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John Smithee  
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# HOUSE RESEARCH ORGANIZATION

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## daily floor report

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

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 *Two* of the Daily Floor Report appears on the following page.



Gary VanDeaver  
Chairman  
89(R) - 53

# HOUSE RESEARCH ORGANIZATION

## Daily Floor Report

Wednesday, April 30, 2025

89th Legislature, Number 53

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- SUBJECT:** Requiring PUC to create an expedited large load interconnection program
- COMMITTEE:** State Affairs — committee substitute recommended
- VOTE:** 15 ayes — King, Hernandez, Anchía, Darby, Y. Davis, Geren, Guillen, Hull, McQueeney, Metcalf, Phelan, Raymond, Smithee, Thompson, Turner
- 0 nays
- WITNESSES:** For — Matt Prusak, American Bitcoin; Gideon Powell, Cholla Inc.; Joel Yu, Enchanted Rock; Cyrus Reed, Lone Star Chapter Sierra Club; Ken Flippin, Texas chapter USGBC; William Bojorquez (*Registered, but did not testify*); Jason Isaac, American Energy Institute; Molly Vogt, American Energy Works; Genevieve Collins, Americans for Prosperity; Clayton Greer, Cholla Inc.; Carrie Simmons, Conservative Texans for Energy Innovation; Jay Brown, Crusoe AI; Margo Cardwell, Enel North America, Inc.; Jessica Oney, NRG; Robert Nathan, Schneider Electric; Chris Hemschot, Tenaska Energy Inc; Brent Bennett, Texas Public Policy Foundation; Joseph Kelly, Unchained Capital, Inc; Parker Lewis, Will Cole, Zaprite, Inc; Mitch Klee; Sean Milmoie)
- Against — None
- On — Nathan Bigbee, Electric Reliability Council of Texas (ERCOT); Jaren Taylor, Oncor Electric Delivery; Walt Baum, Powering Texans; Julia Harvey, Texas Electric Cooperatives (*Registered, but did not testify*); Barksdale English, Public Utility Commission of Texas)
- BACKGROUND:** Concerns have been raised about the predicted record growth in electricity demand in Texas. It has been proposed that an expedited process for interconnecting large loads to the ERCOT electric grid could help the state enhance grid reliability by leveraging large load flexibility.
- DIGEST:** CSHB 3970 would require the Public Utilities Commission (PUC) to establish a program to provide an expedited process for the interconnection of large loads. The program would have to require the

interconnecting electric cooperative, municipally owned utility, or transmission and distribution utility and the ERCOT organization to give priority in the interconnection queue to a large load for which a retail customer had received approval for expedited processing over any other large loads. If applicable, the generation interconnection application for the large load's behind-the-meter generation would have to be processed in parallel with the load.

The program would have to require a large load to qualify for expedited processing by bringing in-service, within 180 days after the interconnection date, behind-the-meter generation that was registered with ERCOT and capable of serving the customer's full load requirement. As an alternative to these requirements, a large load could qualify if it was a facility with an aggregated peak demand at a single site of more than 75 megawatts by:

- providing to the interconnecting entity all data regarding, and posting all required financial security for, the load, and
- being subject to a contract or agreement with ERCOT to establish the load as a flexible load for a minimum period established by PUC of at least 10 years.

For the purposes of the bill, a flexible load would mean a load operated by a retail customer who was obligated by contract or agreement in the ERCOT market to reduce the load or power the load exclusively with back-up generation at the direction of ERCOT or as required to protect the integrity of the ERCOT grid.

A large load that qualified for expedited interconnection processing that was authorized by ERCOT and the relevant electric cooperative, municipally owned utility, or transmission and distribution utility could choose to contract with a vendor approved by one of those entities to perform all studies required before interconnection approval. A qualifying large load that was authorized by the relevant cooperative or utility could choose to procure equipment required for the interconnection and construct interconnection facilities according to technical and other requirements provided by the cooperative or utility.

The expedited interconnection program could provide that studies required before approval of an interconnection application for a flexible load could evaluate the load as non-firm. Demand reductions from flexible loads that received expedited processing and were removed from the system using behind-the-meter generation during an energy emergency alert would have to be counted toward any obligation of the electric cooperative, municipally owned utility, or transmission and distribution utility to shed load.

PUC would be required to impose an administrative penalty on the owner or operator of a large load approved for expedited interconnection processing that did not comply with the bill's requirements.

The bill would take effect September 1, 2025.

- SUBJECT:** Designating the INDYCAR Grand Prix of Arlington eligible for MERP
- COMMITTEE:** Culture, Recreation & Tourism — committee substitute recommended
- VOTE:** 7 ayes — Metcalf, Flores, DeAyala, Kerwin, Orr, Vasut, Ward Johnson
- 0 nays
- 2 absent — Cole, Martinez Fischer
- WITNESSES:** For — Brent DeRaad, Arlington Convention & Visitors Bureau; Letty Azar, Penske Entertainment (*Registered, but did not testify*: Natalie Raulston, City of Arlington; William Miller, Grand Prix of Arlington; Rebecca Montgomery, Greater Arlington Chamber; Justin Bragiel, Texas Hotel & Lodging Association; Kellie Fischer, Texas Rangers Baseball Club; Ron Hinkle, Texas Travel Alliance)
- Against — None
- On — (*Registered, but did not testify*: Terry Zrubek, Office of the Governor, Economic Development and Tourism Office)
- BACKGROUND:** Some have suggested that designating the INDYCAR Grand Prix of Arlington as eligible for the Major Events Reimbursement Program would allow gains from sales and use taxes, vehicle rental taxes, and hotel and alcoholic beverage taxes generated from the event to help pay costs incurred from hosting the event.
- DIGEST:** CSHB 3962 would make the INDYCAR Grand Prix of Arlington eligible for funding under the Major Events Reimbursement Program and designate Penske Entertainment as a site selection organization for purposes of allowing the grand prix to receive funding through the program if the site selection organization selects a site in Texas as the sole site for the event without considering through a highly competitive process one or more sites not in Texas.

The bill would take effect September 1, 2025.

- SUBJECT:** Prohibiting surveillance by contractors and vendors of state agencies
- COMMITTEE:** Delivery of Government Efficiency — favorable, without amendment
- VOTE:** 11 ayes — Capriglione, Bhojani, Alders, Bowers, Cain, Campos, Cook, Curry, Olcott, Rodríguez Ramos, Tinderholt
- 0 nays
- 2 absent — L. Garcia, Troxclair
- WITNESSES:** None (*Considered in a formal meeting on April 17*)
- BACKGROUND:** Concerns have been raised that certain state contractors have attempted to gain sensitive information through surveillance of lawmakers, their families, and others in order to secure state contracts. It has been proposed that clearly prohibiting such activity would protect public trust and improve accountability and fairness in state contracting.
- DIGEST:** HB 5061 would prohibit a contractor or subcontractor of a state agency or a vendor responding to a contract solicitation from directly or indirectly:
- engaging in surveillance of a member of the state Legislature, a person employed to support the Legislature, a state agency employee, or an individual making a complaint or raising concerns regarding state agency operations or contracting;
  - engaging in an act of intimidation, coercion, extortion, undue influence, or other similar conduct intended to influence, silence, or retaliate against such persons; or
  - using private or confidential information to manipulate or influence a state contracting decision or proceeding.

HB 5061 would require the state auditor’s office (SAO) to oversee and enforce its provisions. SAO could collaborate with the Texas Ethics Commission to ensure compliance with the bill and transparency of oversight and enforcement actions. The Texas Rangers division of the

Department of Public Safety would be required to investigate any alleged criminal offense related to a violation of the bill.

**Complaint investigations.** A person who believed that the person was the target of activity prohibited under the bill could file a complaint with SAO, and SAO would be required to establish and maintain a confidential reporting hotline and an online portal for submitting such complaints. SAO would be required to investigate such a complaint and determine whether a violation of the bill had occurred within 90 days of receiving the complaint.

If during an investigation SAO suspected that a criminal offense had been committed, the office would be required to refer the matter to the Texas Rangers for a comprehensive criminal investigation, who would be required to investigate and refer the matter to the attorney general's office for prosecution if appropriate.

**Penalties.** On final determination by SAO that a person had violated the bill, the person would be, for a first violation:

- subject to immediate termination of any state contracts without further obligation;
- liable for an administrative penalty of up to \$500,000 or \$2 million if the violation involved undue influence or misuse of private or confidential information; and
- barred from state contracts for ten years, or fifteen years if the violation involved undue influence or misuse of private or confidential information.

For a subsequent violation, the person would be:

- subject to immediate termination of all state contracts without further obligation;
- liable for an administrative penalty of up to \$1 million or \$2 million if the violation involved undue influence or misuse of private or confidential information; and
- barred permanently from state contracts.

An individual who authorized or directed an entity to violate the bill could be subject to these penalties in the same manner as an entity determined to have violated the bill.

**Cause of action for retaliation.** Under HB 5061, an employee of a contractor or subcontractor of a state agency or a vendor responding to an agency contract solicitation would have a cause of action against an employer who suspended, terminated, or otherwise disciplined, discriminated, or retaliated against the employee for:

- reporting a violation of the bill to a supervisor, a state regulatory agency, or a law enforcement agency; or
- initiating or cooperating in any official investigation or proceeding relating to a state contract.

The petitioner could recover actual damages and damages for lost wages, exemplary damages, court costs, and attorney's fees. Additionally, a person whose employment was suspended or terminated would be entitled to appropriate injunctive relief, including reinstatement of the person's former position and of lost fringe benefits or seniority rights.

The petitioner would have to bring suit or notify the Texas Workforce Commission (TWC) of intent to sue within 90 days of being suspended or terminated and would have to bring suit within 90 days after delivering notice to TWC. On receiving the notice, TWC would be required to notify the employer of the petitioner's intent to sue. The burden of proof would be on the petitioner, except for a rebuttable presumption that the person's employment was suspended or terminated for reporting abuse, neglect, or exploitation if the person was suspended or terminated within 60 days after reporting the violation or initiating or cooperating in an investigation or proceeding.

A suit under the bill could be brought in the district court of the county in which the plaintiff resided or was employed by the defendant, or in which the defendant conducted business. SAO would be required to provide legal assistance to the petitioner.

**Report.** By September 1 of each year, SAO and the Texas Rangers would be required to jointly submit to the governor, the lieutenant governor, the speaker of the House of Representatives, and each member of the Legislature a written report on the number and nature of complaints filed alleging a violation of HB 5061, the outcome of each complaint investigated, and penalties imposed.

The bill would take effect September 1, 2025.

**SUBJECT:** Broadening applicability of certain pipeline safety oversight and fees

**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 — (*Registered, but did not testify:* Julie Range, Commission Shift Action; Elisa M. Tamayo, El Paso County; Cyrus Reed, Lone Star Chapter Sierra Club)

Against — None

On — (*Registered, but did not testify:* Stephanie Weidman, Railroad Commission of Texas)

**BACKGROUND:** Concerns have been raised about gaps in the Railroad Commission’s pipeline safety oversight that exclude propane gas distribution systems. Some have suggested that amending certain definitions and provisions is necessary to ensure propane systems were included under the RRC’s safety regulations and fee collection authority.

**DIGEST:** HB 4042 would remove the specification that gas must be natural gas with respect to gas distribution pipelines, gas master-metered pipelines, gas distribution systems, and gas master-metered systems whose operators may be subject to annual pipeline safety and regulatory fees. The bill also would apply to distribution gas pipeline facilities subject to statutory provisions on the installation, removal, and replacement of certain pipelines, as well as provisions relating to pipeline incident reporting and recordkeeping.

The bill would take effect September 1, 2025.

- SUBJECT:** Regulating shareholder proposals for certain nationally listed corporations
- COMMITTEE:** Trade, Workforce & Economic Development — committee substitute recommended
- VOTE:** 11 ayes — Button, Talarico, K. Bell, Bhojani, Harris Davila, Longoria, Lujan, Luther, Meza, Ordaz, Richardson
- 0 nays
- WITNESSES:** For — Bill Lauderback, Texas Stock Exchange (*Registered, but did not testify*); Craig Holzheuser, Texas Pacific Land Corp; Daniel Hodge, Texas Stock Exchange)
- Against — None
- BACKGROUND:** Concerns have been raised that low ownership thresholds allow shareholders with limited stakes to advance proposals that may impose administrative burdens on companies and other shareholders. Some suggest that requiring a higher ownership threshold could help ensure that only proposals supported by more substantial shareholders were placed before all shareholders.
- DIGEST:** CSHB 4115 would apply to shareholder proposals for certain nationally listed corporations that either had a principal office in this state or were admitted to a listing on a stock exchange with a principal office in this state and had received approval by the securities commissioner. In addition, the bill would apply only to a nationally listed corporation that elected to be governed by the bill through an amendment to its governing documents, with notice provided to shareholders in a proxy statement before adoption.
- The bill would authorize a shareholder or group of shareholders to submit a proposal for approval at a shareholder meeting only if they:

- owned at least \$1 million in market value of voting shares or at least 3 percent of the corporation's voting shares as of the submission date;
- held those shares continuously for at least six months before the meeting date and through the meeting's duration; and
- solicited holders of shares representing at least 67 percent of the voting power of shares entitled to vote on the proposal.

These submission requirements would not apply to director nominations or procedural resolutions ancillary to the conduct of the meeting.

The bill would take effect September 1, 2025.

- SUBJECT:** Excepting next of kin information from required public disclosure
- COMMITTEE:** Public Health — favorable, without amendment
- VOTE:** 12 ayes — VanDeaver, Campos, Bucy, Collier, Cunningham, Frank, Johnson, J. Jones, Olcott, Pierson, Schofield, Shofner
- 0 nays
- 1 absent — Simmons
- WITNESSES:** For — Julie Prine, Harris County Commissioner Court; Beth Devery, Keith Pinckard, Travis County Medical Examiner (*Registered, but did not testify*); Joshua Sanders, City of Houston; Adam Haynes, Conference of Urban Counties; Elisa M. Tamayo, El Paso County; Aaron Taliaferro, Tarrant County Administrator's Office; Cicely Kay, Travis County Commissioners Court; Steven Deline)
- Against — None
- BACKGROUND:** Concerns have been raised that the medical examiner's office has received requests for next of kin data under the Public Information Act from marketing firms who sell the information to third parties, deterring some families from cooperating with the medical examiner's office, which can hamper investigations. Some have suggested that excepting next of kin information from required public disclosure could help protect families' privacy and ensure that information could still be disclosed for legitimate purposes, such as law enforcement.
- DIGEST:** HB 4900 would except information from medical examiners relating to next of kin of a decedent from required public disclosure under the Public Information Act. Such information would be subject to disclosure under subpoena or authority of other law.
- 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:** Entering the Physician Assistant Licensure Compact
- 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 — Margaret Scott and Leticia Bland, Texas Academy of Physician Assistant (*Registered, but did not testify*: Amy Bresnen, Association of Dental Support Organizations; Stacy Wilson, Children's Hospital Association of Texas; Travis McCormick, Make Texans Healthy Again; Nicole Malone, National Association of Social Workers - Texas Chapter; Leticia Van de Putte, San Antonio Chamber of Commerce; Doug Clements, Teladoc; Annie Spilman, Texans for Affordable Healthcare; Bradford Shields, Texas Academy of Audiology; Faith Villarreal, Texas Association of Business; Kelsey Bernstein, Texas Council of Community Centers; Denise Rose, Texas Dental Hygienists Association and Texas Occupational Therapy Association; Nora Cox, Texas e-Health Alliance; Andrew Smith, University Health; Sarah Berel-harrop; Thomas Parkinson)
- Against — Patricia Aronin, TX400 and Texas Physicians for Patients PAC (*Registered, but did not testify*: Eve Margolis)
- On — Stephen Carlton, Texas Medical Board; Neema Navai, The University of Texas MD Anderson Cancer Center
- BACKGROUND:** The Physician Assistant Licensure Compact is an interstate occupational licensure compact through which participating states agree to recognize a physician assistant (PA) license issued by another participating state. Some have suggested that entering the compact would enhance the portability of a license to practice as a PA while safeguarding patients.
- DIGEST:** CSHB 1731 would enter Texas into the Physician Assistant Licensure Compact for the stated purposes of strengthening access to medical

services, developing a comprehensive process that complemented the existing authority of state licensing boards, and enhancing the portability of a license to practice as a PA while safeguarding patient safety.

The compact would allow medical services to be provided by PAs, via the mutual recognition of the licensee's qualifying license by other participating states. The compact would adopt the prevailing standard for PA licensure. Under the compact, the practice and delivery of medical services by a PA would occur where the patient was located at the time of the patient encounter, and the PA would be under the jurisdiction of that state's licensing board. State licensing boards in participating states would retain jurisdiction to impose adverse action against a compact privilege in that state issued to a PA through the procedures of the compact.

The compact would include relevant definitions, participating state requirements, details about compact privilege, requirements for a data system, and oversight, dispute resolution, and enforcement mechanisms.

**Compact privilege.** To exercise compact privilege, a licensee would have to hold a qualifying license, have graduated from an accredited physician assistant program, meet any state requirements, pay any applicable fees, and meet certain other requirements. The compact privilege would be valid until the expiration, revocation, or termination of the qualifying license.

If the state in which a physician assistant was licensed took an adverse action against a qualifying license, the licensee would lose compact privilege to practice in any state participating in the compact until two years after the license was no longer limited or restricted. If a compact privilege were revoked, limited, or restricted in one participating state for conduct that would not be the basis for disciplinary action in another, the other state would have the discretion whether to consider it an action that required the denial or removal of a compact privilege.

**Compact commission.** The compact also would establish the PA Licensure Compact Commission, consisting of participating states, to enact rules to facilitate and coordinate the compact's implementation and administration. If a commission rule conflicted with a state's laws

regarding the medical services a PA could provide, as held by a court, the rule would be ineffective in that state to the extent of the conflict.

**Implementation.** The compact would take effect when the compact statute had been enacted in seven states. Any participating state could withdraw from the compact by enacting a statute to repeal the compact.

The bill also would provide for the compact and commission's rulemaking authority to be liberally construed, for severability of the compact's provisions, and for the binding effect of the compact. Nothing within the compact would prevent the enforcement of a state law that was not inconsistent with the compact.

The bill would take effect September 1, 2025.

- SUBJECT:** Amending provisions on recognized accrediting agency
- COMMITTEE:** Higher Education — committee substitute recommended
- VOTE:** 10 ayes — Wilson, Howard, A. Davis, Lambert, V. Perez, Shaheen, Shofner, Tinderholt, VanDeaver, Ward Johnson
- 0 nays
- 1 absent — Lalani
- WITNESSES:** For – Tom Lindsay, Texas Public Policy Foundation (*Registered, but did not testify*); Priscilla Camacho, Alamo Colleges District; Barbara Dauth, FBIC)
- Against – Jaime Puente, Every Texan; Amanda Garcia, Texas AFT-AAUP; David Albert; Steven Deline; Brian Evans (*Registered, but did not testify*); Amber Jones, Texas AFL-CIO; Beaman Floyd, Texas Faculty Association, Pat Heintzelman)
- On – Sarah Keyton, Elizabeth Mayer, Texas Higher Education Coordinating Board (THECB)
- BACKGROUND:** Some have suggested that state law should be revised to remove references to a specific accreditor to align with federal law that changed in 2019 to allow colleges and universities to switch to any nationally recognized accreditor.
- DIGEST:** CSHB 1705 would remove the Southern Association of Colleges and Schools from the definition of “recognized accrediting agency.” The bill would amend the Education Code to replace references to the Southern Association of Colleges and Schools and the Commission on Colleges of the Southern Association of Colleges and Schools with a reference to an education institution’s recognized accrediting agency.
- For provisions establishing the duties of the Texas Higher Education Coordinating Board, the bill would require the board to promote quality

education in the state by adopting rules or taking other action necessary to ensure that each higher education institution was properly accredited as required to participate in certain federal financial aid programs.

The bill would take effect September 1, 2025.

- SUBJECT:** Amending provisions for Walker County Hospital District
- COMMITTEE:** Intergovernmental Affairs — favorable, without amendment
- VOTE:** 9 ayes — Bell, Cecil, Zwiener, Cortez, Leo Wilson, Lowe, Luther, Rosenthal, Spiller, Tepper
- 0 nays
- 2 absent — Cole, Garcia Hernandez, Cassandra
- WITNESSES:** For — (*Registered, but did not testify:* Sloan Byerly, Walker County Hospital District)
- Against — None
- BACKGROUND:** Concerns have been raised that current law does not authorize the Walker County Hospital District to lease its undeveloped property, enter into long-term lease agreements, or establish four-year terms for its board of managers. Some have suggested updating the Special District Local Laws Code to align the district’s legal authority with those of other hospital districts would provide greater flexibility in utilizing undeveloped land for projects and lease agreements that serve the best interests of the district.
- DIGEST:** HB 2607 would authorize the board to lease all or part of the district’s property, rather than limiting leases to the buildings and facilities comprising the hospital system, to any person on terms deemed to be in its best interest, for a period not to exceed 80 years, rather than 40 years.
- HB 2607 also would provide that members of the Walker County Hospital District board of managers served staggered four-year terms, with the terms of two or three managers expiring in each even-numbered year, rather than the current two-year terms that expired annually unless an exception applied.

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 notice of certain construction near a National Wildlife Refuge
- COMMITTEE:** Culture, Recreation & Tourism — favorable, without amendment
- VOTE:** 6 ayes — Metcalf, Flores, DeAyala, Kerwin, Orr, Vasut  
1 nay — Ward Johnson  
2 absent — Cole, Martinez Fischer
- WITNESSES:** For — John Shepperd, Texas Foundation for Conservation; Gary Mowad, The Mundy Firm (*Registered, but did not testify*: Jeff Mundy; The Mundy Firm PLLC; Jeff Miller, Stewards of Texas; Joey Park, Texas Wildlife Association)  
  
Against — Chris Kirby, Advanced Power Alliance; Cyrus Reed, Lone Star Chapter Sierra Club (*Registered, but did not testify*: Laura Merten, Apex Clean Energy; Leslie Pardue, Clearway Energy; Suzi McClellan, EDF Renewables, The AES Corporation; Nelson Nease, EDP Renewables; Michael Jewell, Enel North America, Inc., Pattern Energy Group 2 LP; Everette Brouseau, Environment Texas; Shannon Ratliff, Invenergy LLC; Courtney Krause, Onward Energy; Susan Sloan, Orsted; Lisa Hughes, RWE Clean Energy; Kinnan Golemon, Savion Energy; Daniel Giese, Solar Energy Industries Association; Matthew Boms, Texas Advanced Energy Business Alliance; Bri Weber, Texas Solar+Storage Association)
- BACKGROUND:** Concerns have been raised that wildlife is colliding with structures that reach heights commonly used during migration movements. Some have suggested that requiring advance notice of the construction of certain tall buildings to the Parks and Wildlife Department would allow the department to evaluate and address whether a structure could be dangerous to wildlife in Texas.
- DIGEST:** HB 3556 would require a person to provide notice to the Texas Parks and Wildlife Department (TPWD) at least 90 days before beginning

construction of a structure that is taller than 500 feet, located in a county that has a population of less than 500,000, and that:

- the county borders the Gulf of Mexico and contains a National Wildlife Refuge; or
- the county is adjacent to such a county.

The bill would prohibit a person from constructing such a structure unless the person provided notice under the bill. The notice would be required to provide sufficient structure details for TPWD to reasonably evaluate its impact on wildlife.

HB 3556 would authorize TPWD, upon receiving a notice, to evaluate the proposed structure and, if TPWD determined that construction of the structure or structures would materially damage wildlife in Texas, to seek relief on or before the 90th day after the notice was filed to limit or enjoin construction.

A person would be authorized to proceed with construction if TPWD took no action on or before that deadline. The bill would authorize a county district court in which the structure is proposed to restrain and enjoin the person from constructing the structure and grant injunctive relief on the application of TPWD. The bill would not require TPWD to post a bond when seeking injunctive relief.

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: Providing impact analyses of legislation on private insurance coverage

COMMITTEE: Insurance — committee substitute recommended

VOTE: 6 ayes — Dean, González, Jessica, Hopper, Morgan, Paul, Spiller

0 nays

3 absent — Vo, Goodwin, Wharton

WITNESSES: For — Rita Rolf, National Association of Benefit and Insurance Professionals; Jeff Burdett, NFIB; Annie Spilman, Texans for Affordable Healthcare; Charles Miller, Texas 2036; Carl Isett, Texas Association of Benefit Administrators; Glenn Hamer, Texas Association of Business; Jamie Dudensing, Texas Association of Health Plans; Justin Yancy, Texas Business Leadership Council (*Registered, but did not testify*: Samuel Sheetz, Americans for Prosperity; Cameron Duncan, Blue Cross and Blue Shield of Texas; Tara Mica, Cigna; Nzingha Williams-Eugene, Prime Therapeutics; ERIC GLENN, Superior Health Plan; Thomas Wolfe, Texas Conservative Coalition Research Institute; Charles Miller, Texas Employers for Affordable Health Care)

Against — JP Summers, Global Healthy Living Foundation; Diana Dobson, Texans for Healthcare Access; John Hawkins, Texas Hospital Association; Ezequiel Silva, Texas Medical Association (*Registered, but did not testify*: James Gray, American Cancer Society Cancer Action Network; Joel Romo, American Diabetes Association; Cynthia Humphrey, Association of Substance Abuse Programs; Chase Bearden, Coalition of Texans with Disabilities; Susan Ross, Johnson & Johnson; Christine Busse, NAMI Texas; Karen Reagan, Prism Health North Texas; Terri Carriker, Protect Texas Fragile Kids; Tessa Galloso, Texans Care for Children; Allison Griffin, Texans for Health Access; Amber Hausenfluck, Texas Academy of Pediatric Dentistry; Deanna Kuykendall, Texas Alliance of Brain Injury Providers; Eric Woomer, Texas Ambulatory Surgery Center Society, Texas Dermatological Society, Federation of Texas Psychiatry; Duane Galligher, Texas Association of Addiction Professionals, Texas Pharmacy Association; Thomas Holloway, Texas

Association of Otolaryngology, Texas Neurological Society, Texas Society of Gastroenterology & Endoscopy; Drew Graham, Texas Coalition for Patients; Sara Allen, Texas College of Emergency Medicine, Texas Radiological Society, Texas Society of Pathologists; Jess Calvert, Texas Dental Association; Danielle Lobsinger Bush, Texas Healthcare and Bioscience Institute; Bobby Hillert, Texas Orthopedic Association; Linda Litzinger, Texas Parent to Parent; Stefanie Page, Texas Pediatric Society; Richard Evans, Texas Society of Anesthesiologists; Caitlin Flanders, US Anesthesia Partners)

On — Blaise Duran, Employees Retirement System of Texas; Katrina Daniel, Teacher Retirement System of Texas; Tom Banning, Texas Academy of Family Physicians (*Registered, but did not testify*: Rachel Bowden, Texas Department of Insurance; Lee Spangler, UT Health Houston)

**BACKGROUND:** Concerns have been raised about the absence of a process for evaluating the potential impact of legislation on private insurance costs. Current rules adopted by the House of Representatives require cost estimates for insurance mandates that apply to state-funded insurance plans. Some have suggested that extending these analyses to include private health coverage could provide legislators with a more comprehensive understanding as they consider proposed legislation.

**DIGEST:** CSHB 1368 would establish the Health Impact, Cost, and Coverage Analysis Program (HICCAP) within the Healthcare Data Center at the University of Texas Health Science Center at Houston to prepare analyses of legislation that would impose new mandates on health benefit plan issuers or administrators in the state.

CSHB 1368 would authorize the lieutenant governor, the speaker of the House of Representatives, or the chair or vice chair of the appropriate committee in either house of the Legislature to request an analysis regardless of whether the Legislature was in session. A request could not be submitted for previously enacted legislation.

**Impact analysis of legislation on healthcare coverage costs.** CSHB 1368 would establish criteria according to which HICCAP would be

required to compile and analyze data from the statewide all payor claims database and scientific or peer-reviewed academic literature to estimate the impact of proposed legislation on certain factors, including:

- public health and the total cost of health coverage in this state;
- the use of any relevant health care service in this state;
- administrative expenses of health benefit plan issuers or administrators and expenses of enrollees, plan sponsors, policyholders, and health care providers;
- spending by all persons in the private sector, by public sector entities, including state or local retirement systems and political subdivisions, by employers or plan sponsors, and by individuals purchasing individual health insurance or health benefit plan coverage in this state; and
- instances of premature death.

HICCAP could consult with the Legislative Budget Board or other persons with relevant knowledge and expertise, including independent actuaries. Should HICCAP determine that an analysis could not produce a reliable assessment of a particular factor, HICCAP would be required to explain that determination in the analysis.

**HICCAP funding.** CSHB 138 would require the comptroller to assess an annual fee, due no later than August 1 of each year, on health benefit plan issuers in an amount necessary to implement the bill. The fee would not apply to health benefit plans issued under the Texas Employees Group Benefits Program, the Texas Public School Retired Employees Group Benefits Program, the Texas School Employees Uniform Group Health Coverage Program, or the State University Employees Uniform Insurance Benefits Program, nor would it apply to a health benefit plan issuer operating solely as a Medicaid managed care organization. The comptroller would be required to adopt rules to administer the fee.

The comptroller, in consultation with the center, also would be required to determine the amount of the assessed fee and adjust it each state fiscal biennium to address implementation costs or deficits during the preceding year.

**Special data call on administrative expenses.** CSHB 138 would require the commissioner of insurance to issue a special data call for an estimate of administrative expenses related to specific legislation analyzed by HICCAP within a certain time period after the date the commissioner receives the request.

The bill also would allow the commissioner of insurance to provide the special data call to health benefit plan issuers affected by the legislation to the extent the commissioner deemed necessary.

**Reporting.** CSHB 138 would establish a timeframe within which the center must prepare a written report containing the results of an analysis and deliver the report to the lieutenant governor, the speaker of the House of Representatives, and the appropriate committees in each chamber of the Legislature, as well as make the report available on a publicly accessible website. The report could not disclose a health benefit plan issuer's individual response to a special data call.

**Conflict of interest.** CSHB 138 would require the center to ensure that employees of the center who are assigned to HICCAP are not simultaneously employed by a health benefit plan issuer or administrator and do not possess an ownership or other personal interest in a health benefit plan issuer or administrator. The center also would require an employee assigned to HICCAP to file a conflict of interest statement and a statement of ownership interests with the center to ensure compliance.

The center would be required to establish HICCAP and the comptroller would be required to adopt rules as provided by the bill no later than January 1, 2026.

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: Replacing public securities with state financing for catastrophe losses

COMMITTEE: Insurance — favorable, without amendment

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

0 nays

WITNESSES: For — Scot Kibbe, American Property Casualty Insurance Association (APCIA); Ryan Skrobarczyk, City of Corpus Christi; Sally Bakko, City of Galveston; Sharon OConnor, Coastal Windstorm Insurance Coalition; Albert Betts, Insurance Council of Texas; Trey Summers, Texas Association of Builders; Beaman Floyd, Texas Coalition for Affordable Insurance Solutions; Charles Zahn Jr, Texas Coastal Windstorm Coalition; Ware Wendell, Texas Watch; Amy Granberry, United Corpus Christi Chamber of Commerce (*Registered, but did not testify*: Michael Dole, Driscoll Health System; Jay Thompson, Ict, talhi; Regan Ellmer, Independent Insurance Agents of Texas; Cyrus Reed, Lone Star Chapter Sierra Club; Ward Tisdale, National Association of Mutual Insurance Companies; Joel Romo, Nueces County & City of Port Aransas; Trace Finley, Port of Corpus Christi Authority; M. Scott Norman, Jr., Texas Association of Builders; Kolton McDougald, Texas Chemistry Council; Julia Parenteau, Texas Realtors; Kevin Matula, Nzingha Williams-Eugene, USAA; Jay Brown, Valero Energy Corporation; Chance Sampson)

Against — None

On — David Durden, Texas Windstorm Insurance Association (*Registered, but did not testify*: Kimberly Edwards, Comptroller of Public Accounts; Elisabeth Ret, Jamie Walker, Texas Department of Insurance; Whitney Blanton, Texas Treasury Safekeeping Trust Company)

BACKGROUND: Concerns have been raised that the Texas Windstorm Insurance Association (TWIA) has traditionally funded excess losses and operating expenses through public securities, which can be costly and inefficient due

to high interest and issuance expenses. Some have suggested that replacing public securities with state-funded financing and introducing catastrophe surcharges could help reduce TWIA's long-term financial burdens, ensure timely repayment of state loans, and enhance TWIA's capacity to cover losses from disasters.

**DIGEST:** HB 3689 would replace Texas Windstorm Insurance Association (TWIA) provisions regarding payments of losses with provisions to provide for funding of excess losses and operating expenses of TWIA incurred after December 31, 2025.

**State-funded financing.** TWIA would be prohibited from paying insured losses and operating expenses from catastrophes with premium and other revenue earned in a subsequent year. TWIA would be required to pay such insured losses and operating expenses in excess of premiums and other revenue for that catastrophe year from TWIA reserves and Catastrophe Reserve Trust Fund amounts available before or accrued during that catastrophe year. For insured losses and operating expenses for a catastrophe year not paid as such, TWIA would be required to arrange for financing of not more than \$1 billion through financing arrangements entered into with the state.

Each year, the commissioner of the Texas Department of Insurance would be required to provide a written report to the governor, lieutenant governor, and speaker of the House of Representatives that included the amount available in the Trust Fund and information regarding TWIA's current financial condition. The bill would authorize TWIA to include the amounts held in the Catastrophe Reserve Trust Fund as an admitted asset in its financial statements. The Texas Treasury Safekeeping Trust Company and its board of directors could recommend investments to protect the trust fund and create investment income.

TWIA could enter into a financing arrangement with this state before a catastrophic event, for not more than \$500 million, and after a catastrophic event that depleted the Catastrophe Reserve Fund, for not more than \$1 billion. The amount available after a catastrophic event would be reduced by the amount of outstanding pre-event or post-event financing.

The comptroller would be required to invest state money securely to provide financing for losses and collect repayment from catastrophe surcharges. If the terms of a financing arrangement included interest, the interest rate could not exceed the sum of two percent and the lesser of the rate set by the Federal Loan Bank Board or the federal funds interest rate. The comptroller could use the Economic Stabilization Fund balance to finance under the bill.

**Surcharges.** Insured losses and operating expenses for a catastrophe year not paid as described would have to be paid from member assessments, not to exceed \$1 billion for that catastrophe year, nor the amount needed to repay the debt obligation to the state. A TWIA member could not recoup a paid assessment through a premium surcharge or tax credit.

The insurance commissioner, in consultation with the board of directors, would be required to set the catastrophe surcharge as a percentage of premium to be collected by certain insurers and could order a catastrophe surcharge sufficient to repay the debt obligation to the state under the financing arrangement only if:

- before a catastrophic event, TWIA had entered into a financing arrangement with this state that was the basis for the surcharge; or
- after a catastrophic event, the commissioner determined that TWIA had depleted its reserves, other money, and the Catastrophe Reserve Trust Fund, and TWIA had entered into a financing arrangement with the state that was the basis for the surcharge.

A debt obligation entered into under the bill could not exceed 36 months to maturity.

An authorized catastrophe surcharge would have to be assessed by certain insurers on all policyholders of applicable policies. Failure by a policyholder to pay a catastrophe surcharge would constitute failure to pay the premium for purposes of policy cancellation. A catastrophe surcharge would not be refundable if the policy were canceled or terminated.

Each policy assessed a surcharge would have to contain a prominent disclosure explaining the purpose and non-refundability of the surcharge in the documents attached to the policy.

A collected surcharge would be exempt from state or local taxation. No entity directly affected by the bill would be personally liable as a result of exercising the rights and responsibilities granted under the bill. An insurer could not collect a surcharge on any policy issued to this state, a state agency, or a political subdivision.

**Reinsurance.** Before any occurrences, a TWIA member could purchase reinsurance to cover an assessment for which the member would otherwise be liable. If a member opted to purchase reinsurance, they would be required to notify the board of directors.

The bill would remove requirements related to reinsurance for TWIA and permit TWIA to obtain reinsurance at any level to protect its solvency and viability. Any methods adopted by the Insurance Commissioner to do so would have to be provided to TWIA on or before February 1 of each year.

**General provisions.** Effective September 1, 2027, the bill would repeal certain TWIA provisions and make conforming changes to reflect that the existing statute would apply only to payment of losses and operating expenses incurred by TWIA before January 1, 2026.

To provide for a reasonable transition, TWIA could issue public securities or enter into financing arrangements with this state if it needed to provide funds for excess losses and operating expenses incurred before January 1, 2026.

As soon as practicable after the effective date of the bill and by December 1, 2025, the insurance commissioner would be required to adopt rules necessary to implement certain provisions of the bill.

The bill would take effect September 1, 2025.

**NOTES:**

According to the Legislative Budget Board, the fiscal impact of HB 3689 to the state cannot be determined, as the amount of “rainy day” funds that would be used to repay excess TWIA losses would be dependent on the severity and timing of coastal area catastrophes.

- SUBJECT:** Requiring education for barbers, cosmetologists on assisting certain victims
- COMMITTEE:** Licensing & Administrative Procedures — favorable, without amendment
- VOTE:** 11 ayes — Phelan, Thompson, Geren, Harless, Harris, Hernandez, Longoria, McQueeney, M. Perez, Romero, Walle
- 1 nay — Patterson
- 1 absent — Gerdes
- WITNESSES:** For — (*Registered, but did not testify*: Mandi Kimball, Children at Risk; Jennifer Mudge, Texas Council on Family Violence; Steven Deline; Thomas Parkinson)
- Against — None
- On — (*Registered, but did not testify*: Derek Burkhalter, TDLR)
- BACKGROUND:** Some have suggested that requiring barbers or cosmetologists to complete continuing education on these topics would help identify and assist victims of sexual assault, domestic violence, and human trafficking.
- DIGEST:** HB 1788 would require the Texas Commission on Licensing and Regulation to adopt rules requiring a barbering or cosmetology license holder to complete continuing education on identifying and assisting victims of sexual assault, domestic violence, and human trafficking.
- The commission would be required to adopt rules to implement the bill as soon as practicable after the effective date.
- The bill would take effect September 1, 2025.

SUBJECT: Providing noncertified copy of adoptees' birth records upon request

COMMITTEE: Public Health — favorable, without amendment

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

1 nay — Olcott

1 absent — Collier

WITNESSES: For — Dawn Marie Scott, Adoption Knowledge Affiliates; Nick Kostetsky, STAR; Amy Gregorcyk and Joellen Peters, Support Texas Adoptee Rights; Heidi Cox, The Gladney Center for Adoption; Cynthia Bohnenblust (*Registered, but did not testify*: Marla Smith, Support Texas Adoptee Rights; Sarah Crockett, Texas CASA; Sarah Lindley Bailey; Sarah Berel-harrop; Connie Gray; Marci Purcell)

Against — (*Registered, but did not testify*: Joe Pojman Ph.D., Texas Alliance for Life)

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

BACKGROUND: Concerns have been raised about the limited ability of adult adoptees to access their original birth certificates without obtaining a court order. Some have suggested that requiring the state registrar of vital statistics to provide a noncertified copy of an adopted person's original birth certificate under certain circumstances would expand access for adoptees and family members.

DIGEST: HB 1887 would require the state registrar, upon written request and without a court order, to provide to a person who was adopted, or to certain family members of a deceased adopted person, a noncertified copy of the person's original birth certificate if:

- the adopted person was born in this state;

- the request was made on or after the adopted person's 18th birthday;
- a supplementary birth certificate was issued for the adopted person; and
- the requesting person provided appropriate proof of the person's identity.

The state registrar would have to issue the copy within the time prescribed for issuance of other noncertified copies of birth certificates and would be authorized to collect a fee equal to the fee charged for issuing noncertified copies of birth certificates.

The bill would take effect September 1, 2025. The state registrar would be required to comply with the bill by July 1, 2026.

- SUBJECT:** Establishing incapacitation as a basis for modifying possession orders
- COMMITTEE:** Judiciary & Civil Jurisprudence — committee substitute recommended
- VOTE:** 10 ayes — Leach, Johnson, Dutton, Dyson, J. González, Hayes, LaHood, Landgraf, Moody, Schofield
- 1 nay — Flores
- WITNESSES:** For — (*Registered, but did not testify:* Anita Scott, Family Freedom Project; Guy Herman, Statutory Probate Courts of Texas)
- Against — None
- BACKGROUND:** Family Code sec. 156.101 provides that a court may modify an order related to the conservatorship of a child if modification would be in the best interest of the child and the circumstances of the child, a conservator, or other party affected by the order have materially and substantially changed since the earlier of the date the order was rendered or the date of the signing of a settlement agreement on which the order was based.
- Some have suggested a conservator’s incapacitation, including due to physical or mental conditions or incarceration, should be considered for the purposes of modifying orders related to conservatorship or possession of or access to a child.
- DIGEST:** CSHB 1914 would establish that the temporary or permanent incapacitation of a conservator of a child would be a material and substantial change in circumstances and a significant impairment of the child's physical health or emotional development sufficient to justify a temporary order and modification of an existing court order related to conservatorship of the child. A conservator would be considered incapacitated if the conservator experienced a physical condition, mental condition, or period of incarceration that rendered the conservator substantially unable to provide food, clothing, or shelter to the child, care for the child's physical health, or care for the conservator's physical health.

If a conservator of a child became incapacitated, the child's other conservator, if one had been appointed, would be entitled to exercise the incapacitated conservator's periods of possession of the child to the degree necessary to ensure the health and welfare of the child, starting immediately following the onset of the incapacitation and continuing until the earlier of the date the incapacitated conservator was again capable of caring for the child or the date the court rendered an order modifying the conservatorship.

The bill would prohibit temporary possession by the possessory conservator if the existing order to be modified denied possession of the child by the possessory conservator or imposed restrictions or limitations on the possessory conservator's right to possession of or access to the child in order to prevent significant impairment of the child's physical health or emotional development.

Nothing in the bill could be construed to prevent a party with standing from filing for modification in response to a material and substantial change in circumstances.

The bill would take effect September 1, 2025, and would apply only to a conservator who became incapacitated on or after the effective date.

- SUBJECT:** Excluding certain fees, charges, and rates for certain Medicaid payments
- COMMITTEE:** Human Services — committee substitute recommended
- VOTE:** 10 ayes — Hull, Manuel, A. Davis, Dorazio, C. Morales, Noble, Richardson, Rose, Schatzline, Swanson
- 1 nay — Slawson
- WITNESSES:** For — Charles Cascio (Cas-sio), AARP Texas; Daphne Hong, Amazon Pharmacy (*Registered, but did not testify*: Kelsey Bernstein, Texas Council of Community Centers)
- Against — None
- On — Priscilla Parrilla, Health and Human Services Commission (*Registered, but did not testify*: Michael Lopez, Health and Human Services Commission)
- BACKGROUND:** Some have suggested that excluding monthly fee-based membership discount programs, such as pharmacy discount programs, from usual and customary calculations could help prevent artificially lowering Medicaid reimbursement rates and preserve pharmacy participation and consumer savings options.
- DIGEST:** CSHB 2402 would establish that the fee, charge, or rate for other medical assistance payments under Medicaid, other than for a professional service, would exclude any fee, charge, or rate offered as part of a monthly fee-based membership discount program.
- If a state agency determined that a waiver or authorization from a federal agency was necessary to implement the bill, the agency would be required to request the waiver and could delay implementation until the waiver or authorization was granted.
- The bill would take effect September 1, 2025.

- SUBJECT:** Amending parole for certain human trafficking offenses
- COMMITTEE:** Corrections — favorable, without amendment
- VOTE:** 9 ayes — Harless, V. Jones, Allen, Harrison, Lowe, Lozano, Meza, Schatzline, Wharton
- 0 nays
- WITNESSES:** For — Crystal Sepulveda Morazan, Human Trafficking Leadership Council of Texas (*Registered, but did not testify*: Bryan Flatt, TMPA; Thomas Parkinson)
- Against — (*Registered, but did not testify*: Shea Taylor, Texas Criminal Defense Lawyers Association)
- On — (*Registered, but did not testify*: Jason Clark, TDCJ)
- BACKGROUND:** Concerns have been raised that while current law limits parole eligibility for individuals convicted of human trafficking offenses, particularly those involving child or disabled victims, some offenders may still qualify for parole under certain conditions, which can pose a public safety risk.
- DIGEST:** HB 2306 would make an inmate serving a sentence for a human trafficking offense involving children or disabled individuals permanently ineligible for release on parole. The bill would apply to offenses involving the trafficking of minors or disabled persons for forced labor or sexual conduct.
- The bill also would revise parole eligibility rules for certain serious offenses by requiring offenders who received a benefit from forced labor or services to serve the lesser of one-half of their sentence or 30 calendar years, but in no event less than two calendar years, before becoming eligible for parole.

The bill would repeal certain parole eligibility provisions to conform with these changes and would apply only to offenses committed on or after the effective date.

The bill would take effect September 1, 2025.

- SUBJECT:** Prohibiting insurance discrimination for widowed individuals
- COMMITTEE:** Insurance — committee substitute recommended
- VOTE:** 9 ayes — Dean, Vo, J. González, Goodwin, Hopper, Morgan, Paul, Spiller, Wharton
- 0 nays
- WITNESSES:** For — Charles Cascio, AARP Texas; Ann Baddour, Texas Appleseed (*Registered, but did not testify*: Lauren Fleming, Texas Coalition for Patients; Will Holleman, Texas Hospital Association; Ware Wendell, Texas Watch; Ashley Harris, United Ways of Texas)
- Against — None
- On — Jon Schnautz, Insurance Council of Texas (*Registered, but did not testify*: Ward Tisdale, National Association of Mutual Insurance Companies; Brock Childs, Texas Department of Insurance)
- BACKGROUND:** Some have suggested that legislation is needed to address the insured status and insurance rates of widowed individuals.
- DIGEST:** CSHB 1809 would prohibit an insurer from:
- refusing to continue to insure or provide coverage to an individual or limit the amount, extent, or kind of coverage available to an individual because the individual was widowed or the individual's marital status otherwise reflected the death of a spouse; or
  - charging an individual who was widowed or whose marital status otherwise reflected the death of a spouse a rate that was different from the rate that would be charged if the individual's marital status had been married.
- CSHB 1809 would not apply to an insurance policy that is delivered, issued for delivery, or renewed before the bill's effective date.

This bill would take effect September 1, 2025.

- SUBJECT:** Amending standing in suits affecting the parent-child relationship
- 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 — Julia Hatcher, Texas Association of Family Defense Attorneys; Cody Taylor (*Registered, but did not testify*: Sydney Baker, Buckner International; Sarah Crockett, Texas CASA; Charla Bradshaw, Amy Bresnen, Texas Family Law Foundation; Michelle Wittenburg, TexProtects; Steven Deline)
- Against — None
- On — Amy Lee Owen Kloesel; Cecilia Wood
- BACKGROUND:** Family Code sec. 102.004 provides that a grandparent, or another relative of the child related within the third degree by consanguinity, may file an original suit requesting managing conservatorship if there is satisfactory proof to the court that:
- the order requested is necessary because the child's present circumstances would significantly impair the child's physical health or emotional development; or
  - both parents, the surviving parent, or the managing conservator or custodian either filed the petition or consented to the suit.
- Family Code sec. 102.006 provides that, subject to certain exceptions, if the parent-child relationship between the child and every living parent of the child has been terminated, an original suit may not be filed by certain relatives of the child. The limitations on filing suit do not apply to an adult sibling of the child, a grandparent of the child, an aunt who is a sister of a parent of the child, or an uncle who is a brother of a parent of the child if the adult sibling, grandparent, aunt, or uncle files an original suit or a suit

for modification requesting managing conservatorship of the child not later than the 90th day after the date the parent-child relationship between the child and the parent is terminated in a suit filed by the Department of Family and Protective Services.

Some have suggested that the existing standing requirements for individuals to initiate legal action in suits affecting the parent-child relationship should be amended to refine the criteria for foster parents and other caregivers to file suit and extend eligibility to certain relatives.

DIGEST:

CSHB 2350 would amend the Family Code to alter the requirements for standing to file a suit affecting the parent-child relationship and make conforming changes.

**General standing to file suit.** The bill would amend the list of persons who had general standing to bring an original suit affecting the parent-child relationship.

The bill would require a person who was not a foster parent to have had exclusive, instead of actual, care, control, and possession of the child for at least six months ending not more than 90 days preceding the petition's filing date in order to have general standing.

CSHB 2350 would grant general standing to a relative or designated caregiver of a child placed by the Department of Family and Protective Services (DFPS) who:

- had exclusive care, control, and possession of the child for at least six months ending not more than 90 days preceding the petition's filing date; or
- had a child who was placed by DFPS in the person's home for at least 12 months ending not more than 90 days preceding the petition's filing date unless the child had been returned to the parent or the child had been placed with a parent and the suit by DFPS had been dismissed; or
- a person who is a relative of the child within the fourth degree by consanguinity if the child's parents were deceased.

The bill would remove general standing for:

- a person with whom the child and the child's guardian, managing conservator, or parent had resided for at least six months ending not more than 90 days preceding the petition's filing date if the child's guardian, managing conservator, or parent was deceased at the time of the filing of the petition; and
- a foster parent of a child placed by DFPS in the person's home for at least 12 months ending not more than 90 days preceding the date of the filing of the petition if the child had been returned to the parent or the child had been placed with a parent and the suit by DFPS had been dismissed.

**Standing for certain relatives and other persons.** CSHB 2350 would change the relationship within which a relative would have standing to file an original suit requesting managing conservatorship if certain conditions were met under Family Code sec. 102.004 from the third degree by consanguinity to the fourth degree by consanguinity.

The bill would remove a court's authority to grant a grandparent leave to intervene in an original suit requesting possessory conservatorship in certain circumstances and replace it with a right of the grandparent to intervene in an original suit requesting possessory conservatorship in certain circumstances.

The bill would allow a grandparent or other relative of the child within the fourth degree of consanguinity to intervene in a pending suit if there was satisfactory proof that appointment of a parent as a sole managing conservator or both parents as joint managing conservators would significantly impair the child's physical health or emotional development.

A court would be prohibited from granting a person with substantial past conduct with the child leave to intervene unless each parent consented to the intervention.

The bill would require a relative or designated caregiver to have standing to file an original suit for a court to grant the relative or designated caregiver leave to intervene.

**Standing to request termination and adoption.** For a suit requesting adoption or for termination of the parent-child relationship joined with a petition for adoption, CSHB 2350 would remove standing for the following persons:

- an adult who had actual possession and control of the child for not less than two months during the three-month period preceding the filing of the petition; and
- another adult whom the court determined to have had substantial past contact with the child sufficient to warrant standing.

**Limitations on standing.** CSHB 2530 would expand the relatives to whom the limitations on filing suit in Family Code sec. 102.006 would not apply if certain conditions were met. The limitations would not apply to a relative within the fourth degree of consanguinity of a former parent whose parent-child relationship with the child had been terminated by court order.

The bill would apply only to a suit affecting the parent-child relationship filed on or after the effective date.

The bill would take effect September 1, 2025.

SUBJECT: Establishing the Rural Ambulance Service Grant Program

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 — Philip Mack Furlow, 106th Judicial District; Carly French, City of Seminole EMS; Rick Thompson, County Judges and Commissioners Association of Texas; Josh Vandever, Fayette County EMS; Casey Ebrom, Karnes County EMS; Nicholas Morgan, Kinney County EMS; Mike DeLoach, Lamb County; Clay Avery, SAFE-D, the Texas State Association of Fire and Emergency Districts; Khaki Hinkle, Texas Ambulance Association; Michael Furrh, Texas EMS Alliance (*Registered, but did not testify*: Charles Cascio, AARP Texas; Buffy Crownover, Avel eCare; Adam Haynes, Conference of Urban Counties; Chandler Ludwick, ConocoPhillips; James Teal, County Judge; Ray Hunt, Houston Police Officers' Union; Frank Malinak, Lee county; Christine Yanas, Methodist Healthcare Ministries; Brian Hawthorne, Bo Stallman, Sheriffs' Association of Texas; Evan Autry, St. Luke's Healthcare System; Joel Romo, Texas Ambulance Association; David Reynolds, Texas Chapter American College of Physicians; Craig Holzheuser, Texas EMS Alliance; Brian Yarbrough, Texas EMS Trauma & Acute Care Foundation; Drew Fuller, Texas Farm Bureau; Heather De La Garza, Texas Hospital Association; Amanda Tollett, Texas Medical Association; Monty Wynn, Texas Municipal League; John Sierega, TMPA; John Henderson, Torch; Stephen Stephens, Uvalde EMS; Trey Duhon, Waller County)

Against — None

On — (*Registered, but did not testify*: Korry Castillo, Comptroller of Public Accounts)

**BACKGROUND:** Concerns have been raised that many rural Texas communities face challenges in providing reliable and timely emergency medical services (EMS) due to a lack of financial resources to purchase or upgrade ambulances.

**DIGEST:** HB 3000 would establish the Rural Ambulance Service Grant Program administered by the comptroller for the stated purpose of ensuring adequate ground ambulance services by providing financial assistance to qualified rural ambulance service providers in counties with populations of 68,750 or less.

Not later than the 30th day after the first day of a qualified county's fiscal year, a county could submit a grant application to the comptroller. A county could submit only one application each fiscal year. If a county was awarded a grant under the program, the county would be ineligible to apply for an additional grant.

The comptroller could award a grant to a qualified county using money appropriated to the comptroller for that purpose and only in accordance with a contract between the comptroller and the county that included conditions providing the comptroller with sufficient control to ensure the public purpose of providing adequate ground ambulance services was accomplished. In awarding grants, the comptroller would be required to consider the distance from a qualified county's county seat to the nearest Level I trauma facility and the county's ability to otherwise obtain the money necessary to provide adequate ground ambulance services.

The comptroller could award a grant only in the following applicable amount:

- for a county with a population of less than 10,000, an amount not to exceed \$500,000; or
- for a county with a population between 10,000 and 68,750, an amount not to exceed \$350,000.

A qualified county awarded a grant could use or authorize the use of the grant money only to purchase ambulances as provided by comptroller rule and could not reduce the budget of the qualified rural ambulance service

provider for the county's next fiscal year following the fiscal year of the grant award.

The comptroller could disburse a grant award to a qualified county before the county placed an order for an ambulance. The county would be required to purchase and take possession of an ambulance with money awarded under the grant program within five years of receiving the money. The comptroller would be required to adopt rules necessary to implement the bill, including rules to establish:

- a standardized application process, the form to apply for a grant, and the manner of submitting the form;
- deadlines for applying for a grant, disbursing grant money, and spending grant money;
- procedures for monitoring the disbursement of grant money to ensure compliance with the bill and requiring the return of grant money awarded if a county failed to use the money for an authorized purpose; and
- the type of ground ambulance vehicles that could be purchased with grant money.

A qualified county could apply for a rural ambulance service grant on or after January 1, 2026, by which date the comptroller also would be required to establish and administer the grant program and adopt necessary rules.

The bill would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, HB 3000 would have an estimated negative impact of \$864,000 on general revenue related funds through the biennium.

- SUBJECT:** Extending the expiration of public entity energy reduction requirements
- COMMITTEE:** State Affairs — favorable, without amendment
- VOTE:** 14 ayes — King, Hernandez, Anchía, Darby, Y. Davis, Geren, Hull, McQueeney, Metcalf, Phelan, Raymond, Smithee, Thompson, Turner
- 0 nays
- 1 absent — Guillen
- WITNESSES:** For - Cyrus Reed, Lone Star Chapter Sierra Club; Kenneth Flippin, Texas Chapter US Green Building Council (*Registered, but did not testify*: Denisce Palacios, Climate Cabinet; Colin Leyden, Environmental Defense Fund; Amber Mills, MOVE Texas Civic Fund; Noah Oaks, South-Central Partnership for Energy Efficiency as a Resource; Rebecca Edwards, Texas Impact; Cicely Kay, Travis County Commissioners Court; Steven Deline; Molly Smith)
- Against - None
- BACKGROUND:** Under current law, the requirement for certain public entities to reduce electricity consumption by 5 percent annually will expire in 2026. Some have suggested that the period during which these entities must continue to decrease their energy consumption could be extended to reduce strain on the electric grid, particularly during periods of peak demand.
- DIGEST:** HB 3237 would extend from seven years beginning September 1, 2019, to six years beginning September 1, 2025, the period in which each political subdivision, higher education institution, or state agency was required to establish a goal to reduce its energy consumption by at least 5 percent each fiscal year.
- The bill would take effect September 1, 2025.

- SUBJECT:** Requiring certification for the Public Service Loan Forgiveness Program
- COMMITTEE:** Higher Education — favorable, without amendment
- VOTE:** 9 ayes — Wilson, Howard, A. Davis, Lalani, V. Perez, Shaheen, Shofner, VanDeaver, Ward Johnson
- 1 nay — Tinderholt
- 1 absent — Lambert
- WITNESSES:** For – (*Registered, but did not testify:* Garry Jones, DFER TX; Jaime Puente, Every Texan; Amanda Garcia, Texas AFT-AAUP; Kasey Corpus, Young Invincibles; Steven Deline)
- Against – None
- BACKGROUND:** Some have suggested that certain statutory changes are needed to ensure qualified public employees working in Texas institutions of higher education can take advantage of the Public Service Loan Forgiveness Program.
- DIGEST:** For the purposes of certifying the employment of an adjunct or other part-time faculty member for the Public Service Loan Forgiveness Program (PSLF), HB 3326 would require a higher education institution to consider the faculty member to:
- have worked at least 3.35 hours for each credit hour or contact hour of instruction the faculty member provided; and
  - designate the faculty member as a full-time employee if the member worked on average at least 30 hours per week, based on the above calculation.
- By the 60<sup>th</sup> day after the date a higher education institution received a certification and application form from an employee seeking employment certification for purposes of the PSLF, the institution would be required to:

- determine whether the employee was considered a full-time employee of the institution and verify the information provided on the employee's certification and application form; and
- if the employee was considered a full-time employee of the institution, certify the employee's employment.

By October 1 of each year, a higher education institution would have to provide written notice to each institution employee of the ability of eligible employees to participate in the PSLF.

The bill would take effect September 1, 2025.

- SUBJECT:** Expanding eligibility for optometrists to join certain in-network providers
- COMMITTEE:** Insurance — committee substitute recommended
- VOTE:** 9 ayes — Dean, Vo, J. González, Goodwin, Hopper, Morgan, Paul, Spiller, Wharton
- 0 nays
- WITNESSES:** For — Jennifer Deakins, Tommy Lucas, Texas Optometric Association;  
(*Registered, but did not testify*: Clay Avery)
- Against — Julian Roberts, National Association of Vision Care Plans;  
Melody Healy, VSP Vision Care
- On — (*Registered, but did not testify*: Rachel Bowden, Texas Department of Insurance)
- BACKGROUND:** Concerns have been raised that many vision benefit managers have restricted or closed provider panels, preventing unaffiliated optometrists or practices from participating in vision plans as in-network providers. Some have suggested that prohibiting these restrictions would create a more competitive environment and give patients an expanded range of eye care options.
- DIGEST:** CSHB 3211 would prohibit a managed care plan from excluding an optometrist or a therapeutic optometrist as a participating practitioner in the plan if the optometrist or therapeutic optometrist satisfied the plan’s credentialing requirements and agreed to the plan’s contractual terms. The bill would amend the definition of “vision care plan” to specify that it means a managed care plan.
- CSHB 3211 would require a managed care plan to describe all reimbursable medical or vision care products or services covered under the plan using the standardized codes, names, and definitions published in the Healthcare Common Procedure Coding System, including Level I

codes published by the American Medical Association and Level II codes published by the Centers for Medicare and Medicaid Services.

CSHB 3211 also would require a vision care plan issuer to include on its website a method for a licensed optometrist or therapeutic optometrist to submit an application for inclusion as a participating provider in the plan.

The application would have to impose the same requirements on each optometrist and therapeutic optometrist and could only require an applicant to provide standardized applicable information prescribed by statutorily adopted rules or information specified on the Council for Affordable Quality Healthcare credentialing application.

Under CSHB 3211, an issuer would be required to:

- electronically deliver to the applicant a participating provider contract, including applicable reimbursement fee schedules, provider handbooks, and provider manuals no later than the 10th business day after the date the issuer received an eligible application; and
- complete the credentialing determination no later than the 30th business day after the date the issuer received an application and either approve or deny the application.

If an issuer denied an application, the issuer would have to deliver to the applicant a written explanation of the issuer's decision no later than the 10th business day after the date of the denial.

If an issuer approved an application, the issuer would have to include the credentialed and approved applicant as a participating provider in the plan no later than the 20th business day after an approved applicant accepted the delivered contract.

A vision care plan issuer would only be authorized to consider information included in an optometrist's or therapeutic optometrist's credentialing application in making a credentialing determination and impose the same credentialing requirements on each applicant.

An issuer also would be required to allow an optometrist or therapeutic optometrist to be a participating provider to the full extent of the optometrist's or therapeutic optometrist's license on all of the issuer's plans and other managed care plans with vision benefits that have enrollees located in this state and all of the issuer's vision panels. This section could not be construed to require an issuer to contract with an optometrist or a therapeutic optometrist for certain covered products or services as described by law.

An issuer would be prohibited from excluding an optometrist or a therapeutic optometrist from becoming a participating provider in the plan due to the aggregate number of optometrists or therapeutic optometrists on a vision panel in a geographic service area or due to the time, distance, and appointment availability for a patient to access a participating practitioner.

CSHB 3211 would require a contract between a managed care plan and an optometrist or therapeutic optometrist to include a fee schedule that included and individually identified each medical or vision care product or service covered under the plan and use the statutorily provided standardized codes, names, and definitions to describe all reimbursable medical or vision care products or services covered under the plan.

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:** Providing for the issuance of gold and silver coins and currency

**COMMITTEE:** State Affairs — favorable, without amendment

**VOTE:** 10 ayes — King, Hernandez, Darby, Guillen, Hull, McQueeney, Metcalf, Phelan, Raymond, Smithee

5 nays — Anchía, Y. Davis, Geren, Thompson, Turner

**WITNESSES:** For - Tom Glass, Texas Constitutional Enforcement; Robert Canright, Cindi Castilla, Texas Eagle Forum; Larry Hilton, UPMA; and 13 individuals (*Registered, but did not testify*: Erika Hatfield, Brita Treat, Convention of States; Mike Knuffke, San Antonio Family Association; Jose Melendez, Texas Public Policy Foundation; and 12 individuals)

Against - (*Registered, but did not testify*: Jeremy Cordon, Goldback INC; Wendy Foster, Independent Bankers Association of Texas; Celeste Embrey, Texas Bankers Association; Emily Kirchner, Texas Regional Bank; Michael Chazulle)

On - Victoria North, Comptroller of Public Accounts (*Registered, but did not testify*: Macy Douglas, Comptroller of Public Accounts; Jeremy Cordon, Goldback INC; Michael Chazulle)

**BACKGROUND:** Concerns have been raised that the Texas Bullion Depository is underutilized and that Texans who purchase gold and silver have few options to use them. It has been suggested that the depository could be used to better serve Texans and provide a financial return to the state.

**DIGEST:** HB 1056 would require the comptroller, to the extent the comptroller determined practicable, to establish and provide for the issuance of gold and silver specie (coins) and to establish and issue a currency based on gold and silver that represented a particular fraction of a troy ounce of gold or silver, as applicable, held in trust as provided by the bill.

The bill would authorize the comptroller to contract with a private vendor to establish the gold and silver currency or perform other duties under the

bill. To the extent consistent with state and federal law, in contracting with a private vendor, the comptroller would have to give preference to a vendor whose principal place of business was in the state. The contract could provide for the vendor to pay the initial costs associated with establishing the currency and be reimbursed from fees collected under the bill.

In establishing gold and silver specie, the comptroller would be required to authorize the Texas Bullion Depository as the state's exclusive issuer and ensure that the holder of the specie could use it as legal tender in payment of debt and readily transfer it to another person. The comptroller would be required to provide a means to ensure that a person who held the currency could use it as legal tender in payment of debt and could readily transfer or assign it to another person by electronic means.

**Pooled depository account.** HB 1056 would require the comptroller, serving as trustee, or a person the comptroller appointed to serve as trustee, to hold in trust on behalf of gold and silver currency holders all gold and silver specie and bullion owned or purchased for the purposes of issuing the currency under the bill. The trustee would have to maintain enough gold and silver specie or bullion to provide for the redemption of all units of the currency issued but not redeemed. The trustee would be required to establish a pooled depository account in the depository to hold in trust on behalf of gold and silver currency holders all gold and silver specie and bullion owned and allocated or purchased for purposes of issuing the currency.

**Issuance of gold and silver currency.** The comptroller could issue to a person the appropriate number of units and fractional units of gold and silver currency when the person, together with any fee charged under the bill's provisions:

- made the appropriate payment to the comptroller for the comptroller to purchase gold or silver specie or bullion for the pooled depository account to be represented by the currency; or
- designated gold or silver specie or bullion held in a depository account to be transferred to the pooled depository account for the purpose of being represented by the currency.

On receiving payment, the comptroller would have to:

- using the money received, purchase gold or silver specie or bullion in the number of fractional troy ounces equal to the number of units or fractional units of gold and silver currency to be issued to the person;
- deposit for the person the gold or silver specie or bullion purchased into the pooled depository account; and
- issue to the person a gold and silver currency account with the depository, or, if applicable, add the appropriate number of units to an existing gold and silver currency account held by the person with the depository.

On receiving a person's designation of specie or bullion, the comptroller would be required to:

- withdraw from the person's depository account the amount of gold or silver specie or bullion designated and deposit the specie or bullion for the person to the pooled depository account; and
- issue to the person a gold and silver currency account with the depository, or, if applicable, add the appropriate number of units to an existing gold and silver currency account held by the person with the depository.

**Redemption of gold and silver currency for U.S. dollars.** Under HB 1056, a person who held gold and silver currency could present to the comptroller any number of units or fractional units of the currency to redeem for U.S. dollars.

On receipt of a person's request, the comptroller would have to:

- sell from the gold or silver specie or bullion held in the pooled depository account a number of fractional troy ounces equal to the number of units or fractional units of gold and silver currency being redeemed; and

- provide to the person an amount of U.S. dollars equal to the amount received from the sale of the gold and silver specie or bullion minus the amount of any fee charged.

**Redemption of gold and silver currency for specie or bullion.** A person who held gold and silver currency could present to the comptroller any number of units or fractional units of the currency to redeem for an equal fractional number of troy ounces of gold or silver specie or bullion from the pooled depository account. On receipt of a request for redemption, the comptroller would have to:

- withdraw the equivalent fractional number of troy ounces of gold or silver specie or bullion from the pooled depository account; and
- on the payment of a fee charged under the bill, deliver the gold or silver specie or bullion to the requestor as requested.

**Value of gold and silver currency.** At the time of each transaction involving the issuance or redemption of gold and silver currency, the comptroller would be required to determine the value of a unit of the currency. The value of a unit of gold and silver currency at the time of a transaction would have to be equal to the value of the appropriate fraction of a troy ounce of gold or silver, respectively, at the time of that transaction as published by the depository.

**Money and deposits held in trust.** Payment received, gold or silver specie or bullion purchased or deposited in the pooled depository account, and money received from the sale of gold or silver specie or bullion in the pooled depository account in response to a request for redemption would be held by the comptroller as trustee outside the state treasury on the behalf of persons who held gold and silver currency and would not be available for legislative appropriation.

**Fee.** The bill would authorize the comptroller to establish a fee for the issuance or redemption of gold and silver currency to cover the comptroller's costs in administering the bill and an industry-standard merchant fee for use. The comptroller would be required to deposit the fee proceeds after costs to the general revenue fund.

**Rules.** The bill would authorize the comptroller to adopt rules to implement the bill, including rules to: ensure the security of gold or silver specie or bullion, gold and silver currency, transactions, and related data; prevent fraud; and prohibit transactions involving foreign countries or entities known to engage in illegal or terroristic activities.

The bill would take effect September 1, 2025.

**NOTES:**

According to the Legislative Budget Board, the bill would have a negative impact of \$5,538,000 to general revenue related funds through the biennium.

- SUBJECT:** Establishing the Building Better Futures Program
- COMMITTEE:** Higher Education — favorable, without amendment
- VOTE:** 9 ayes — Wilson, Howard, A. Davis, Lalani, Lambert, V. Perez, Shofner, VanDeaver, Ward Johnson
- 1 nay — Tinderholt
- 1 absent — Shaheen
- WITNESSES:** For – Shelbi Davenport, The Arc of Texas; Kason Erwin; Kandice Thompson (*Registered, but did not testify*: Jacquie Benestante, Autism Society of Texas; Jason Sabo, Children at Risk; Steven Aleman, Disability Rights Texas; Greg Hansch, National Alliance on Mental Illness Texas (NAMI); Nicole Malone, National Association of Social Workers- Texas Chapter; Lori Henning, Texas Association of Goodwill; Andrea Chevalier, Texas Council of Administrators of Special Education (TCASE); Kelsey Bernstein, Texas Council of Community Centers; Mary Beth Kiser, Texas Psychological Association; Sabrina Gonzalez Saucedo, The Arc of Texas; Ashley Harris, United Ways of Texas; Brian Evans; Kevin Gillespie)
- Against – None
- On – Brooke Hohfeld, Texas Advocates; Brenda Barrio
- BACKGROUND:** Concerns have been raised that a small percentage of students with intellectual and developmental disabilities (IDD) are employed in competitive jobs in the state. Some have suggested that allowing students with IDD to enroll in a comprehensive transition and postsecondary program would help these students to be gainfully employed while participating in and upon leaving the educational program.
- DIGEST:** HB 2081 would establish the Building Better Futures Program to facilitate the delivery by public and private higher education institutions of educational and occupational skills training opportunities and support

services to students with intellectual and developmental disabilities in an inclusive and age-appropriate environment. The Texas Higher Education Coordinating Board (THECB) would be required to administer the program and could develop a competitive application process for the award of funds to eligible institutions. THECB could only award funds under the program to eligible institutions for the program's purpose, and could use any available revenue and solicit and accept gifts, grants, and donations for the program.

To be eligible for program participation, a higher education institution would be required to:

- be approved by or awaiting approval from the U.S. Education Department to offer a comprehensive transition and postsecondary program for students with intellectual or developmental disabilities;
- develop and implement a selective admissions process to select eligible students for admission to the institution's comprehensive transition and postsecondary program; and
- award a certificate for successful completion of the Building Better Futures Program.

THECB would have to establish criteria to ensure that each eligible institution that had requested but not yet received US Education Department approval obtained that approval by the third anniversary of the date the institution was initially selected for program participation.

To be eligible for program participation, an applicant would be required to:

- apply for admission to a comprehensive transition and postsecondary program at an eligible institution;
- be a U.S. citizen or lawful permanent resident;
- be a Texas resident;
- have a diagnosed intellectual or developmental disability;
- be able and willing to learn and participate in an inclusive classroom and work setting; and
- not be a danger to the applicant's self or others.

A lawful permanent resident program applicant would have to submit a copy of the resident's permanent lawful resident form with the program application. An eligible institution could require an applicant or the applicant's parent or guardian to provide certain proof of residency. A nonresident applicant could participate in the program if the applicant was otherwise eligible and the institution had an opening available after all other applicants were admitted.

Semester credit hours completed through the program could not be transferred to an associate or baccalaureate degree program.

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

NOTES:

According to the Legislative Budget Board, the fiscal implications of the bill cannot be determined due to the unavailability of data related to the number of institutions that would be eligible to receive awards and any grant amounts that would be awarded.

- SUBJECT:** Requiring HHSC and DSHS to address nurse staffing in hospitals
- 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 — Heather De La Garza-Barone, Texas Hospital Association; Serena Bumpus, Lori Forbus, Jack Frazee, Dollye Martinez, Texas Nurses Association; (*Registered, but did not testify:* Ryan Brannan, National Council of State Boards of Nursing; McCann Turner, Texas Health Resources (THR); Sarah Berel-harrop; Eve Margolis; Emily Witt)
- Against — None
- On — (*Registered, but did not testify:* James Farris, Department of State Health Services; Rachel Turner, Health and Human Services Commission)
- BACKGROUND:** Current law requires a hospital to annually report certain staffing issues to the Department of State Health Services (DSHS), however hospitals are regulated by the Health and Human Services Commission (HHSC). Some have suggested that allowing the two agencies to share information could help to address hospital staffing issues.
- DIGEST:** CSHB 2187 would require DSHS to provide HHSC with a hospital’s annual nurse staffing report. Each hospital’s chief nursing officer would be required to attest to the accuracy of the information in the report. A hospital could not retaliate against a nurse who provided information to the hospital’s nurse staffing committee or who reported violations under the bill to hospital management or HHSC.
- HHSC would be required to enforce these provisions in accordance with hospital and mental health facility licensing laws.

In addition, the bill would require HHSC to establish a process to provide prompt review and timely resolution of each complaint submitted under the nurse staffing chapter of the Health and Safety Code. All information and materials possessed, obtained, or compiled by HHSC regarding a complaint and investigation would be confidential and not subject to disclosure.

By December 31, 2025, the HHSC executive commissioner would be required to adopt any rules necessary to implement the bill.

The bill would take effect September 1, 2025.

SUBJECT: Increasing the transmission line length requiring CCN amendments

COMMITTEE: State Affairs — favorable, without amendment

VOTE: 14 ayes — King, Hernandez, Anchía, Darby, Y. Davis, Geren, Hull,  
McQueeney, Metcalf, Phelan, Raymond, Smithee, Thompson, Turner

0 nays

1 absent — Guillen

WITNESSES: For - Ross Aten, Lyntegar Electric Cooperative, Inc. (*Registered, but did not testify*); Isaac Albarado, Kelly Sadler, AEP Texas; Mark Bell, Association of Electric Companies of Texas; Jeff Bonham, CenterPoint Energy, Inc; Taylor Borer, City of Garland; Carrie Simmons, Conservative Texans for Energy Innovation; John T Wright, East Texas Distribution Cooperatives; Buddy Garcia, Element Fuels; Margo Cardwell, Enel North America, Inc.; Scott Hutchinson, Entergy Texas; Sarah Floerke, Lower Colorado River Authority; Michael Ruggieri, Southwestern Elec. Power Co. (SWEPCO); Julia Harvey, Texas Electric Cooperatives; John Pitts, Jr, Texas Energy Buyers Association; Ben Utley, Texas New Mexico Power (TNMP); Taylor Kilroy, Texas Public Power Association; Eddie Lucio, Texas Transmission Project; Damon Withrow, Xcel Energy; Steven Deline; Mark Treat; Brita Treat)

Against - None

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

BACKGROUND: Concerns have been raised that the requirement for a utility to amend its certificate of public convenience and necessity (CCN) for any transmission project that exceeds three miles in length may slow the expansion of the state's electric grid. Some have suggested that the approval process should be streamlined by increasing the threshold for requiring a CCN amendment.

DIGEST: HB 3092 would increase from three to five the maximum number of miles in length of a transmission line for which an electric utility would not be required to amend its certificate of public convenience and necessity to construct.

The bill would take effect September 1, 2025.

- SUBJECT:** Authorizing certain rodeo organizations to hold charitable raffles
- COMMITTEE:** Licensing & Administrative Procedures — favorable, without amendment
- VOTE:** 12 ayes — Phelan, Thompson, Gerdes, Geren, Harless, Hernandez, Longoria, McQueeney, Patterson, M. Perez, Romero, Walle
- 0 nays
- 1 absent — Harris
- WITNESSES:** For — (*Registered, but did not testify:* John Kroll, State Fair of Texas; Lance Lively, Texas Package Stores Association)
- Against — None
- BACKGROUND:** Concerns have been raised that while current law allows professional rodeos sanctioned by the Professional Rodeo Cowboys Association or the Women's Professional Rodeo Association to conduct charitable raffles, it does not account for rodeo events operated independently of those organizations. Some have suggested that independent professional rodeo organizations also should be authorized to conduct charitable raffles.
- DIGEST:** HB 3308 would allow certain rodeo organizations to conduct charitable raffles through their professional sports team charitable foundations. The bill would expand the definition of a "professional sports team" to include organizations hosting a Professional Rodeo Event. The bill also would amend the definition of "rodeo venue" to refer only to facilities in Texas and include facilities owned or operated by and operated as the home venue of an organization hosting a Professional Rodeo Event.
- The bill would take effect September 1, 2025.

- SUBJECT:** Establishing database, reporting for local general obligation bonds
- COMMITTEE:** Pensions, Investments & Financial Services — committee substitute recommended
- VOTE:** 7 ayes — Lambert, Plesa, Bumgarner, Hayes, Holt, Schoolcraft, Vo  
0 nays  
2 absent — Bryant, L. Garcia
- WITNESSES:** For — Carl Walker, Texas Taxpayers and Research Association  
(*Registered, but did not testify*: Emily French, Common Cause Texas; Kelley Shannon, Freedom of Information Foundation of Texas; Santiago Franco, Harris County Commissioners Court; Ryland Russell, Texas Press Association; Seth Juergens, Texas Realtors)  
Against — None  
On — (*Registered, but did not testify*: Rob Latsha, Texas Bond Review Board; Justin Groll)
- BACKGROUND:** Concerns have been raised that taxpayers and stakeholders may struggle to gain access to clear and comprehensive financial information regarding the approval, issuance, and repayment of general obligation bonds. Some have suggested that standardizing reporting and disclosure requirements for general obligation bonds could increase fiscal transparency for taxpayers.
- DIGEST:** CSHB 3526 would require the Bond Review Board to develop and maintain on its website a publicly accessible and searchable database that provides information on each bond proposed or issued by a local government in a table format that is easy to read and understand.  
For each proposed and issued bond listed, the database would be required to display the principal amount of the bond, the estimated amount of

interest on the bond, and the estimated total amount required to pay the principal and interest of the bond.

No later than the 20th day before an election authorizing a local government to issue bonds, the local government would be required to submit to the board a report containing the election date, proposition numbers for each bond proposition and a description of the bond's purpose, the total estimated cost of the issuance of each proposed bond, and any other information the board deemed necessary.

No later than the 20th day following such an election, the local government also would have to submit to the board a report that contained the total number of votes cast for each bond proposition, the number of votes in favor of and against the proposition, any updated information different from the information provided to the board in the pre-election report, and any other information the board deemed necessary.

The board also would be required to publish a report on the results of a local bond election on its website.

CSHB 3256 would require a local government with voter-approved but unissued bonds to submit a report to the board regarding the amount of such bonds authorized by the local government during the most recent fiscal year. The report would be due no later than September 30 of each year and would have to include:

- the total amount of voter-approved but unissued bonds authorized by the local government;
- the specific statute or law that authorized the issuance of the bonds;
- the number of the propositions that authorized the issuance of the bonds, as applicable;
- the estimated cost of the issuance of the bonds on the bond proposition, as applicable; and
- any other information the board determined necessary.

CSHB 3256 also would require the board to prepare and submit to each standing committee of the Legislature with primary jurisdiction over

matters relating to finance a report on the repayment status of each voter-approved bond issued by a local government. The report would be due by December 31 of each even-numbered year and would be required to include:

- the estimated total amount required to pay the principal of and interest on the bond on the date it was issued and the total amount of principal and interest paid by the local government on the bond for each voter-approved bond issued by a local government; and
- if a local government required an increase in a local tax rate to pay the principal of and interest on bonds issued by the local government, the amount of the required increase.

CSHB 3526 would authorize the board to adopt rules to implement the bill and require the board to establish the required database as soon as practicable, but not later than September 1, 2026.

The bill also would require the attorney general to send relevant information to the board for its inclusion in the board's reports to the Legislature, in addition to the board's report of debt statistics.

The bill would take effect September 1, 2026.

SUBJECT: Authorizing DFPS to reimburse certain employees for certain legal fees

COMMITTEE: Human Services — favorable, without amendment

VOTE: 11 ayes — Hull, Manuel, A. Davis, Dorazio, C. Morales, Noble,  
Richardson, Rose, Schatzline, Slawson, Swanson

0 nays

WITNESSES: For - (*Registered, but did not testify*: James Parnell, Dallas Police Association; Ray Hunt, Houston Police Officers' Union; Stephanie Battaglia, Texas CASA; John Sierega, TMPA; Steven Deline)

Against - None

On - (*Registered, but did not testify*: Audrey O'Neill, DFPS Resource Witness)

BACKGROUND: Some have suggested that authorizing DFPS to reimburse reasonable attorney's fees incurred by certain employees in obtaining a protective or restraining order while in the course and scope of their jobs could help address personal legal fees incurred by employees due to their work.

DIGEST: HB 3750 would allow the Department of Family and Protective Services (DFPS) to reimburse a person for reasonable attorney's fees incurred in obtaining a protective or restraining order up to \$5,000 if the person was a present employee of DFPS who was involved in activities relating to the protection of children or elderly persons with disabilities and sought a protective or restraining order while in the course and scope of the person's employment.

DFPS would be required to adopt rules to implement the bill as soon as practicable after the effective date.

The bill would take effect September 1, 2025.

- SUBJECT:** Revising definitions and provisions for manufactured homes
- 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 — DJ Pendleton, Texas Manufactured Housing Association  
(*Registered, but did not testify:* Will Temple, Texas Apartment Association; Julia Parenteau, Texas Realtors)
- Against — None
- BACKGROUND:** Concerns have been raised that certain definitions in state law related to the Manufactured Housing Division do not align with federal law, which can hinder the state’s ability to respond and adapt to changes in the federal manufactured housing program.
- DIGEST:** HB 3527 would replace the definitions of "manufactured home" and "HUD-code manufactured home" with the definitions assigned to them under federal law.
- HB 3527 would remove the requirement that a licensee's records be maintained at the licensee’s offices in the state, and allow them instead to be maintained at any designated location. A licensee would be authorized to maintain required records electronically if the licensee could produce the record for review on request by the Texas Department of Housing and Community Affairs.
- The bill also would require a manufactured housing retailer to provide a written disclosure to a consumer before, rather than more than one day before, entering into a non-financed sale or exchange agreement.

Additionally, HB 3527 would remove certain requirements regarding the timing, delivery, acceptance, and withdrawal of contracts for financed manufactured homes not subject to certain federal law.

The bill would take effect September 1, 2025.

- SUBJECT:** Revising procedures for responding to a public information request
- COMMITTEE:** Delivery of Government Efficiency — favorable, without amendment
- VOTE:** 11 ayes — Capriglione, Bhojani, Alders, Bowers, Campos, Cook, Curry, L. Garcia, Olcott, Tinderholt, Troxclair
- 0 nays
- 2 absent — Cain, Rodríguez Ramos
- WITNESSES:** For — Rachel Clow, KRIS 6 News; James Quintero, Texas Public Policy Foundation (*Registered, but did not testify*: Alexa Aragonz, City of Houston; Kelley Shannon, Freedom of Information Foundation of Texas; Michael Schneider, Texas Association of Broadcasters; Donnis Baggett, Mike Hodges, Texas Press Association; Steven Deline)
- Against — (*Registered, but did not testify*: Clifford Sparks, City of Dallas; Kirk Frye, Parmer County)
- On— Zenobia Joseph (*Registered, but did not testify*: Leah Clark, City of Georgetown)
- BACKGROUND:** The Texas Public Information Act, under Government Code sec. 552.221, requires the public information officer of a governmental body to promptly produce public information for inspection, duplication, or both on application by any person.
- Some have suggested that imposing response deadlines on a governmental body that receives a public information request and providing a way for requestors to file a complaint regarding a governmental body’s failure to respond would provide a practical enforcement mechanism for the state’s public information law.
- DIGEST:** HB 4219 would amend Government Code sec. 552.221 to require a public information officer to notify a requestor in writing within 10 business days of receiving a request for public information if the applicable

governmental body determined it had no information responsive to the request. If the governmental body determined that the requested information was subject to a previous determination that permitted or required withholding the information, the public information officer would have to, within 10 business days of receiving the request, notify the requestor in writing that the information was being withheld and identify the specific previous determination the government body was relying on to withhold the information.

HB 4219 would authorize a person who requested public information from a governmental body under Government Code sec. 552.221 to send a written complaint to the attorney general if the governmental body failed to respond as required. The complaint would have to include the original request and any correspondence from the governmental body in response.

Upon determining that the governmental body had improperly failed to comply with Government Code sec. 552.221 in connection with a request for which a complaint was made, the attorney general would be required to notify the governmental body in writing and require the applicable public information officer or the officer's designee to complete open records training no later than six months after receiving notification. In such a case, the governmental body could not assess costs to the requestor for producing information in response to the request.

If the governmental body sought to withhold information in response to the request, the governmental body would have to request an attorney general decision within five business days of receiving notification of the attorney general's determination and release the requested information unless there was a compelling reason to withhold it.

The bill would take effect September 1, 2025, and would apply only to a public information request received on or after that date.

- SUBJECT:** Establishing the Bicentennial Trail
- 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 — Kyndel Bennett, Great Springs Project (*Registered, but did not testify*: Christine Wright, City of San Antonio; Cyrus Reed, Lone Star Chapter Sierra Club; Sarah Floerke, Lower Colorado River Authority; Juan Antonio Flores, Port San Antonio; Leticia Van de Putte, San Antonio Chamber of Commerce; Brian Sledge, San Antonio River Authority; John Shepperd, Texas Foundation for Conservation; Steven Deline; Jean-Marie Dina)
- Against — None
- On — (*Registered, but did not testify*: Brian Carter, Angie Pettigrew, David Wells, Jeff Gordon, Texas General Land Office)
- BACKGROUND:** Some have suggested that a statutory framework should be created for the planning, development, and management of a unified hike and bike trail network named the Bicentennial Trail to connect key historical and environmental landmarks in Texas.
- DIGEST:** CSHB 4230 would require the General Land Office (GLO) to coordinate the establishment of a hike and bike trail network designed for the exclusive use of pedestrians and bicyclists, to be known as the Bicentennial Trail, to connect the Alamo to the State Capitol and to include hike and bike trail connections to Barton Springs, San Marcos Springs, Comal Springs, and San Antonio Springs to promote outdoor recreation, environmental stewardship, and the historical and cultural heritage of Texas. The bill would require GLO to undertake to ensure that the Bicentennial Trail is established on or before January 1, 2036.

**Memoranda of understanding.** The bill would require the GLO, as necessary or convenient, to coordinate the establishment and maintenance of the Bicentennial Trail, to enter into memoranda of understanding (MOU) with political subdivisions, nonprofit organizations, the Parks and Wildlife Department (TPWD), the Texas Department of Transportation, and other appropriate persons or entities. The bill would authorize an MOU to address coordination of trail development, trail maintenance, acquisition of interests in real property, conservation efforts along the trail routes, or any other matter pertinent to the establishment or maintenance of the trail.

**GLO authority.** CSHB 4230 would authorize the GLO to adopt rules as necessary to coordinate the establishment of the Bicentennial Trail, including a timeline for acquiring real property and real property interests as necessary to complete the trail route. The bill would prohibit the properties used to complete the trail routes from being acquired through eminent domain. The bill's provisions relating to the establishment of the trail would expire September 1, 2037, which would not affect the validity of an MOU entered under those provisions.

CSHB 4230 would authorize real property acquired by the state for the Bicentennial Trail to be used only for the trail and require TPWD to maintain any real property it acquired for the trail.

The bill would take effect September 1, 2025.

**NOTES:**

According to the Legislative Budget Board, the fiscal implications of the bill cannot be determined due to the amount of land to be purchased or leased, the time and cost of the purchase or lease of land, the number and cost of engineering plans, and the construction costs to establish the Bicentennial Trails being unknown.

- SUBJECT:** Amending provisions on the definition of qualifying cogenerator
- COMMITTEE:** State Affairs — committee substitute recommended
- VOTE:** 15 ayes — King, Hernandez, Anchia, Darby, Y. Davis, Geren, Guillen, Hull, McQueeney, Metcalf, Phelan, Raymond, Smithee, Thompson, Turner
- 0 nays
- WITNESSES:** For — (*Registered, but did not testify:* Kyle Frazier, Texas Desalination Association; Trace Finley, Texas Independent Produced Water Association; Micheal Dobbs, Texas Pacific Land Corporation; Jason Modglin, Western Midstream; Steven Deline)
- Against — (*Registered, but did not testify:* Clif Lange, South Texas Electric Coop., Inc.)
- BACKGROUND:** Some have suggested that colocation and integration of power generation, desalination facilities, and data centers could alleviate strain on the grid, increase freshwater availability, and drive economic development. Under current law, cogeneration facilities may sell to a thermal host provided that the thermal byproducts are used to make industrial products, however some are concerned that desalinated water and digital products such as those manufactured by data centers may not fall into this category.
- DIGEST:** CSHB 4290 would amend the definition of “qualifying cogenerator” for the purposes of Utilities Code provisions on electric utilities and the definition of “retail electric utility” for the purposes of provisions on certificates of convenience and necessity for electric utilities.
- Unless the qualifying cogenerator was a municipally owned utility or an electric cooperative, the term of qualifying cogenerator would include an owner or operator of dispatchable generation that:
- provided thermal, steam, or waste heat for use by a colocated desalination facility; and

- served a load used for the primary purpose of manufacturing digital products.

The bill would revise the definition of retail electric utility to specify that the owner or operator of a such a qualifying cogenerator would not be considered to be a retail electric utility for that reason.

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:** Prohibiting the disruption of a virtual meeting
- COMMITTEE:** Delivery of Government Efficiency — favorable, without amendment
- VOTE:** 12 ayes — Capriglione, Bhojani, Alders, Bowers, Cain, Campos, Cook, Curry, L. Garcia, Olcott, Rodríguez Ramos, Tinderholt
- 0 nays
- 1 absent — Troxclair
- WITNESSES:** For — (*Registered, but did not testify:* Melissa Shannon, Bexar County Commissioners Court; Christine Wright, City of San Antonio; Spencer Gutierrez, City of Sugar Land, Texas; Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); Ben Zeller, Rick Thompson, and Larry Woolley, County Judges & Commissioners Association of Texas; Larry Woolley, Johnson County)
- Against — (*Registered, but did not testify:* Daniel Woodward, Texas Civil Rights Project)
- BACKGROUND:** Concerns have been raised that state law prohibiting the disruption of lawful gatherings does not extend to meetings held on virtual platforms, which may be susceptible to electronic interference and hacking. Some have suggested that measures are needed to authorize law enforcement to intervene when electronic disruptions occur to address this issue for meetings of governmental bodies that take place virtually.
- DIGEST:** HB 5238 would expand the prohibition of disrupting lawful meetings, processions, or gatherings under Penal Code sec.42.05(a) to specify that an offense would be committed whether the event was in person or virtual. The bill would qualify as an offense the disruption of such a meeting through electronic disturbance, including hacking, of any virtual component of the meeting, procession, or gathering.
- The bill would take effect September 1, 2025, and would apply only to an offense committed on or after that date. An offense would be committed

before the effective date if any element of the offense occurred before that date.

- SUBJECT:** Requiring automatic revocation of licenses for registered terrorists
- COMMITTEE:** Homeland Security, Public Safety & Veterans' Affairs — committee substitute recommended
- VOTE:** 10 ayes — Hefner, R. Lopez, Canales, Cortez, Dorazio, Hickland, Holt, Isaac, McLaughlin, Pierson
- 0 nays
- 1 absent — Louderback
- WITNESSES:** For — (*Registered, but did not testify:* Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); Brian Hawthorne, Sheriffs' Association of Texas (SAT); Molly Spratt, Texas Association of Manufacturers; Bryan Flatt, TMPA)
- Against — None
- On — Sheri Gipson, Texas Department of Public Safety
- BACKGROUND:** Transportation Code sec. 521.101(h) and Code of Criminal Procedure sec. 521.348(a) establish requirements for the automatic revocation of personal identification certificates and driver's licenses, respectively, for a person required by statute to register as a sex offender.
- Concerns have been raised that the ability of certain commercial driver's license holders to request a hearing after disqualification from operating a commercial motor vehicle could violate certain federal regulations and result in penalties to the state. Concerns also have been raised that those required to register under the terrorist offender registration program are not subject to the same automatic license revocation requirements as those registered as sex offenders.
- DIGEST:** CSHB 4804 would add persons required to register under the terrorist offender registration program to those subject to the automatic personal identification certificate and driver's license revocation requirements

under Transportation Code sec. 52.101(h) and Code of Criminal Procedure sec. 521.348(a).

The bill would repeal a provision of the Transportation Code establishing the effective date of license disqualification as the 40<sup>th</sup> day after the person was considered to have received notice. The bill also would repeal a provision that provides that disqualifying from operating a motor vehicle for a violation committed while operating a vehicle is subject to certain statutory notice, hearing, and appeals procedures.

The bill would take effect September 1, 2025.

- SUBJECT:** Expanding pool of potential jurors in certain rural counties
- 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 — None
- Against — (*Registered, but did not testify*: Leigh Joseph)
- BACKGROUND:** Concerns have been raised that the limited number of individuals qualified to serve on a jury in rural counties with small populations can result in a jury selection pool that is too small, making it difficult to seat impartial juries. Some have suggested providing exceptions from standard jury qualifications in certain counties to expand the pool of potential jurors.
- DIGEST:** CSHB 4749 would allow a person to serve as a grand juror or petit juror in a county with a population of less than 1,000 if that person was a resident of a county contiguous to and within the same judicial district as the summoning county and qualified under the Constitution and laws to vote in the contiguous county.
- The bill would allow a qualifying county to select grand jurors from a fair cross section of the population of such contiguous counties if they held a valid Texas driver's license or similar identification issued by DPS and were not disqualified from grand jury service due to age, citizenship status, or conviction of a felony or misdemeanor theft.
- The petit jury wheel of a qualifying county could be reconstituted to include the names of all persons on the current voter registration lists in such contiguous counties and all names on such a list showing the residents of such contiguous counties who held a valid Texas driver's license or similar identification issued by DPS and were not disqualified from petit jury service due to age, citizenship status, or conviction of a felony or misdemeanor theft.

The bill would take effect September 1, 2025.