties, limiting derivative lawsuits

COMMITTEE: Judiciary & Civil Jurisprudence — committee substitute recommended

VOTE: 7 ayes — Leach, Dyson, Hayes, LaHood, Landgraf, Moody, Schofield

4 nays — Johnson, Dutton, Flores, J. González

WITNESSES: For — Eric Lentell, Archer Aviation; Glenn Hamer, Texas Association of Business; Christopher Babcock, The Alliance for Corporate Excellence; Shane Goodwin (*Registered, but did not testify*: Caroline Messer, AT&T; Matthew Bentley, Nasdaq, Inc.; Chuck Mains, TBLF; Lee Parsley, Texans for Lawsuit Reform; Craig Holzheauser, Texas Pacific Land Corp.; Jack Walker, Texas Trial Lawyers Association; Bill Lauderback, TXSE Group Inc (Texas Stock Exchange))

Against — None

BACKGROUND: Business Organizations Code sec. 21.218 provides that certain shareholders of a corporation, on written demand stating a proper purpose, are entitled to examine and copy the corporation's books and records if the records are reasonably related to that proper purpose.

Sec. 21.418 provides that a contract or transaction between a corporation and a director or officer of the corporation or an entity in which a director or officer of the corporation is a managerial official or has a financial interest is valid and enforceable if any one of the following conditions is satisfied:

- the material facts as to the relationship or interest and as to the contract or transaction are disclosed to or known by the corporation's board of directors or its committee, and the board or committee in good faith authorizes the contract or transaction by the approval of the majority of the disinterested directors or committee members;
- the material facts as to the relationship or interest and as to the contract or transaction are disclosed to or known by the shareholders entitled to vote on the authorization of the contract or

transaction, and the contract or transaction is specifically approved in good faith by a vote of the shareholders; or
- the contract or transaction is fair to the corporation when it is authorized, approved, or ratified by the board of directors, its committee, or the shareholders.

Sec. 21.552 provides that a shareholder may not institute or maintain a derivative proceeding unless:

- the shareholder was a shareholder of the corporation at the time of the act or omission complained of, or became a shareholder by operation of law originating from a person that was a shareholder at the time of the act or omission complained of; and
- the shareholder fairly and adequately represents the interests of the corporation in enforcing the right of the corporation.

Sec. 21.554 provides that a determination of how a corporation will proceed in a derivative proceeding must be made by an affirmative vote of the majority of all independent and disinterested directors, a committee of one or more independent and disinterested directors, or a panel of one or more independent and disinterested individuals appointed by the court on recommendation by the corporation.

Sec. 21.561 provides that, on termination of a derivative proceeding, the court may order a corporation to pay legal expenses of the plaintiff if the court finds the proceeding has resulted in a substantial benefit to the corporation.

Some have suggested that amending statutory provisions related to the governance of certain business entities could enhance the predictability and efficiency of Texas entity law and governance and attract business entities to the state.

DIGEST:

CSHB 15 would establish and amend various provisions of the Business Organizations Code pertaining to corporate and partnership fiduciary duties, independent and disinterested directors, derivative lawsuits, examinations of company records, and jury trial waivers.

Presumption of good faith. In taking or declining to take any action on any matters of a corporation's business, a director or officer would be presumed to act in good faith, on an informed basis, in furtherance of the

interests of the corporation, and in obedience to the law and the corporation's governing documents. HB 15 would establish that these provisions applied to a corporation listed on a national securities exchange or that had opted into the rules relating to a presumption of good faith by corporate officers and directors.

Neither a corporation nor any of its shareholders would have a cause of action against a director or officer of the corporation as a result of any act or omission unless the claimant rebutted one or more of the above presumptions and it was proven that the director's or officer's act or omission constituted a breach of duty that involved fraud, intentional misconduct, an act outside the scope of corporate authority, or a knowing violation of state law.

The presumptions established by the bill would be in addition to any legal presumption arising under common law or statute, in favor of any managerial official of a corporation to which this section applied, and would not abrogate, preempt, or lessen any other defense, presumption, immunity, or privilege under other constitutional, statutory, case, or common law or rule provisions.

In alleging fraud, intentional misconduct, an act outside the scope of corporate authority, or a knowing violation of the law, a party would be required to state with particularity the circumstances constituting the fraud, misconduct, act, or violation.

These provisions would not limit the effectiveness or applicability of that contained in the certificate of formation of a corporation limiting the monetary liability of a governing person.

Similar provisions would apply to limited liability companies and limited partnerships.

Committee of independent and disinterested directors for approval of certain transactions. For a corporation listed on a national securities exchange or that had opted into the rules relating to a presumption of good faith by corporate officers and directors, CSHB 15 would allow the board of directors to adopt resolutions to form a committee of independent and disinterested directors to review and approve transactions involving the

corporation or its subsidiaries and a controlling shareholder, director, or officer.

Determining independent and disinterested directors. The bill would allow a corporation that formed a committee of independent and disinterested directors to petition a court to hold an evidentiary hearing to determine whether the directors appointed to the committee were independent and disinterested with respect to a transaction.

The petition would have to be filed in the business court if possible, otherwise in a district court in the county in which the corporation's principal place of business was located. The petition would have to designate the corporation's legal counsel. The corporation would be required to give notice to its shareholders that a petition had been filed, identify the relevant court and case number, identify its counsel, and inform shareholders of their right to participate in the proceeding. The notice requirement could be satisfied through the filing of a current report with the U.S. Securities and Exchange Commission.

Not earlier than the 10th day after the date notice is given, the court would be required to hold a preliminary hearing to determine the appropriate legal counsel to represent the corporation under procedures specified in the bill.

The court, after holding an evidentiary hearing, would be required to determine whether the directors on the committee were independent and disinterested. The court's determination would be dispositive in the absence of facts, not presented to the court, constituting evidence sufficient to prove that one or more of the directors was not independent and disinterested.

Limitation on cause of action. For a corporation listed on a national securities exchange or that had opted into the rules relating to a presumption of good faith by corporate officers and directors, neither the corporation nor any of its shareholders would have a cause of action against any director or officer for breach of duty with respect to the making, authorization, or performance of a contract or transaction involving interested directors or officers. This would be regardless of whether the conditions described by Business Organizations Code sec. 21.418 were satisfied, unless the cause of action was permitted by the

rules relating to a presumption of good faith by corporate officers and directors.

Derivative lawsuits. CSHB 15 would add to the list of conditions under Business Organizations Code sec. 21.552 for a shareholder to have standing to bring a derivative lawsuit that the shareholder would have to beneficially own a number of the common shares sufficient to meet the required ownership threshold to institute a derivative proceeding identified in the corporation's certificate of formation or bylaws, provided the ownership threshold did not exceed 3 percent of its outstanding shares. These provisions would apply to a corporation listed on a national securities exchange or that had opted into the rules relating to a presumption of good faith by corporate officers and directors and had 500 or more shareholders.

The bill would include in the definition of "shareholder" two or more shareholders acting in concert under an informal or formal agreement or understanding with respect to a derivative proceeding.

Similar provisions would apply to limited liability companies and limited partnerships.

Procedures for determining independent and disinterested directors. The bill would allow a director to be one of the individuals on the panel described in Business Organizations Code sec. 21.554 appointed by the court to determine how to proceed in a derivative proceeding. The corporation could petition the court to make a finding as to whether the directors identified or appointed under sec. 21.554 were independent and disinterested.

The bill would establish procedures for petitioning the court under this section similar to the procedures for determining whether directors were independent or disinterested with respect to a transaction. The procedures would include determining jurisdiction, serving the petition, and holding an evidentiary hearing.

Payment of expenses. The bill would specify that, for purposes of determining whether a corporation had to pay legal expenses of the plaintiff under Business Organizations Code sec. 21.561, a substantial benefit to the corporation would not include additional or amended

disclosures made to the shareholders, regardless of materiality. Similar provisions would apply to limited liability companies and limited partnerships.

Examination of company records. CSHB 15 would exclude from records subject to shareholder examination under Business Organizations Code sec. 21.218 emails, text messages, or similar electronic communications, or information from social media accounts, unless the particular email, communication, or social media information effectuated an action by the corporation.

For a corporation listed on a national securities exchange or that had opted into the rules relating to a presumption of good faith by corporate officers and directors, the bill would provide that a written demand would not be for a proper purpose under sec. 21.218 if the demand was in connection with a derivative proceeding instituted or maintained by the shareholder or an active or pending lawsuit to which the corporation and the shareholder were adversarial named parties. This provision would not impair any rights of the shareholder to obtain discovery of records from the corporation in a civil lawsuit or derivative proceeding, nor would it impair the rights of the shareholder to obtain a court order to compel production of corporate records.

Similar provisions would apply to limited liability companies and limited partnerships.

Waiver of jury trial. CSHB 15 would authorize the governing documents of a domestic entity to contain a waiver of the right to a jury trial concerning any internal entity claim. The waiver would be enforceable regardless of whether the applicable governing document was signed by the members, owners, officers, or governing persons. A person asserting an internal entity claim would be considered to have been informed of the waiver of the right to a jury trial if the person voted for or affirmatively ratified the governing document containing the waiver or acquired an equity security of the domestic entity at a time at which the waiver was included in the entity's governing documents. Nothing in this section would prevent an entity from showing that a person waived the right to a jury trial by any evidence satisfactory to the court.

Provisions specific to limited liability companies and limited partnerships. CSHB 15 would allow the company agreement of a limited liability company to eliminate any duties, including fiduciary duties, and related liabilities that a member, manager, officer, or other person had to the company or to a member or manager of the company.

The bill would allow the governing documents of a limited liability company to amend the rules regarding a member's right to examine company records. For a limited liability company listed on a national securities exchange or that had opted into the rules relating to a presumption of good faith by the limited liability company's governing persons or officers, the bill would require a member to have held a membership interest for at least six months in order to demand to examine company records.

Similar provisions would apply to limited partnerships.

Other provisions. CSHB 15 would amend the definition of "national securities exchange" to include a stock exchange that had its principal office in the state and had received approval by the securities commissioner.

The bill would allow the managerial officials of a domestic entity to consider the laws and entity practices of other states. Failure to consider or conform to the laws and entity practices of other states would not constitute or imply a breach of the Business Organizations Code or any duty existing under state law.

The bill would allow the governing documents of a domestic entity to require that one or more courts in the state having jurisdiction serve as the exclusive forum and venue for any internal claims.

Effective date. The provisions of the bill relating to derivative proceedings would apply only to a derivative proceeding instituted on or after the effective date.

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: Establishing a peer support network for first responders

COMMITTEE: Public Health — committee substitute recommended

VOTE: 12 ayes — VanDeaver, Campos, Bucy, Collier, Cunningham, Frank, Johnson, J. Jones, Olcott, Pierson, Schofield, Shofner

0 nays

1 absent — Simmons

WITNESSES: For - Sean Hanna, Meadows Mental Health Policy Institute (*Registered, but did not testify*: Rick Ramirez, City of Austin; T. J. Patterson, City of Fort Worth; Joshua Sanders, City of Houston; Michael Marino, City of Houston, Houston Fire Department; Bryan Mitchell, Dallas County Criminal District Attorney - John Creuzot; Nicholas Hanetho, Fort Worth Fire Fighters Association; BJ Wagner, Meadows Mental Health Policy Institute; Christine Yanas, Methodist Healthcare Ministries; Christine Busse, NAMI Texas; Elizabeth Henry, Recovery People; Clay Avery, SAFE-D, Texas State Association of Fire and Emergency Districts; Joel Romo, Texas Ambulance Association; Butch Oberhoff, Texas EMS Alliance; Randy Cain, Texas Fire Chiefs Association; Roxanne Jones, United Ways of Texas; Aaron Burgess; Jaden Davis; Steven Deline; Thomas Parkinson)

Against - (*Registered, but did not testify*: Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT))

BACKGROUND: Concerns have been raised that regular exposure to traumatic events places firefighters and emergency services personnel at higher risk for mental health conditions, including depression, anxiety, and post-traumatic stress disorder. Some have suggested that creating a formal peer support network, similar to the network established for law enforcement officers, could help first responders experiencing these conditions and address the rising rates of suicide among first responders.

DIGEST:

CSHB 35 would require the Texas Division of Emergency Management (TDEM) to develop a first responder peer support network. The bill would require the first responder peer support network to include:

- peer-to-peer support;
- training for peer service coordinators and peers that included suicide prevention training;
- technical assistance for program development, peer service coordinators, licensed mental health professionals, and peers; and
- identification, retention, and screening of licensed mental health professionals.

The bill would require TDEM to ensure first responders have support in both urban and rural jurisdictions through the establishment of regional peer support hubs and authorize TDEM to establish a program to connect first responders with clinical resources at no cost to participants. The bill also would require TDEM to solicit and ensure that specialized training was provided to persons who were peers and who wanted to provide peer-to-peer support and services under the network.

CSHB 35 would establish that information relating to a first responder's participation would be confidential and not subject to disclosure under the Public Information Act.

The bill would require TDEM, no later than December 1 of each year, to submit a report to the governor and the Legislature that included:

- the number of first responders who received peer support through the network;
- the number and retention rate of peers and peer service coordinators trained;
- the number of vacant regional director positions and the average length of time each position was vacant;
- the number and types of community engagement events and outreach activities hosted by the network;
- the number of critical incident responses and wellness interventions facilitated by the network;
- an evaluation of the services provided under the bill; and
- recommendations for program improvements.

The bill would prohibit the Texas Commission of Fire Protection (TCFP) from taking disciplinary action against a regulated person based on a person's participation in peer-to-peer support and other peer-to-peer services. TCFP also could not consider the person's participation during any disciplinary proceeding.

The bill also would prohibit the Department of State Health Services (DSHS) from taking disciplinary action against emergency medical services personnel based on a person's participation in peer-to-peer support and other peer-to-peer services. DSHS also could not consider the person's participation during any disciplinary proceeding under the Emergency Health Care Act.

The bill would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of $9,083,459 to general revenue related funds through the biennium.

SUBJECT: Amending the Texas Information and Referral Network

COMMITTEE: Public Health — committee substitute recommended

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

2 nays — Olcott, Schofield

WITNESSES: For — Sharla Myers, Community Council of Greater Dallas; Kevin Denmark, Findhelp; Kevin Brendle, South Plains Association of Governments; Amy Price, United Way for Greater Austin (*Registered, but did not testify*: Stephanie Mace, AARP Texas; Andrea Sparks, Buckner International; Jason Sabo, Children at Risk; Alexa Aragonez, City of Houston; Amber O'Connor, Every Texan; Christine Yanas, Methodist Healthcare Ministries; Christine Busse, NAMI Texas; Bryan Mares, National Association of Social Workers-TX; Alec Mendoza, Texans Care for Children; Ann Baddour, Texas Appleseed; Janet Walker, Texas Association of Community Health Plans; Lori Henning, Texas Association of Goodwills; Blake Hutson, Texas Association of Health Plans; Stephanie Battaglia, Texas CASA; Lauren Fleming, Texas Coalition for Patients; Kyle Riley, Texas Impact; Matt Dowling and Amanda Tollett, Texas Medical Association; Lauren Rose, Texas Network of Youth Services; Clayton Travis, Texas Pediatric Society; Evan Wolstencroft, Texas Rural Funders; Rachel Wolleben, Texas Women's Healthcare Coalition; Emily Dove, Texas 2036; Brianna Waldock, TexProtects; Jennifer Allmon, The Texas Catholic Conference of Bishops; Ashley Harris, United Ways of Texas; Brent Chaney, Vistra Corp; Ayaan Moledina; Thomas Parkinson)

Against — None

On — (*Registered, but did not testify*: Summer Stringer, Health and Human Services Commission)

BACKGROUND: Concerns have been raised that outdated technology and static funding may limit the effectiveness of the Texas Information and Referral

Network (TIRN), which connects Texans to local services through 2-1-1. Some have suggested TIRN could be improved with technological enhancements and updated statutory guidance.

DIGEST:

CSHB 38 would make several changes to requirements applicable to the Texas Information and Referral Network (TIRN) and the role of the network's administrator, the Health and Human Services Commission (HHSC).

Statewide disaster preparedness. TIRN would be required to be capable of assisting with statewide disaster preparedness, including through the use of memoranda of understanding with state and local agencies. TIRN would be required to include technology capable of communicating with clients of state and local agencies using one-way and two-way electronic text messaging to enhance client access to information and referral services, decrease client wait times, improve customer service, and disseminate information to clients in a timely manner, including during a state of disaster.

Demographics Information. TIRN would be required to include in its publicly accessible Internet-based system aggregated, de-identified demographic information regarding the clients and client households served by TIRN, including, if the information was volunteered by the clients after they were given an opportunity to provide informed and explicit consent, the gender, race, and ethnicity of each client and whether the client or a member of the client's household was:

- a veteran;
- involved in the criminal justice system;
- pregnant;
- the caregiver to a child who was five years of age or younger;
- a kinship caregiver providing care to a child, and whether the child was in the custody of the Department of Family and Protective Services;
- enrolled in an institution of higher education;
- 65 years of age or older; or

- a caregiver providing care to an individual who was 65 years of age or older.

Health-related tools and services. TIRN would be required to use a standardized screening tool to identify nonmedical drivers of health for all clients who provided informed and explicit consent to be screened using the tool. TIRN also would be required to provide enhanced navigation services under a level of care three (LOC-3), as prescribed by the HHSC's Texas Resilience and Recovery Utilization Management Guidelines, to better address complex client needs and collaborate with community partners.

TIRN would be required to be capable of providing closed-loop referrals to support clients, track referral outcomes, and exchange resource data with external partners, including vendors, through data-sharing agreements. TIRN also would be required to comply with all applicable state and federal laws relating to the protection of client health and personal information, including the Health Insurance Portability and Accountability Act of 1996.

Call centers and backups. TIRN would be required to include call centers that operate 24 hours a day, seven days a week. TIRN also would be required to be capable of providing backup information and referrals during a statewide disaster or system malfunction.

Health and Human Services Commission. HHSC would be required to coordinate with the Homeland Security Council and the Texas Division of Emergency Management to integrate TIRN into the state's homeland security strategic plan and emergency management plan.

Health care systems and managed care organizations could enter into agreements with HHSC and area information centers to share data using TIRN to facilitate care coordination and address nonmedical drivers of health, including housing, transportation, food, and financial assistance programs.

Any area information center that contracted with HHSC to provide network operations would be required to be accredited by a nationally recognized accreditation organization.

Report. HHSC would be required to prepare and submit a report no later than December 31 of each even-numbered year to the governor, lieutenant governor, and speaker of the House. The report would be required to summarize the network's operations during the preceding two fiscal years, including information on the network's effectiveness and any improvements made, identify existing needs and gaps in services, provide recommendations for improving the network, including data privacy and client experience, and describe HHSC's efforts to collaborate with other agencies and integrate TIRN into relevant plans and programs. The report would be required to be made publicly available on HHSC's and TIRN's websites.

Website. A website developed by TIRN to provide information to the public regarding health and human services would be required to be user-friendly and regularly updated to support user navigation. Materials on the website would have to be organized in a way that allowed the public to search and navigate the site easily.

Other provisions. If implementation of any provision of the bill required a waiver or authorization from a federal agency, the affected state agency would be required to request the waiver or authorization and could delay implementation until it was granted.

The bill would take effect September 1, 2025.

NOTES: According to the Legislative Budget Board, the bill would have a negative impact of $3,895,359 to general revenue related funds through the biennium.

SUBJECT: Revising provisions related to sexual assault and other sexual offenses

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 — Tiffany Larsen, Brazos County District Attorney; Brenda Garison, Child Abuse and Forensic Services, Inc; Jamie Felicia; Beth Maeker; Bertha Lavinia Masters; Nicole Weaver (*Registered, but did not testify*: Christina Green, Children's Advocacy Centers of Texas, Inc.; Angel Carroll, Measure; Bill Kelly, Office of Harris County District Attorney Sean Teare; Bo Stallman, Sheriffs' Association of Texas; Ashley Brooks, Texas Association Against Sexual Assault; Amanda Tollett, Texas Medical Association; Desiree Ingram, Texas Women's Healthcare Coalition; Brianna Waldock, TexProtects; Bryan Flatt, TMPA; Steven Deline; Samantha McCoy; Thomas Parkinson; Yvette Salazar)

Against — None

On — Nicole Martinez, Governor's Sexual Assault Survivors' Task Force (*Registered, but did not testify*: Lane Brown and Allison Garcia, Office of the Attorney General)

BACKGROUND: The Sexual Assault Survivors' Task Force was established in the Office of the Governor by the 86th Legislature in 2019. In its November 2024 biennial report to the Legislature, the task force recommended changes related to sexual assault response in areas including housing, transportation, courts, and health care. Some have suggested that implementing these recommendations could help to address gaps in survivor protections and support.

DIGEST: HB 47 would revise laws relating to survivors of certain sexual offenses, including by expanding the rights of sexual assault survivors related to medical care following forensic exams and termination of leases,

restricting individuals on the state sex offender registry from providing digitally prearranged rides or accessing transportation digital networks, and revising certain provisions related to continuing education and certification for medical staff, among other provisions.

Continuance procedures for survivors. HB 47 would expand the definition of "victim" for the purposes of statute related to motions of continuance to include victims of sexual assault regardless of age or whether the case involved family violence.

Digital transportation network drivers. HB 47 would prohibit an individual who was required to register as a sex offender due to a reportable conviction or adjudication for which an affirmative finding was entered that the victim or intended victim was younger than 14 years old from providing or offering to provide digitally prearranged rides for compensation. The bill also would require a transportation network company to conduct a background check using the state sex offender public website before allowing a driver to log in to the company's digital network. A company would be required to prevent access to the network if the individual was found to be listed on the website.

Continuing medical care following forensic exams. HB 47 would entitle victims of certain sexual offenses to receive prescribed continuing medical care related to the sexual assault during the 30 days following a forensic medical examination. Sexual assault victims also would be entitled to the right within the criminal justice system and the juvenile justice system to receive information about payment for such care. The bill would require law enforcement agencies and prosecutors to provide written notice to victims about these rights within established time frames under the bill. Health care providers and examiners conducting forensic medical examinations would be entitled to reimbursement in an amount set by the attorney general for the reasonable costs of continuing medical care provided during that period, including medication and medical testing.

Sexual assault nurse examiner certification period. HB 47 would extend the period during which a sexual assault nurse examiner certification was valid from two years to three years.

Sexual assault response training for hospital staff. HB 47 would require hospitals with emergency departments to provide at least one hour of basic sexual assault response training to contractors, in addition to facility employees, who provided patient admission functions, patient-related administrative support functions, or direct patient care.

Information forms. HB 47 would require the Health and Human Services Commission to add names and contact information for legal aid services to existing standard information forms:

- for sexual assault survivors;
- for sexual assault survivors who arrive at a health care facility that was not Sexual Assault Forensic Exam (SAFE) ready; and
- for sexual assault survivors who had not consented to the release of evidence collected during an exam.

SAFE program minimum standards. HB 47 would remove the requirement that a sexual assault forensic exam program orally communicate crime victim compensation information as part of the minimum program standards.

County sexual assault response team reporting. HB 47 would require a commissioners court that received a county adult sexual assault response team's biennial report during the preceding year to submit the report to the Sexual Assault Survivors' Task Force by February 1 of each even-numbered year. Noncompliance could be used to determine eligibility for grant funds from the office of the governor or another state agency.

Continuing education requirements for medical providers. HB 47 would require, rather than allow, physicians and physician assistants who treated patients in emergency settings to complete at least two hours of continuing medical education. The bill would add to the information covered in this training information related to:

- providing trauma-informed care for sexual assault survivors;
- appropriate community referrals and prophylactic medications;

- the rights of sexual assault survivors under Code of Criminal Procedure provisions, including the opportunity to request the presence of an advocate and a forensic medical examination;
- forensic evidence collection methods; and
- applicable state law pertaining to the custody, transfer, and tracking of forensic evidence.

The content of the training would have to conform to the evidence collection protocol distributed by the attorney general under the Sexual Assault Prevention and Crisis Services Act.

Lease termination protections for victims. HB 47 would remove the requirement that certain sex offenses, or attempts to commit certain sex offenses, had to occur on the premises or at any dwelling on the premises for a tenant to terminate a lease based on the tenant's victimization by certain sexual or assaultive offenses.

Effective date. The bill would take effect September 1, 2025, and would apply only to a sexual assault or other sex offense first reported, or for which medical care was first sought, on or after that date. The extended certification period for sexual assault nurse examiners also would apply only to renewal applications filed on or after that date.

Continuing medical education requirements would apply only to license renewals filed on or after September 1, 2026.

The Texas Medical Board and the Texas Physician Assistant Board would be required to adopt rules implementing the continuing education requirements by June 1, 2026.

SUBJECT: Establishing grant programs for certain rural sheriff's departments

COMMITTEE: Intergovernmental Affairs — committee substitute recommended

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

1 nay — Lowe

2 absent — Cole, Garcia Hernandez

WITNESSES: For - Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT) (*Registered, but did not testify*: James Kershaw, Harris County Deputies' Organization FOP#39; Ray Hunt, HPOU; Anthony Kivela, HPROA; Drew Fuller, Texas Farm Bureau; John Sierega, TMPA; Thomas Parkinson)

Against — None

On — (*Registered, but did not testify*: Will Counihan, Texas Comptroller of Public Accounts)

BACKGROUND: Concerns have been raised that many rural counties struggle to recruit and retain law enforcement personnel for patrol duty and investigations due to budget constraints. Some have suggested that the creation of a grant program could assist certain rural counties in hiring deputy sheriffs and investigative staff.

DIGEST: CSHB 318 would require the comptroller to establish and administer relief grant programs to provide financial assistance to sheriff's departments in qualified counties.

Qualified counties, as defined under the bill, could submit an application for a grant to the comptroller no later than the 30th day after the first day of the county's fiscal year. In a state fiscal year, the total dollar amount of the rural sheriff's deputy shortage relief grant program could not exceed

$100 million, and the total amount of the rural sheriff's investigator relief grant program could not exceed $50 million.

The comptroller would be required to proportionally reduce the amount of each grant awarded so the limitation was not exceeded if the total dollar amount of the grants entitled exceeded the limitation. A county could submit only one application each fiscal year for each of the grants.

Rural sheriff's deputy shortage relief grant program. The bill would define a qualified county for the deputy shortage relief grant program as a county with a population of 300,000 or less in which the deputy-to-resident ratio was less than 15 to 10,000 on January 1, 2025.

To apply for a grant, the county would have to indicate the number of qualified deputy positions it was requesting for inclusion in the determination of the grant. The bill would define a "qualified deputy position" as a deputy sheriff position in a qualified county that was held or would be held by a deputy sheriff who made motor vehicle stops in the routine performance of the deputy's duties, was in addition to a deputy sheriff position held in the county on January 1, 2025, and that, when aggregated with each other qualified deputy position would result in a deputy-to-resident ratio of 15 to 10,000, determined as of January 1, 2025.

The bill would require a grant to be in the following amount for that fiscal year:

- $50,000 for each qualified deputy position indicated by the county in the application;
- an additional $50,000 for each qualified deputy position indicated in the application, unless the county had received a grant for the position in a preceding fiscal year;
- $50,000 for each qualified investigator position indicated by the county in the application necessary for a certain investigator-to-patrol ratio; and
- $35,000 for each qualified emergency dispatcher.

A qualified county would not be eligible to receive a grant for a fiscal year unless the county had adopted a budget that provided for the employment

of the number of deputy sheriffs necessary to meet the deputy-to-resident ratio of at least 15 to 10,000, determined as of January 1 of the calendar year in which the fiscal year began.

The bill would authorize the use of the grant money only for applicable salaries and to purchase vehicles, firearms, investigative tools, and safety equipment for use by a deputy sheriff who fills a qualified deputy position.

Rural sheriff's investigator shortage relief grant program. The bill would define a qualified county for the investigator shortage relief grant program as a county with a population of 300,000 or less in which the investigator-to-patrol ratio was less than 1 to 5 on January 1, 2025.

To apply for a grant, the county would be required to indicate in the application the number of qualified investigator positions the county was requesting for inclusion in the determination of the amount of the grant for that fiscal year. The bill would define a "qualified investigator position" as a deputy sheriff position in a qualified county that was held or would be held by a deputy sheriff who conducted case investigations in the routine performance of the deputy's duties, in addition to a deputy sheriff position held in the county on January 1, 2025, and that, when aggregated with each other qualified investigator position would result in an investigator-to-patrol ratio of one to five, determined as of January 1, 2025.

The bill would require a grant to be in the following amount for that fiscal year:

- $50,000 for each qualified investigator;
- an additional $50,000 for each qualified investigator unless the county has received a grant for that position in a preceding fiscal year; and
- $35,000 for each qualified investigative support staff.

A qualified county would not be eligible to receive a grant for a fiscal year unless the county adopted a budget for the fiscal year that provided for the employment of the number of deputy sheriffs necessary to meet the

investigator-to-patrol ratio of at least one to five, determined as of January 1 of the calendar year in which the fiscal year began.

The bill would authorize the use of the grant money only for applicable salaries and to purchase vehicles, firearms, investigative tools, and safety equipment for use by a deputy sheriff who fills a qualified investigator position.

County restrictions. A qualified county receiving a grant could only use the grant money for purposes prescribed in the grant until the requirements were satisfied and would be prohibited from reducing the sheriff's department budget for the county's fiscal year following the fiscal year in which the comptroller awarded the grant.

Comptroller requirements. The bill would require the comptroller to adopt rules necessary to implement the grants process, including rules that establish a standardized application process and standards to determine the qualification of staff members, such as an emergency dispatcher and qualified investigative support staff member.

The comptroller of public accounts would be required to comply with the bill's provisions by January 1, 2026, and a county could not apply for a grant until that date.

The bill would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of $300,000,000 to the general revenue related funds in the biennium.

The bill author intends to bring a floor substitute to CSHB 318 that would include provisions, including provisions on applicable deputy positions, award amounts, and permissible use of funds, for the rural sheriff's investigator shortage relief grant program under the rural sheriff's deputy shortage relief grant program and make conforming changes throughout. The floor substitute would provide that under the grant program, a county could submit only one application each fiscal year. A qualified county could not apply for a grant under the program before September 1, 2026.

The floor substitute also would add the definition of "investigative tool" to mean equipment, including software, used by a sheriff's office that was necessary for the investigation of cases. The term would not include services unless the services were purchased in connection with the purchase of tangible equipment.

SUBJECT: Providing immunity for rescuing pets from overheated vehicles

COMMITTEE: Judiciary & Civil Jurisprudence — favorable, without amendment

VOTE: 7 ayes — Leach, Johnson, Dyson, Flores, J. González, Hayes, LaHood

1 nay — Schofield

3 absent — Dutton, Landgraf, Moody

WITNESSES: For — (*Registered, but did not testify*: Joshua Sanders, City of Houston)

Against — None

BACKGROUND: Under Civil Practice and Remedies Code 92A.002, a person who enters a motor vehicle to remove a vulnerable individual from the vehicle is immune from civil liability for damages resulting from that entry or removal if the person meets certain standards for good faith.

Some have suggested that heat-related pet deaths in Texas could be addressed by giving a person who rescued a pet trapped inside a hot vehicle certain civil liability protections.

DIGEST: HB 349 would apply the same immunities under Civil Practice and Remedies Code 92A.002 to a person who entered a motor vehicle to remove a domestic animal from the vehicle.

A person would not be immune from civil liability for entering a motor vehicle if the person, upon notifying law enforcement or calling 9-1-1, was advised by law enforcement personnel not to enter the motor vehicle.

The bill would define "domestic animal" as a dog, cat, or other domesticated animal that could be kept as a household pet. The term would not include a livestock animal.

The bill would take effect September 1, 2025.

SUBJECT: Permitting the sale of fireworks for Juneteenth

COMMITTEE: Intergovernmental Affairs — favorable, without amendment

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

1 nay — Rosenthal

2 absent — Cole, Garcia Hernandez

WITNESSES: For — (*Registered, but did not testify*: Adam Haynes, Conference of Urban Counties; Brad Schlueter, Texas Pyrotechnic Association)

Against — None

On — (*Registered, but did not testify*: Chuck Allen, State Fire Marshal's Office (TDI))

BACKGROUND: Some have suggested that fireworks should be allowed to be sold to the public for the celebration of the Juneteenth holiday.

DIGEST: HB 554 would allow retail fireworks permit holders to sell fireworks from June 14 through June 19 for the Juneteenth holiday, only in counties where the commissioners court had approved such sales.

The bill also would require the Texas A&M Forest Service to make drought condition determinations available each day during the Juneteenth fireworks season. Deadlines for county orders restricting fireworks based on drought conditions would be updated to include June 1 for the Juneteenth fireworks season.

The bill would take immediate effect if it receives a two-thirds vote in each house. Otherwise, it would take effect on September 1, 2025.

SUBJECT: Creating a bill payment assistance fund for certain electric customers

COMMITTEE: State Affairs — committee substitute recommended

VOTE: 13 ayes — King, Hernandez, Darby, Y. Davis, Geren, Guillen, Hull, McQueeney, Metcalf, Phelan, Raymond, Thompson, Turner

0 nays

2 absent — Anchía, Smithee

WITNESSES: For — Mark Bell, Association of Electric Companies of Texas; Cyrus Reed, Lone Star Chapter Sierra Club; Kristina Rollins, NRG; Shane Johnson, Sierra Club Lone Star Chapter; Kenneth Flippin, Texas Chapter US Green Building Council; Veronique Placke, Texas Energy Poverty Research Institute (*Registered, but did not testify*: Stephanie Mace, AARP Texas; Joshua Houston, Caritas of Austin; T. J. Patterson, City of Fort Worth; Scott Hutchinson, Entergy Texas; Colin Leyden, Environmental Defense Fund; Luis Figueroa, Every Texan; Marlene Plua, Sierra Club; Michael Ruggieri, Southwestern Electric Power Co. (SWEPCO); Catherine Webking, TEAM (Texas Energy Association for Marketers); Sandra Haverlah, Texas Consumer Association; Rebecca Edwards, Texas Impact; Ben Utley, Texas-New Mexico Power (TNMP); Mance Zachary, Vistra Corporation; Damon Withrow, Xcel Energy; Thomas Parkinson)

Against — None

On — Julia Harvey, Texas Electric Cooperatives; Taylor Kilroy, Texas Public Power Association (*Registered, but did not testify*: Connie Corona, Public Utility Commission of Texas)

BACKGROUND: Concerns have been raised that existing state funds to provide electric bill payment assistance to low-income customers are depleted, and that federal programs for that purpose may have limited funding and long waitlists. Some have suggested that creating a state program for this purpose could assist low-income individuals in paying for rising home energy costs.

DIGEST:

CSHB 1359 would establish an income-based assistance fund as a general revenue account under the Public Utility Commission (PUC). Money in the fund could be appropriated to PUC and used to provide funding only for, in order of priority:

- electric bill payment assistance programs for low-income customers as provided by the bill;
- customer education on other assistance programs;
- certain expenses incurred by PUC; and
- reimbursement to PUC and the Health and Human Services Commission (HHSC) for expenses incurred in the implementation and administration of the automatic identification process for identifying low-income customers to enable retail electric providers and certified telecommunications utilities to offer customer service, discounts, and other methods of assistance.

Assistance programs for low-income electric customers adopted by PUC would have to include a retail electric service bill payment assistance program for bills due during an extreme weather emergency. Using money from the fund, PUC would be required to provide full reimbursements for an electric cooperative, a municipally owned utility, an electric utility, or a retail electric provider that provided bill payment assistance under the program.

PUC would be required to adopt eligibility criteria for the bill payment assistance program, including criteria providing that a customer was eligible for assistance if the customer was identified by HHSC as a low-income customer and resided in a county affected by an extreme weather emergency during the billing period for which assistance was sought.

The bill would also require PUC to prescribe by rule enrollment methods for customers eligible to receive assistance for bills due during an extreme weather emergency. The methods would be required to be compatible with the automatic identification process and to provide for automatic enrollment as an option for customers identified as low-income.

CSHB 1359 would prohibit a retail electric provider or electric utility from charging a customer a fee for receiving bill payment assistance under the bill.

Assistance programs adopted by PUC under the bill also would have to include a one-time bill payment assistance program for critical care residential customers who had received notice of an impending service disconnection for nonpayment. PUC could prescribe the documentation necessary to demonstrate eligibility for assistance and establish additional criteria. HHSC, on PUC's request, would be required to assist in the adoption and implementation of these rules. PUC would be required to provide full reimbursements from the fund for each electric cooperative, municipally owned utility, electric utility, or retail electric provider providing bill payment assistance under the program. The bill would require PUC to adopt rules to provide for such reimbursement.

Existing statutory limitations on PUC's authority to request that HHSC provide a process to identify low-income electric customers for a fiscal year would not apply in a state fiscal biennium in which money was available for that process from the fund.

The bill would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of $8,465,922 to general revenue related funds through the biennium.

SUBJECT: Designating a portion of Farm to Market Road 70 as the Los Robles Trail

COMMITTEE: Transportation — favorable, without amendment

VOTE: 13 ayes — Craddick, M. Perez, Canales, Curry, Gámez, Harris Davila, Hefner, LaHood, Little, C. Morales, E. Morales, Patterson, Paul

0 nays

WITNESSES: For — Hon. John Howard and Jose Martinez, City of Agua Dulce; Johnny Brown, Nueces County Sheriffs Department; Bradford Wyatt, Wyatt Ranches (*Registered, but did not testify*: Joel Romo, Nueces County; Steven Deline)

Against — None

BACKGROUND: Some have suggested renaming a portion of Farm to Market Road 70 as the Los Robles Trail could make finding a lost person in the area easier by providing a reference point for law enforcement.

DIGEST: HB 1373 would designate the portion of Farm-to-Market Road 70 in Nueces County between its intersections with State Highway 44 and Farm-to-Market Road 1833 as the Los Robles Trail, in addition to any other designation. The bill would require the Texas Department of Transportation to: design and construct markers indicating the designation as the Los Robles Trail and any other appropriate information; and erect a marker at each end of the highway and at appropriate intermediate sites along the highway.

The bill would take effect September 1, 2025.

SUBJECT: Establishing a petroleum product theft prevention task force

COMMITTEE: Energy Resources — favorable, without amendment

VOTE: 10 ayes — Darby, E. Morales, Craddick, Dyson, J. Garcia, Gates, Gerdes, Guerra, Reynolds, Rosenthal

0 nays

1 absent — Dean

WITNESSES: For — Michael D. Lozano, Permian Basin Petroleum Association; Ed Longanecker, Texas Independent Producers & Royalty Owners Association (TIPRO) (*Registered, but did not testify*: Julie Range, Commission Shift Action; Royce Poinsett, Coterra; Jimmy Carlile, Fasken Oil and Ranch; Ray Hunt, Houston Police Officers' Union; Anthony Kivela, HPROA; Wendy Foster, Independent Bankers Association of TX; Cyrus Reed, Lone Star Chapter Sierra Club; Jay Allison, Milestone; Julie Moore, Oxy; Travis McCormick, Panhandle Producers & Royalty Owners Association; Caleb Troxclair, Texas Alliance of Energy Producers; John Wilkerson, Texas Municipal Police Association (TMPA); Tulsi Oberbeck, Texas Oil and Gas Association; Jason Modglin, Western Midstream; Russell Hayter)

Against — None

On — (*Registered, but did not testify*: Mark Stewart, Railroad Commission)

BACKGROUND: Concerns have been raised about organized criminal activity operating across multiple jurisdictions involving the theft of petroleum products. Some have suggested that a statewide task force is necessary to analyze the impacts of this theft and develop recommendations for outreach, prevention programs, and law enforcement training.

DIGEST: HB 1647 would require the Railroad Commission of Texas (RRC), as soon as practicable after the effective date of the bill, to appoint a task

force to study and make recommendations related to preventing the theft of petroleum products in Texas.

The task force would have to meet at least quarterly and would be required to include at least one representative from the oil and gas industry, at least one representative from an energy trade association, and representatives from local, state, and federal law enforcement agencies. RRC would have to designate a member of the task force as the presiding officer. Certain Government Code provisions regulating state agency advisory committees would not apply to the task force or the designation of the presiding officer.

The bill would require the task force to conduct an ongoing study of the theft of petroleum products by:

- reviewing laws and regulations addressing the theft of petroleum products in other jurisdictions;
- analyzing the impacts of petroleum product theft on the collection of sales tax and other factors; and
- making recommendations for outreach and prevention programs, including coordination among stakeholders and training for law enforcement officers and prosecutors on effective strategies for combating the theft of petroleum products.

In conducting the study, task force members could consult with any organization, governmental entity, or person the task force considered necessary, and could collaborate and share information relating to an active criminal investigation with one another regardless of whether the information would otherwise be confidential and not subject to disclosure under the Public Information Act.

The bill would require the task force to prepare and submit a report of the study to the governor, the lieutenant governor, the speaker of the House of Representatives, the RRC, and each standing committee of the Legislature with primary jurisdiction over oil and gas matters no later than December 1 of each even-numbered year. The report would have to include legislative and other recommendations to increase transparency, improve security, enhance consumer protections, prevent the theft of petroleum

products, and address the long-term economic impact of the theft of petroleum products.

The bill would take effect September 1, 2025, and its provisions would expire December 31, 2030.

SUBJECT: Authorizing certain benefit plans to enter into risk-based arrangements

COMMITTEE: Insurance — favorable, without amendment

VOTE: 9 ayes — Dean, Vo, J. González, Goodwin, Hopper, Morgan, Paul, Spiller, Wharton

0 nays

WITNESSES: For - Blake Hutson, Texas Association of Health Plans (*Registered, but did not testify*: Charles Cascio, AARP Texas; John Litzler, Baptist General Convention of Texas Christian Life Commission; Cameron Duncan, Blue Cross and Blue Shield of Texas; Shannon Meroney, NABIP-TX (National Association of Benefits and Insurance Professionals; Annie Spilman, Texans for Affordable Healthcare); Tom Banning, Texas Academy of Family Physicians; Carl Isett, Texas Association of Benefit Administrators; Glenn Hamer, Texas Association of Business; Janet Walker, Texas Association of Community Health Plans; David Reynolds, Texas Chapter American College of Physicians; Carrie Simmons, Texas Employers for Affordable Healthcare; Ben Wright, Texas Medical Association; Sue Bornstein, Texas Primary Care Consortium, Texas Chapter of the American College of Physicians, and Texas Academy of Family Physicians; Sara Allen, Texas Radiological Society; Richard Evans, Texas Society of Anesthesiologists)

Against - None

On - (*Registered, but did not testify*: Rachel Bowden, Texas Department of Insurance)

BACKGROUND: Concerns have been raised that health maintenance organizations (HMOs) are the only type of health plan in Texas that can partner with physicians to provide risk-based, capitated value-based payments, which prevents employers and employees whose preference is a preferred provider organization (PPO) or exclusive provider benefit plan (EPBP) from entering into such arrangements with primary care physicians or physician groups. Some have suggested that expanding the use of value-based health

care delivery models could improve health care quality and constrain patient and payer costs.

DIGEST:

HB 2554 would authorize a preferred provider benefit plan (PPBP) or an exclusive provider benefit plan (EPBP) to provide or arrange for health care services through:

- a contract for compensation under a fee-for-service arrangement;
- a risk-sharing arrangement;
- a capitation arrangement under which a fixed, predetermined payment was made in exchange for the provision of a contractually defined set of covered services to covered persons for a specified period without regard to the quantity of services actually provided; or
- any combination of these arrangements.

A primary care physician or primary care physician group that entered into such a contract would not be considered to be engaging in the business of insurance. A primary care physician or physician group would not be required to enter into a payment agreement, and an insurer could not discriminate against a physician or physician group that elected not to participate in an arrangement.

A primary care physician or physician group could file a complaint with the Texas Department of Insurance (TDI) if the physician or physician group believed they had been discriminated against in violation of the bill. A contract allowing for a value-based or capitated payment arrangement or other payment arrangement:

- could not create a disincentive to the provision of medically necessary health care services and could not interfere with the physician's independent medical judgement on which services were medically appropriate or necessary;
- would have to specify in writing how compensation would be determined, which physician a patient would be assigned to, whether bridge rates would remain in effect under certain circumstances, whether the capitated rate would for a stop-loss threshold, and whether payment would take into account patients who were added to or eliminated from the attributed population during the course of a measurement period;

- if payment involved capitation, would be required to provide the opportunity to renegotiate in good faith a revised capitation rate, or reimburse on a fee-for-service basis under a contractual fee schedule until a revised capitation rate was agreed to if there was a material increase in the scope of services provided by the physician or a material change by the payer in the benefit structure; and
- would be required to state whether catastrophic events were excluded from the final cost calculation for an attributed population when compared to the cost target for the measurement period, if applicable, and if the payment involved shared savings, whether the entire savings was shared when the minimum savings rate was reached, or whether only the amount in excess of the minimum savings rate was shared.

The bill would not authorize a PPBP or an EPBP to provide or arrange for health care services with a primary care physician or physician group through a contract for compensation under a global capitation agreement.

A party to a contract under the bill could not subtract.

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 SOS to prescribe certain printing instructions for mail-in ballots

COMMITTEE: Elections — favorable, without amendment

VOTE: 7 ayes — Shaheen, Bucy, Isaac, Morales Shaw, Plesa, Raymond, Swanson

0 nays

2 absent — Toth, Wilson

WITNESSES: For — Ed Johnson, Harris County Ballot Security; Charrles Scoma, Texas Silver-Haired Legislature; Katherine Cano; Susana Carranza; Ken Moore (*Registered, but did not testify*: Charles Casio, AARP Texas; Mary Ibarra, ACLU of Texas; Emily French, Common Cause Texas; Marc Hoskins, Disability; Russell Hayter; Francesca Leahy; Judah Rice; Susan Stewart)

Against — (*Registered, but did not testify*: Bonnie Seelig)

On — Kathy Haigler (*Registered, but did not testify*: Chuck Pinney, Texas Secretary of State)

BACKGROUND: Concerns have been raised that some voters with visual impairments may have difficulty reading the instructions provided with early voting mail-in ballot applications. Some have suggested that ensuring clear and legible instructions are provided with these applications would maintain accessibility for voters.

DIGEST: HB 2259 would require the secretary of state to prescribe instructions to be printed for the officially prescribed application form for an early voting ballot that would have to:

- be presented in portrait orientation on a single piece of paper that was 8-1/2 by 11 inches;
- be printed in Calibri or Aptos font in at least 12-point font or the largest font size that allowed the instructions to fit on a single piece of paper; and

- contain bold print, as determined necessary by the secretary, to adequately relate the instructions to an item on the application.

The secretary would be required to prescribe instructions to be printed along with the officially prescribed application form for an early voting ballot in each language appropriate to the demographic composition of the state in the form and manner prescribed above.

The bill would take effect September 1, 2025.

SUBJECT: Authorizing increase in UTEP student union fees

COMMITTEE: Higher Education — favorable, without amendment

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

1 nay — Tinderholt

WITNESSES: For – Edgar Loya, University of Texas at El Paso Student Government Association (*Registered, but did not testify*: Garry Jones, DFER TX)

Against – (*Registered, but did not testify*: Steven Deline)

On – Mark McGurk, The University of Texas at El Paso (*Registered, but did not testify*: Catie McCorry-Andalis, The University of Texas at El Paso)

BACKGROUND: Education Code sec. 54.535 authorizes The University of Texas (UT) System board of regents to levy a student union fee of up to $30 per student for each regular semester or each summer session of six weeks or more, and not to exceed $15 per student for each summer session less than six weeks, for certain purposes. Unless approved by a majority vote of students, the fee may not be increased above $15 per student for each regular semester or each summer session of six weeks or more and $7.50 per student for each summer session less than six weeks.

Some have suggested that The University of Texas at El Paso should construct a new student union building to account for significant enrollment growth, as the student body recently passed a referendum approving an increase to the student union fee to finance the demolition of the existing student union building and construct a new one.

DIGEST: HB 2853 would amend Education Code sec. 54.535 to authorize the UT System board of regents to levy a student union fee in an amount of up to $150 per student for each semester or term of 10 weeks or more, and up to $75 per student for any other semester or term for certain purposes,

including demolition of the existing student union building. The fee could not be increased to an amount that exceeded by at least 10 percent the amount of the fee levied during the preceding year unless the increase was approved by a majority vote of student enrolled at the university participating in a general student election held for that purpose.

For a semester or term before the 2026 fall semester, the amount of a levied fee could not exceed:

- $70 per student for a semester or term of 10 weeks or more; or
- $35 per student for any other semester or term.

For a semester or term of the 2026-2027 academic year, the amount of a levied fee could not exceed:

- $120 per student for a semester or term of 10 weeks or more; or
- $60 per student for any other semester or term.

The bill would take effect September 1, 2025, and would apply beginning with student union fees collected for the 2026 spring semester.

SUBJECT: Amending consent and nonconsent elements for sexual assault

COMMITTEE: Criminal Jurisprudence — committee substitute recommended

VOTE: 10 ayes — Smithee, Wu, Bowers, Cook, J. Jones, Little, Louderback, Money, Moody, Rodríguez Ramos

1 nay — Virdell

WITNESSES: For — Tiffany Larsen, Brazos County District Attorney; Bertha Lavinia Masters; Samantha McCoy; Summer Willis (*Registered, but did not testify*: Philip Mack Furlow, 106th Judicial District; Eric Carcerano, Chambers County District Attorney; Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); Angel Carroll, Measure; Bill Kelly, Office of Harris County District Attorney Sean Teare; Bo Stallman, Sheriffs' Association of Texas; Ashley Brooks, Texas Association Against Sexual Assault; Bryan Flatt, TMPA; Cicely Kay, Travis County Commissioners Court; Stephanie Gharakhanian, Travis County District Attorney's Office; Steven Deline; Jamie Felicia; Thomas Parkinson; Yvette Salazar)

Against — (*Registered, but did not testify*: Allen Place, Texas Criminal Defense Lawyers Association)

On — Nicole Martinez, Governor's Sexual Assault Survivors' Task Force

BACKGROUND: Whether or not a person has consented to an act is an element of sexual assault under Penal Code sec. 22.011. Concerns have been raised that the law does not explicitly define nonconsent. Some have suggested that the law should be clarified to define nonconsensual conduct and address common victim responses to a sexual assault to better facilitate the prosecution of an offense.

DIGEST: CSHB 3073 would amend provisions regarding consent for the purposes of the offense of sexual assault. The bill would add a provision to the offense by defining "consent" with reference to an existing Penal Code definition, as "assent in fact, whether express or apparent."

The bill also would revise the circumstances under which a sexual assault was considered to be without the consent of the other person by:

- providing that an assault was without consent if the actor knew the other person had withdrawn consent and persisted in the act;
- specifying that an assault was without consent if the actor knew the other person was unconscious, physically unable to resist, or unaware that the assault was occurring; and
- providing that an assault was without consent if the actor knew or reasonably should have known that the other person could not consent due to intoxication or impairment by any substance.

The bill would take effect September 1, 2025.

SUBJECT: Authorizing TPWD to procure certain goods and services

COMMITTEE: Culture, Recreation & Tourism — committee substitute recommended

VOTE: 6 ayes — Metcalf, Flores, DeAyala, Orr, Vasut, Ward Johnson

0 nays

3 absent — Cole, Kerwin, Martinez Fischer

WITNESSES: For — (*Registered, but did not testify*: Steven Deline)

Against — None

On — Rodney Franklin, TPWD (*Registered, but did not testify*: Bobby Pounds, Comptroller of Public Accounts; Kelly Hamby, TPWD)

BACKGROUND: Some have suggested that granting TPWD targeted authority to procure goods and services would make it easier for TPWD to acquire these products and offer site-specific goods.

DIGEST: CSHB 3088 would authorize the Texas Parks and Wildlife Department (TPWD) to meet its business needs and increase revenue potential, to procure goods and services related to items for resale by TPWD by any method approved by the Parks and Wildlife Commission, provided the method provides the best value to TPWD.

The bill could take effect September 1, 2025.

NOTES: According to the Legislative Budget Board, the fiscal implications of the bill cannot be determined.

SUBJECT: Creating an offense for trespass on or near school or day-care property

COMMITTEE: Criminal Jurisprudence — committee substitute recommended

VOTE: 8 ayes — Smithee, Bowers, Cook, Little, Louderback, Money, Moody, Virdell

3 nays — Wu, J. Jones, Rodríguez Ramos

WITNESSES: For — Madeleine Greene, TCCB; Laura Colangelo, Texas Private Schools Association; Victoria Lydia Byrne; Astrid Domenico; Robyn Holtz; Travis Jordan; Dana Rundlof (*Registered, but did not testify*: Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); James Kershaw, Harris County Deputies' Organization FOP #39; Ray Hunt, Houston Police Officers' Union; Brian Hawthorne, Sheriffs' Association of Texas (SAT); John Wilkerson, Texas Municipal Police Association (TMPA); Steven Deline; Erin Lawler; Elizabeth Nelson)

Against — None

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

BACKGROUND: Some have suggested that creating a specific trespassing offense for schools or day-care centers would help keep staff and children safe.

DIGEST: CSHB 353 would amend the Penal Code to create a criminal offense for trespass on or near school or day-care center property. A person would commit an offense if the person:

- entered or remained on a school, day-care center property, or public property located within 250 feet of a school or day-care center property, including a street, highway, alley, public park, or sidewalk;
- did not have a reason or relationship for entering or remaining on the property that involved custody of or responsibility for a student enrolled at the school or day-care center, or did not have written

permission from an authorized representative of the school or day-care center;

- received a reasonable request to depart by an administrator, educator, or security personnel officer employed by the school or day-care center; and
- failed to depart

The offense would be classified as a Class A misdemeanor (up to one year in jail and/or a maximum fine of $4,000). If a person whose conduct constituted an offense under the bill also constituted another Penal Code offense, the person could be prosecuted for either or both offenses.

The bill would define “school” as a private or public elementary or secondary school, and “day-care center” would have the meaning assigned by relevant provisions under the Human Resources Code. “School or day-care center property” would mean all land and buildings owned or leased by a school or day-care center and any grounds or buildings on which an activity sponsored by the school or day-care center was being conducted.

The bill would take effect September 1, 2025.

SUBJECT: Requiring TJJD to accept custody within 30 days of commitment

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 — Philip Mack Furlow, 106th Judicial District Attorney; Adam Haynes, Conference of Urban Counties (*Registered, but did not testify*: Melissa Shannon, Bexar County Commissioners Court; Byron Ryder and Jeff Branick, County Judges and Commissioners Association of Texas; Josie Castro Garcia, Dallas County; M. Paige Williams, Dallas Criminal District Attorney John Creuzot; Elisa M. Tamayo, El Paso County; Santiago Franco, Harris County Commissioners Court; Jennifer Toon, Lioness Justice Impacted Women's Alliance; Angel Carroll, Measure; Brett Merfish, Texas Appleseed; Alison Brock, Texas Association of School Boards; Sarah Reyes, Texas Center for Justice & Equity; Mandi Zapata, Texas Civil Rights Project; Julie Wheeler, Travis County Commissioners Court; Tammy Baker)

Against — (*Registered, but did not testify*: Joseph Chavez; Sarah Cohen; Javier Ramirez; Kayla Reese)

On — Sean Grove, Texas Juvenile Justice Department (*Registered, but did not testify*: Aaron Taliaferro, Tarrant County Administrator's Office; Shandra Carter, Texas Juvenile Justice Department; Rachel Gandy, Texas Juvenile Justice Department)

BACKGROUND: Concerns have been raised that the absence of a statutory requirement for the Texas Juvenile Justice Department (TJJD) to begin rehabilitative programming for youth committed to the department has resulted in youth waiting in jail facilities for extended periods without access to rehabilitation. Some have suggested that requiring TJJD to accept custody within a certain timeframe could help address these delays.

DIGEST:

HB 355 would require the Texas Juvenile Justice Department (TJJD) to accept custody of a person committed to the department not later than the 30th day after the date the judge signed the disposition order.

If TJJD did not accept custody within that period, the department would be required to compensate the county for each day the person remained detained in a county-operated or county-contracted facility. The compensation would be equal to the amount TJJD would have incurred to detain the person during that time.

The bill also would require TJJD to give credit toward a child's minimum length of stay for time spent in a pre-adjudication secure detention facility before transfer to TJJD, beginning on the 31st day after the date of commitment.

The bill would take effect January 1, 2026.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of $31,485,406 to general revenue related funds through the biennium.

SUBJECT: Requiring certain safety measures for county justice courts

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 — JR Woolley, JPCA (*Registered, but did not testify*: James Kershaw, Harris County Deputies' Organization FOP #39; Thomas Parkinson)

Against — (*Registered, but did not testify*: Rick Thompson, County Judges and Commissioners Association; Jeff Branick, Jefferson County and County Judge And Commissioners Association; Byron Ryder, Leon County Judge and County Judges and Commissioners Association of Texas; Bradley Hodges)

BACKGROUND: Some have suggested that requiring certain security measures for county justice courts would ensure public safety while maintaining the integrity of the justice system.

DIGEST: HB 786 would require the commissioners court of a county with a population of 3.3 million or more to provide to each justice court in the county a metal detection device and a constable, deputy constable, or deputy sheriff for each door of the court open to the public. In complying with the bill, the commissioners court would have to first use money in the county's courthouse security fund and, only if necessary, money from the county's general revenue fund.

The bill would take effect September 1, 2025.

SUBJECT: Limiting severance pay for certain government employees and contractors

COMMITTEE: Intergovernmental Affairs — favorable, without amendment

VOTE: 9 ayes — C. Bell, Zwiener, Cortez, Leo Wilson, Lowe, Luther, Rosenthal, Spiller, Tepper

0 nays

2 absent — Cole, Garcia Hernandez

WITNESSES: For — James Quintero, Texas Public Policy Foundation (*Registered, but did not testify*: Samuel Sheetz, Americans for Prosperity)

Against — (*Registered, but did not testify*: Jon Weist, City of Irving; Cory Hartsfield, Texas Association of School Administrators; HD Chambers, Texas School Alliance)

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

BACKGROUND: Some have suggested the Legislature should limit certain former public officials or contractors whose employment or contract was terminated as a result of misconduct from receiving large severance packages.

DIGEST: HB 762 would require a political subdivision, other than a public or teaching hospital, that entered into a contract or employment agreement, including the renegotiation or renewal of an existing contract or agreement, that contained a provision for severance pay with an employee or independent contractor to:

- include a requirement that tax-funded severance pay could not exceed the amount of 20 weeks' compensation, at the rate when the employment or contract was terminated, excluding paid time off or accrued vacation leave; and
- prohibit an employee or independent contractor terminated as a result of misconduct from receiving severance pay.

The bill would define “misconduct” as an act or omission by the employee or independent contractor in the performance of the employee’s or contractor’s duties that the governing body of the political subdivision determined to be misconduct, including criminal conduct.

A political subdivision would be required to post each severance agreement in a prominent place on its website.

In an action brought against a political subdivision by an employee or independent contractor arising from the termination, a court would be prohibited from issuing a writ of execution or mandamus in connection with a judgment that did not comply with the bill.

The bill would take effect September 1, 2025.

SUBJECT: Creating the Cosmetology Licensure Compact

COMMITTEE: Licensing & Administrative Procedures — favorable, without amendment

VOTE: 10 ayes — Phelan, Thompson, Gerdes, Geren, Harless, Hernandez, Longoria, McQueeney, Patterson, Walle

0 nays

3 absent — Harris, M. Perez, Romero

WITNESSES: For — Leslie Roste, FBIC Future of the Beauty Industry Coalition; Gordon Logan, Sport Clips Haircuts; Matt Shafer, The Council of State Governments; Barbara Dauth

Against — None

On — Derek Burkhalter, Heather Muehr, TDLR

BACKGROUND: Concerns have been raised that the current system for regulating and licensing cosmetologists restricts economic mobility and creates barriers to workforce entry when licensed cosmetologists attempt to move across state lines, especially for military spouses. Some have suggested that a cosmetology licensure compact could enable cosmetologists to practice in other participating states, which could promote workforce development and increased access to services for Texas residents.

DIGEST: HB 705 would create the Cosmetology Licensure Compact to facilitate the interstate practice and regulation of cosmetology with the stated goal of improving public access to and the safety of cosmetology services and reducing unnecessary burdens related to cosmetology licensure. The bill would establish that member states sought to establish a regulatory framework that would form a new multistate licensing program. Through this new licensing program, member states would seek to provide increased value and mobility to licensed cosmetologists in member states, while ensuring the provision of safe, effective, and reliable services to the public.

Objectives of the compact outlined in the bill would include providing opportunities for interstate practice, enhancing public health and safety, preventing fraud and unlicensed activity, ensuring cooperation between member states, supporting relocating military members and their spouses, facilitating the exchange of information between member states related to licensure, investigation, and discipline within the practice, and addressing a shortage of workers, among other provisions.

The bill would include relevant definitions, member state requirements, details about multistate licenses, requirements for a data system, oversight mechanisms, dispute resolution mechanisms, and enforcement mechanisms for the compact.

HB 705 would establish the Cosmetology Licensure Compact Commission (CLCC), whose membership would consist of all member states that enacted the compact. The commission would implement and administer the purposes and provisions of the compact and would not impact the authority of member states to regulate cosmetology licenses within their states.

Active duty military personnel or their spouses who participated in the compact would be required to designate the home state where the individual had a current license to practice cosmetology. That individual could retain their home state designation during any period of service when the individual or their spouse was on an active duty assignment.

The Texas Department of Licensing and Regulation (TDLR) would be the state's cosmetology licensure compact administrator. TDLR’s governing board could adopt rules necessary to implement these provisions.

The bill would establish provisions for the construction and severability of the compact’s provisions, providing that the compact and the commission’s rulemaking authority would be liberally construed and the provisions of the compact would be severable. The compact also would provide that nothing therein would prevent or inhibit the enforcement of any other state law that is not inconsistent with the compact.

The compact would take effect on the date the compact statute was enacted into law in the seventh member state.

The bill would take effect September 1, 2026.

SUBJECT: Establishing the Occupational Therapy Licensure Compact

COMMITTEE: Public Health — favorable, without amendment

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

2 nays — Olcott, Schofield

WITNESSES: For - Judith Joseph, Texas Occupational Therapy Association (*Registered, but did not testify*: Stacy Wilson, Children's Hospital Association of Texas; Colette Vallot, San Antonio Chamber of Commerce; Mercedes Dodge, Texas Academy of Physician Assistant; Jessica Boston, Sloan Byerly, Texas Association of Home Care and Hospice; Rebecca Ramirez, The National Association of Social Workers- Texas Chapter; Snapper Carr, Tx Mayors of Military Communities Coalition; Bruce Harris)

Against — None

BACKGROUND: Concerns have been raised that current state licensure requirements limit the ability of occupational therapists to practice across state lines, creating administrative barriers for providers and clients. Some have suggested that joining the Occupational Therapy Licensure Compact could help reduce these barriers by allowing occupational therapists licensed in one member state to practice in others.

DIGEST: **Compact.** HB 1683 would create the Occupational Therapy Licensure Compact to facilitate the interstate practice of occupational therapy with the stated goal of improving public access to occupational therapy services. The bill would establish that the practice of occupational therapy occurred in the state where the patient or client was located at the time of the patient or client encounter. The purpose of the compact would be to preserve the regulatory authority of states to protect public health and safety through the current system of state licensure.

Objectives of the compact outlined under the bill would include:

- increasing public access to occupational therapy services;

- protecting public health and safety;
- encouraging cooperation between states for regulation purposes;
- supporting spouses of relocating military members;
- enhancing the exchange of industry information between states; and
- facilitating telehealth technology.

The compact would include relevant definitions, state and licensee participant requirements, details for active duty military personnel and their spouses, requirements for the maintenance of a data system, and enforcement and disciplinary policies.

Commission. The compact would establish the Occupational Therapy Compact Commission, which would have certain powers to oversee and implement the compact, along with certain meeting requirements. Within the commission, each member state would have one delegate selected by the member state's licensing board who met certain requirements. An executive committee would be composed of nine members, including seven voting members elected by the membership of the commission, one ex-officio, nonvoting member from a recognized national Occupational Therapy professional organization, and one ex-officio, nonvoting member from a recognized national Occupational Therapy certification organization. The bill would establish certain meeting requirements and duties of the executive committee.

The commission would be required to pay the reasonable expenses of its establishment, organization, and ongoing activities and could accept any appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services. The commission could collect certain annual assessments from each member state or fees from other parties to help cover costs. The commission could not incur obligations prior to securing the funds to meet them, nor pledge the credit of any member state without the authority of that member state. The bill would establish requirements for the keeping of accurate accounts of all receipts and disbursements by the commission.

Implementation. The compact would take effect on the date on which the compact was enacted into law in the 10th member state. Nothing

contained in the compact could prevent the enforcement of a state law that was not inconsistent with the compact. Any laws in a member state in conflict with the compact would be superseded to the extent of the conflict. Any lawful actions of the commission and agreements between the commission and members states would be binding. Amendments to the compact would have to be enacted by each member state.

The Texas Board of Occupational Therapy Examiners would administer and adopt rules necessary to implement the compact.

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 uncertainty regarding associated costs and the extent to which license fees could increase with compact membership.

SUBJECT: Authorizing videoconference calls for park commissioners' meetings

COMMITTEE: Intergovernmental Affairs — favorable, without amendment

VOTE: 9 ayes — C. Bell, Zwiener, Cortez, Leo Wilson, Lowe, Luther, Rosenthal, Spiller, Tepper

0 nays

2 absent — Cole, Garcia Hernandez

WITNESSES: For — (*Registered, but did not testify*: Adam Haynes, Conference of Urban Counties)

Against — None

BACKGROUND: Some have suggested that extending authorization to county boards of park commissioners to hold open meetings by videoconference call could enhance scheduling and accessibility.

DIGEST: HB 849 would authorize a county board of park commissioners to hold a meeting by videoconference call only if the member presiding over the meeting was physically present at one meeting location that was open to the public during the open portions of the meeting.

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: Raising penalties for crimes against utility agents, creating an offense

COMMITTEE: Criminal Jurisprudence — committee substitute recommended

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

2 nays — Little, Money

WITNESSES: For — Taylor Kilroy, Texas Public Power Association (*Registered, but did not testify*: Mark Bell, Association of Electric Companies of Texas; Lisa Kaufman, Atmos Energy; Riley Stinnett, CenterPoint Energy; T. J. Patterson, City of Fort Worth; Joshua Sanders, City of Houston; Zanir Ali, CPS Energy; Michael Jewell, Electric Transmission Texas, LLC; Amanda Posson, Every Texan (formerly CPPP); James Kershaw, Harris County Deputies' Organization FOP #39; Ray Hunt, Houston Police Officers' Union; Duke Austin, Quanta Services Inc; Brian Hawthorne, Sheriffs' Association of Texas (SAT); Julia Harvey, Texas Electric Cooperatives; John Wilkerson, Texas Municipal Police Association (TMPA); Steven Deline; Caroline Messer)

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

On — Ashley Myers, Texas Association of Water Companies

BACKGROUND: Concerns have been raised that utility workers have been threatened and assaulted while performing public duties such as working to restore power and critical services to residents impacted by disasters. Some have suggested that penalty enhancements for offenses including assault committed against public servants and interference with their public duties should be extended to protect utility workers.

DIGEST: CSHB 1160 would amend the Penal Code to expand the conduct constituting an offense for interference with public duties to include interrupting, disrupting, impeding, or otherwise interfering with criminal negligence with an employee or agent of a utility while the worker performed a duty within the scope of that employment or agency.

The bill would raise the penalty for the offense to the next higher category if it was shown on the trial that the actor committed the offense in an area that was under a declaration of a state of disaster according to relevant federal and state codes or if the offense was committed in an area that was subject to an emergency evacuation order.

The bill also would raise the penalty for assault from a class A misdemeanor (up to one year in jail and/or a maximum fine of $4,000) to a third-degree felony (two to 10 years in prison and an optional fine of up to $10,000) if the actor knew the person injured was an employee or agent of a utility and harmed them while the person was performing a duty within the scope of that employment or agency and wearing a distinctive uniform or badge indicating their employment.

The bill would define “utility” as an electric utility; a telecommunications, broadband, video service or cable service provider; an electric cooperative or municipally owned utility, as defined by provisions under the Utilities Code; a municipally owned gas utility; a gas utility that transports, conveys, distributes, or delivers natural gas; a pipeline used for the transportation or sale of oil, gas, or related products; or a retail water or sewer utility service, as defined by provision under the Water Code.

The bill would take effect September 1, 2025, and would apply to an offense committed on or after that date.

SUBJECT: Amending report on the regional allocation of mental health beds

COMMITTEE: Public Health — committee substitute recommended

VOTE: 13 ayes — VanDeaver, Campos, Bucy, Collier, Cunningham, Frank, Johnson, J. Jones, Olcott, Pierson, Schofield, Shofner, Simmons

0 nays

WITNESSES: For - Christine Busse, NAMI Texas; Ayaan Moledina (*Registered, but did not testify*: Melissa Shannon, Bexar County Commissioners Court; Nadia Islam, City of San Antonio; Adam Haynes, Conference of Urban Counties; Josie Castro Garcia, Dallas County; Santiago Franco, Harris County Commissioners Court; Heidi Ruiz, Houston Police Department; Christine Yanas, Methodist Healthcare; Bryan Mares, National Association of Social Workers-TX; Joel Romo, Nueces County Hospital District; Aaron Taliaferro, Tarrant County Administrator's Office; Julie Wheeler, Travis County Commissioners Court)

Against - None

On - (*Registered, but did not testify*: Jennie Simpson, Health and Human Services Commission)

BACKGROUND: Some have suggested that adding additional factors to the required regional allocation report for mental health beds could improve transparency and accuracy.

DIGEST: CSHB 1119 would make several changes to the biennial report on the regional allocation of mental health beds.

The bill would remove the Department of State Health Services (DSHS) as one of the entities responsible for preparing and submitting the report and remove DSHS recommendations and activities from the report. DSHS's duties related to the calculating, for planning purposes for each region, the actual value of a bed day for the two years preceding the date of the report and the projected value of a bed day for the five years

following the date of the report would be transferred to the Health and Human Services Commission (HHSC).

CSHB 1119 would revise report requirements by including an explanation of the bed day allocation methodology and the factors influencing the applicability of the methodology.

The bill also would remove the specification that the required evaluation of factors impacting the use of state-funded beds in state hospitals and other inpatient mental health facilities by certain patients with mental illness or an intellectual disability be done for each region. These factors also would no longer have to include the availability of resources in a region. The bill would instead specify that these factors must include:

- the total amount of state money allocated to mental health services in this state, categorized by service type;
- a breakdown by region of existing state-funded mental health facilities and programs, including the capacity, demand, and waitlist for those facilities and programs;
- the targeted number and actual number of patients served by state-funded mental health facilities and programs for each region;
- an assessment of the outcomes for patients who occupied a state-funded bed;
- a comprehensive analysis of state-funded mental health facilities and programs, including funding allocations, service gaps, and capacity constraints; and
- the total number of entities that applied for and were denied state-funded mental health grants due to funding limitations, including, for each entity, the type of grant requested and the amount actually provided

The bill would specify that outcomes from the implementation of a bed day utilization review protocol included in the report must include the peer review process required under current law.

The bill would take effect September 1, 2025.

SUBJECT: Requiring direct payment for health care services provided by a hospital

COMMITTEE: Public Health — committee substitute recommended

VOTE: 12 ayes — VanDeaver, Campos, Bucy, Cunningham, Frank, Johnson, J. Jones, Olcott, Pierson, Schofield, Shofner, Simmons

1 nay — Collier

WITNESSES: For - (*Registered, but did not testify*: Charles Cascio, AARP Texas; Travis McCormick, Make Texans Healthy Again; Annie Spilman, Texans for Affordable Healthcare; Charles Miller, Texas 2036; Faith Villarreal, Texas Association of Business; Jason Baxter, Texas Association of Health Plans; Tanner Aliff)

Against — (*Registered, but did not testify*: Travis Richmond, CHRISTUS Health)

On — Steve Wohleb, Texas Hospital Association

BACKGROUND: Concerns have been raised that some hospitals may charge different prices for the same services based on a patient's insurance status, which can create financial hardship for uninsured individuals.

DIGEST: CSHB 1612 would require a licensed public or private hospital, excluding ambulatory surgical centers, to accept full payment for health care services directly from patients not enrolled in a health benefit plan, upon the patient's request. Payment would be due no later than the 60th day after the patient received a bill or final accounting of the service provided.

The bill would authorize the hospital to adjust patient charges under the bill for health care services provided by the hospital, provided the amount was:

- no more than 25 percent greater than the amount generally billed for the service; or

- no more than 50 percent greater than the lowest contracted rate the hospital accepted from a health benefit plan other than CHIP, Medicare, Medicaid, or Medicaid managed care.

The bill would establish relevant definitions for an enrollee, health benefit plan, and health care service.

The bill would take effect September 1, 2025.

SUBJECT: Amending college admissions and eligibility for homeschool students

COMMITTEE: Higher Education — committee substitute recommended

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

0 nays

1 absent — Lambert

WITNESSES: For – Anita Scott, Texas Home School Coalition (*Registered, but did not testify*: Isabella Ruffo)

Against – None

BACKGROUND: Concerns have been raised that class rank calculations as part of acceptance policies for selective general academic teaching institutions in the state may not fairly address differences for home-schooled students.

DIGEST: CSHB 3041 would require a higher education institution that in its undergraduate admission review process sorts applicants by high school graduating class rank to assign a class rank to an applicant who presented evidence that the applicant had successfully completed a nontraditional secondary education by:

- calculating for each class rank of other applicants to the institution the median score on each college entrance exam considered in admissions; and
- assigning to the applicant the highest class rank for which the applicant's entrance exam score was at least equal to the median score.

A higher education institution would have to post on its website the median score on each college entrance exam calculated for each class rank for the preceding admissions cycle.

The bill would remove the requirement for an institution to place a nontraditional secondary education applicant at the average high school graduating class rank of applicants who had equivalent standardized testing scores as the applicant.

UT Austin admissions. The bill would establish that such ranked nontraditional secondary education applicants would be eligible for admission to The University of Texas at Austin based on high school graduating class percentile rank rather than being automatically admitted under certain circumstances.

As an alternative to the percentile rank, the university would be authorized to offer admission to such applicants whose score on a standardized test on a college entrance exam met or exceeded a benchmark test score set by the university. The benchmark test score would have to be set for an academic year based on the standardized test scores on a college entrance exam of certain nontraditional secondary education applicants. The university would be required to disseminate information on the benchmark score to each school district under certain circumstances.

Equal access to dual credit. In admitting or enrolling high school students in a dual credit course, a higher education institution would be required to apply the same criteria and conditions to each student wishing to enroll in the course without regard to the kind of school the student attended. A student who attended a school that was not formally organized as a high school and was at least 16 years old would be considered to be attending a high school.

TEXAS grant and scholarship eligibility. The bill would establish that a Texas resident nontraditional secondary education graduate would be eligible for a Toward Excellence, Access, and Success (TEXAS) grant under certain circumstances. The bill also would establish that such a graduate would be eligible for a scholarship awarded by the Texas Higher Education Coordinating Board for students who graduated in the top ten percent of their high school class.

The bill would make conforming changes throughout.

The bill would apply beginning with the 2026 fall semester and 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 students who would be eligible for TEXAS Grants Program awards under the bill.

SUBJECT: Establishing reporting exemption for maternal mortality record reviews

COMMITTEE: Public Health — favorable, without amendment

VOTE: 13 ayes — VanDeaver, Campos, Bucy, Collier, Cunningham, Frank, Johnson, J. Jones, Olcott, Pierson, Schofield, Shofner, Simmons

0 nays

WITNESSES: For — Jack Frazee, Texas Nurses Association (*Registered, but did not testify*: Christine Yanas, Methodist Healthcare Ministries; Will Holleman, Texas Hospital Association; Kyle Riley and Anita Knight, Texas Impact; Rachel Wolleben, Texas Women's Healthcare Coalition; and 7 individuals)

Against — (*Registered, but did not testify*: Samantha Furnace, Texas Right to Life)

On — (*Registered, but did not testify*: Manda Hall, Department of State Health Services)

BACKGROUND: Some have suggested that permitting nurses to review unredacted maternal mortality case information and receive limited exemptions from professional reporting requirements could improve the preparation and review of reports by the Texas Maternal Mortality and Morbidity Review Committee.

DIGEST: HB 713 would exempt a health care provider, including a nurse, from the reporting requirement to report certain conduct related to the provider's profession that the provider or nurse learned about during a review of information relevant to a case selected for review under provisions regarding the Texas Maternal Mortality and Morbidity Review Committee.

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: Revising salary provisions for bailiffs appointed in certain district courts

COMMITTEE: Judiciary & Civil Jurisprudence — committee substitute recommended

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

0 nays

WITNESSES: For — John Galo, Leroy Medford, Webb County; (*Registered, but did not testify*: Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); John Wilkerson, Texas Municipal Police Association (TMPA))

Against — None

BACKGROUND: Concerns have been raised that discrepancies in compensation determinations for bailiffs in certain Webb County district courts have created inconsistencies, delayed pay adjustments, and caused administrative confusion about salary-setting authority. Some have suggested that clarifying measures are needed to ensure parity and salary uniformity across comparable courts.

DIGEST: CSHB 3104 would amend the Government Code to remove the authority of the judge of the 341st District Court to appoint a bailiff.

The bill also would repeal Government Code sections 53.001(i) and 53.009(d), which would remove the provision requiring the judge of the 406th District Court to appoint a bailiff and the provision entitling a bailiff appointed by the judge of the 341st District Court to receive a salary set by the judge in an amount commensurate with the salary paid the bailiffs of other courts with similar duties and paid out of the county's general fund, respectively.

A bailiff appointed by the judge of the 341st or 406th district courts would be required to continue serving and receiving compensation from Webb County in the same manner as before the effective date and would be

eligible to receive any longevity or cost of living salary increases available to a bailiff serving in Webb County before the effective date of the act.

The bill would take effect September 1, 2025, and would not apply to a bailiff appointed by the judge of the 341st or 406th district courts before that date.