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HOUSE RESEARCH ORGANIZATION

daily floor report

Wednesday, May 7, 2025
89th Legislature, Number 58
The House convenes at 10 a.m.
Part Three

Seventy-nine bills are on the General State Calendar for second reading consideration today. The list of bills in Part Three of the *Daily Floor Report* begins on the following page.



Gary VanDeaver
Chairman
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HOUSE RESEARCH ORGANIZATION

Daily Floor Report

Wednesday, May 07, 2025

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Part 3

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SUBJECT: Extending MERP eligibility for horseman and rodeo productions

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 — (*Registered, but did not testify:* T. J. Patterson, City of Fort Worth; Rebecca Montgomery, Greater Arlington Chamber; Joshua Valdez, Teton Ridge; Justin Bragiel, Texas Hotel & Lodging Association; 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 expanding the list of events and site selection organizations eligible for funding under the major events reimbursement program could help Texas remain a competitive and attractive location for hosting certain types of major events that support economic impact.

DIGEST: CSHB 4396 would make the American Performance Horseman and the American Rodeo eligible for funding under the major events reimbursement program (MERP). The bill also would include Teton Ridge Live Productions and Teton Ridge The American, LLC, among the entities designated as site selection organizations.

The bill would take effect September 1, 2025.

- SUBJECT:** Revising TJJD employment practices and release review panel provisions
- COMMITTEE:** Criminal Jurisprudence — favorable, without amendment
- VOTE:** 8 ayes — Smithee, Bowers, Cook, J. Jones, Little, Louderback, Money, Virdell
- 0 nays
- 3 absent — Wu, Moody, Rodríguez Ramos
- WITNESSES:** For — None
- Against — (*Registered, but did not testify*: Steven Deline)
- On — (*Registered, but did not testify*: Emily Anderson, Shandra Carter, Sean Grove, Kaci Singer, Texas Juvenile Justice Department)
- BACKGROUND:** Human Resources Code sec. 242.004(c) allows Texas Juvenile Justice Department (TJJD) to establish procedures governing disciplinary actions within the department, including procedures allowing an employee to elect to participate in an independent dismissal mediation if the employee was recommended for dismissal.
- Human Resources Code sec. 245.101(c) requires members of the TJJD release review panel, which reviews decisions related to the release or discharge of youth in TJJD custody, to be central office employees. A member of the panel may not be involved in any supervisory decisions concerning children in the custody of the department.
- Concerns have been raised that certain statutory requirements limit TJJD's ability to manage personnel effectively and maintain safe, well-staffed facilities.
- DIGEST:** HB 4263 would remove a provision of Human Resources Code sec. 242.004(c) requiring TJJD to establish procedures allowing employees recommended for dismissal to elect to participate in an independent

dismissal mediation. The bill would instead require that procedures be established to govern grievances challenging disciplinary termination of employment. The bill would require TJJJ to establish these updated procedures as soon as practicable.

Under the bill, TJJJ would be authorized to adopt a policy allowing juvenile correctional officers to elect, once per fiscal year, to receive a lump-sum payment for accrued vacation leave in lieu of taking leave. The maximum amount of leave payable would be the lesser of the officer's total accrued leave or 40 hours. If such a payment were made, TJJJ would be required to:

- calculate the payment based on the officer's hourly compensation rate at the time of election; and
- deduct the number of paid hours from the officer's leave balance.

The bill would amend Human Resources Code sec. 245.101(c) to eliminate the requirement that members of the release review panel work at the department's central office, only requiring that a person appointed to the panel be a TJJJ employee. A panel member could not participate in any determination involving a child in the department's custody if the member had previously made a supervisory decision about the child.

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 unknown number of juvenile correctional officers that may elect to take a lump sum payment in lieu of using accrued leave.

- SUBJECT:** Reducing tax liability for oyster shell recycling program participants
- COMMITTEE:** Ways & Means — favorable, without amendment
- VOTE:** 13 ayes — Meyer, Martinez Fischer, Bernal, Button, Capriglione, Gervin-Hawkins, Hickland, Muñoz, Noble, V. Perez, Troxclair, Turner, Vasut
0 nays
- WITNESSES:** For — Jacob Hupp, Galveston Bay Foundation; Erin Fulton, Bradley Lomax, Texas Surf Conservancy (*Registered, but did not testify*: Ryan Skrobarczyk, City of Corpus Christi; Patricia Shipton, City of Port Aransas, Nueces County; Billy Phenix, Coastal Conservation Association - Texas; Joey Park, Fred Shannon, Texas Oyster Mariculture Association; Kelsey Streufert, Texas Restaurant Association; Eric Davis, TX Commercial Mariculture Oyster Advisory Board; Jay Brown; Arthur Granado)
Against — (*Registered, but did not testify*: Steven Deline)
- BACKGROUND:** Concerns have been raised that, while beneficial for maintaining marine ecosystems, oyster shell recycling programs may burden restaurant owners with additional costs of participating in such programs. Some have suggested that a tax incentive should be provided for food establishments that participate in oyster shell recycling.
- DIGEST:** HB 3487 would authorize a taxpayer who owned a food service establishment and participated in a qualified oyster shell recycling program to deduct and withhold from the taxpayer's tax liability for a quarter or month in which the payment is made the amount equal to \$2 for each 50 pounds of oyster shells collected at the establishment and provided by the taxpayer to a project that recycled oyster shells as a result of the taxpayer's participation in such a program during that quarter or month.
The bill would authorize this deduction for each food service establishment for which a permit had been issued to the taxpayer. The bill

would define a “qualified oyster shell recycling program” as an oyster shell recycling program recognized by the comptroller.

The comptroller could require a taxpayer to provide any information deemed reasonably necessary to determine the accuracy of the amount deducted and withheld by the taxpayer, as well as adopt rules to implement the bill in consultation with the Parks and Wildlife Department.

The bill would take effect October 1, 2025, and would not affect tax liability accruing before that date.

- SUBJECT:** Prohibiting registered sex offenders from rideshare employment
- COMMITTEE:** Criminal Jurisprudence — committee substitute recommended
- VOTE:** 8 ayes — Smithee, Bowers, Cook, J. Jones, Little, Louderback, Money, Virdell
- 0 nays
- 3 absent — Wu, Moody, Rodríguez Ramos
- WITNESSES:** For — (*Registered, but did not testify:* Philip Mack Furlow, 106th Judicial District; Eric Carcerano, Chambers County District Attorney; Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); M. Paige Williams, Dallas Criminal District Attorney John Creuzot; Ashley Brooks, Texas Association Against Sexual Assault; Bryan Flatt, TMPA; Chris Miller, Uber Technologies, Inc.; Steven Deline; Thomas Parkinson)
- Against — (*Registered, but did not testify:* CJ Grisham; Brent McCain)
- BACKGROUND:** Under Code of Criminal Procedure art. 62.063, individuals with certain reportable convictions or adjudications are prohibited from engaging in certain types of employment, which does not include work for transportation network companies.
- Concerns have been raised that individuals required to register as sex offenders under state law but not covered by art. 62.063 may still be eligible to work for transportation network companies, posing a potential public safety risk to vulnerable passengers. Some have suggested that extending employment restrictions to include rideshare drivers would better protect the public.
- DIGEST:** CSHB 3418 would amend Code of Criminal Procedure art. 62.063 to establish that all individuals required to register under the state's sex offender registration program were prohibited from:

- for compensation, providing or offering to provide passenger transportation through a prearranged ride for a transportation network company, or
- logging in as a driver on a transportation network company's digital network.

The bill also would require an official of a penal institution, before releasing a person who would be subject to registration, to inform the person of this employment prohibition in addition to existing notification requirements.

The bill would take effect September 1, 2025, and would apply only to a person who is required to register as a sex offender on or after that date.

- SUBJECT:** Establishing licensing and regulation of music therapists
- COMMITTEE:** Public Health — favorable, without amendment
- VOTE:** 9 ayes — VanDeaver, Campos, Bucy, Collier, Cunningham, Johnson, J. Jones, Olcott, Shofner
- 2 nays — Frank, Pierson
- 2 absent — Schofield, Simmons
- WITNESSES:** For — Elizabeth Laguaite, Texas State Task Force for Music Therapy Recognition; Shawn Tittle (*Registered, but did not testify*: Molly Spratt, Certification Board for Music Therapists; Jennifer Townsend, Houston Methodist; Iris Saenz, Memorial Hermann Health System; Christine Busse, NAMI Texas; Meredith Cooke, Texas Children’s Hospital; Nzingha Williams-Eugene, Texas Cultural Trust; Amanda Tollett, Texas Medical Association; Kate Harrison, Texas State Task Force for Music Therapy Recognition; Sarah Lindley Bailey; Steven Deline; Jennifer Townsend)
- Against — (*Registered, but did not testify*: Elizabeth Miller)
- On — (*Registered, but did not testify*: Steve Bruno, TDLR)
- BACKGROUND:** Concerns have been raised that Texas lacks a formal music therapy license process, which makes it difficult for survivors of trauma and patients with certain conditions, such as post-traumatic stress disorder, brain injuries, and mental health challenges, who could benefit from music therapy, to receive quality treatment. Some have suggested that a formal music therapy license process would ensure high-quality treatment and safe standards of care for these survivors and patients.
- DIGEST:** HB 2284 would establish requirements for the licensing and regulation of music therapists. A person could not practice music therapy unless the person held a license issued under the bill.

The bill would require that, to be eligible for a license, a person would have to:

- be at least 18 years old;
- hold a bachelor's or graduate degree in music therapy, or an equivalent field of study from a program approved by the American Music Therapy Association or its successor, from an accredited, approved institution;
- have successfully completed any clinical training hours required as part of a degree program;
- if applicable, be in good standing with any other jurisdiction from which the applicant held a music therapy license;
- pass the examination for board certification offered by the certifying entity or provide proof of being transitioned into board certification by the certifying entity;
- be certified as a music therapist by the certifying entity;
- be in compliance with all professional, ethical, and disciplinary standards established by the certifying entity; and
- not be subject to any disciplinary action by the certifying entity.

A music therapist license would expire on the second anniversary of the date of issuance. The Texas Commission on Licensing and Regulation (TCLR) would be required to provide requirements and procedures for the renewal of a music therapist license, including requiring a license holder to provide proof of continuing certification in music therapy.

Each applicant for a license would be required to submit an application and any required fees to the Texas Department of Licensing and Regulation (TDLR). Additionally, the application would be required to include sufficient evidence, as defined by TCLR rules, that the applicant had successfully completed a state-approved criminal background check.

Unless the person held a license under the bill, a person could not use, in connection with the person's name, the title "licensed professional music therapist" or any other designation that would imply that the person was a music therapist.

The bill would require a license holder to notify TDLR of a change of the license holder's residence or business address and provide TDLR with the license holder's new address by the 30th day after the date the address change occurs.

Practice by license holder. The bill would allow a music therapist to provide consultation, evaluation, preventative and wellness care, education, and specialized support without a referral. A music therapist would be required to review a client's diagnosis and plan with the appropriate health care provider before providing services to a client for clinical, developmental, or other health-related needs. Additionally, a music therapist would need to collaborate with any licensed professional providing care for an identified need.

For educational needs, a music therapist would be required to review a client's plans with those implementing the client's education programs. In cases involving communication disorders, music therapists would be required to collaborate with and not replace services provided by audiologists or speech-language pathologists. A music therapist could not perform activities exclusive to speech-language pathology unless licensed in that field, though they could state that they work with clients who have communication disorders.

License denial and disciplinary action. After a hearing, TDLR or executive director could deny a license to an applicant, suspend or revoke a license, or place on probation a music therapist if the individual violated certain provisions, including violating laws or ethics, committing fraud, engaging in unprofessional or unsafe conduct, practicing outside their scope, treating or attempting to treat a client's specific health condition by means other than music therapy, having substance abuse issues, being convicted of relevant crimes, being declared incapacitated, or having a license suspended or revoked in another jurisdiction.

Applicability. The bill would not apply to:

- a certified person, including licensed health care workers, who used music within the scope of their training, education, and competence;

- a student in an eligible music therapy or equivalent degree program who performed activities under the supervision of a licensed professional;
- a person employed by the federal government who performed duties related to that employment;
- an employee of a music therapist who provided music therapy services under direct supervision without claiming to be a music therapist;
- a family member or guardian who carried out a recipient's treatment plan under a licensed music therapist's authority and direction; or
- a licensed or certified music therapist from another jurisdiction who practiced in this state for no more than 20 days a year, within the person's customary area of practice, and did not violate the bill.

A music therapist licensed in another jurisdiction would be required to inform the recipient of music therapy services, or a parent or guardian of the recipient if the recipient was under 18, that the music therapist was not licensed in Texas and the activities and services provided by the music therapist were time limited.

Advisory board. The bill would establish provisions for an advisory board to advise TCLR on technical matters, performance standards, work practices, license eligibility and renewal, and examination contents related to the license.

Powers and duties. TCLR would be required to adopt rules for administration and enforcement and establish standards of ethical practices and a code of ethics. TCLR would be required to set fees to cover the costs of administering and enforcing the bill.

TDLR would be required to administer and enforce the bill, including by evaluating applicants, conducting exams, issuing licenses, holding hearings, and investigating violations.

The bill would entitle TDLR to obtain criminal history record information for music therapy license applicants or holders. The bill would subject music therapists to complaint and disciplinary information provisions.

Implementation. TDLR would be required to adopt rules, procedures, and fees necessary to administer the bill.

A music therapist would not be required to hold a license to practice in Texas before September 1, 2026.

Provisions relating to disciplinary grounds and certain license requirements would take effect September 1, 2026.

The bill would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, the bill would have a positive impact of \$144,000 to general revenue related funds through the biennium.

SUBJECT: Requiring TCEQ to prioritize certain rock crushing facility applications

COMMITTEE: Environmental Regulation — favorable, without amendment

VOTE: 7 ayes — Landgraf, Ordaz, Anchía, K. Bell, Bumgarner, Morales Shaw, Toth
0 nays
2 absent — Oliverson, Reynolds

WITNESSES: For — Cliff Kaplan, Texans for Responsible Aggregate Mining (TRAM) & Hill Country Alliance; Sheila Hemphill, Texas Right To Know; Mark Friesenhahn, TRAM (*Registered, but did not testify*: Fermin Ortiz, TRAM - Texans For Responsible Aggregate Mining)

Against — (*Registered, but did not testify*: Michael Grimes, Texas Aggregate and Concrete Association; Steven Deline)

On — Samuel Short, Texas Commission on Environmental Quality

BACKGROUND: Some have suggested that giving priority to TCEQ permit applications submitted by certain rock or concrete crushing facility operators could help to incentivize best practices and encourage reclamation efforts.

DIGEST: HB 2266 would require the Texas Commission on Environmental Quality (TCEQ) to give priority when processing applications for an authorization to use a standard permit for a rock or concrete crushing facility to an operator who TCEQ determined had previously been authorized to use a standard permit for a rock or concrete crushing facility and reclaimed the land disturbed by the rock or concrete crushing facility before the 180th day after the date the facility ceased operating.

The bill would take effect September 1, 2025.

- SUBJECT:** Authorizing statutory county court jurisdiction over expunction cases
- COMMITTEE:** Criminal Jurisprudence — favorable, without amendment
- VOTE:** 6 ayes — Smithee, Bowers, Cook, J. Jones, Money, Virdell
2 nays — Little, Louderback
3 absent — Wu, Moody, Rodríguez Ramos
- WITNESSES:** For — Natasha Malik, Texas Appleseed (*Registered, but did not testify*: Kathy Mitchell, Equity Action; Lori Henning, Texas Association of Goodwills; Alycia Castillo, Texas Civil Rights Project; Rylan Maksoud, Texas Fair Defense Project; Steven Deline)
Against — None
- BACKGROUND:** Concerns have been raised that requiring expunction petitions to be filed in district courts, even for cases originally handled in statutory county courts, can lead to inefficiencies in the expunction process. Some have suggested that allowing statutory county courts to share jurisdiction over these proceedings would streamline case handling.
- DIGEST:** HB 2229 would grant statutory county courts concurrent jurisdiction with district courts over expunction proceedings related to criminal cases within their jurisdiction. A person entitled to or eligible for expunction could file an ex parte petition in either the applicable district court or the statutory county court in the county where the arrest occurred or where the offense was alleged to have occurred.

The bill would take effect September 1, 2025, and would apply to the expunction of arrest records and files for any criminal offense that occurred before, on, or after that date.

- SUBJECT:** Establishing the Free College Application Week
- 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 — (*Registered, but did not testify:* Alexa Garza, EdTrust in Texas; Jaime Puente, Every Texan; Ryan Franklin, Philanthropy Advocates; Amanda Garcia, Texas AFT-AAUP; Kelle Kieschnick, Texas Business Leadership Council; Steven Deline)
- Against — None
- On — David Troutman, Texas Higher Education Coordinating Board
- BACKGROUND:** Some have suggested that college application fees can be a deterrent for prospective students to apply to colleges.
- DIGEST:** CSHB 4912 would require the Texas Higher Education Coordinating Board (THECB) to designate the second full week of October as Free College Application Week. During the designated week, THECB would have to permit individuals in the state to apply to any public higher education institution for undergraduate admission without paying an application fee.
- The bill would apply beginning with the 2025-2026 academic year and would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2025.

- SUBJECT:** Establishing provisions for health profession-related career programs
- COMMITTEE:** Public Education — committee substitute recommended
- VOTE:** 14 ayes — Buckley, Bernal, Allen, Ashby, Bryant, Cunningham, Dutton, Frank, Hinojosa, Hunter, Leach, Leo Wilson, Schoolcraft, Talarico
- 0 nays
- 1 absent — Kerwin
- WITNESSES:** For — Gabe Grantham, Texas 2036; Laura Kincheloe, Texas Nurses Association (*Registered, but did not testify*: Andrea Earl, AARP Texas; Stacy Wilson, Children's Hospital Association of Texas; Jarod Love, E3 Alliance; Christine Yanas, Methodist Healthcare Ministries; Christine Busse, NAMI Texas; Stacy Schmitt, Opportunity Austin; Jessica Schleifer, Teaching Hospitals of Texas; Kelsey Kling, Texas AFT; Megan Mauro, Texas Association of Business; Amy Beneski, Texas Association of School Administrators; Alison Brock, Texas Association of School Boards; Kelsey Bernstein, Texas Council of Community Centers; James Parker, Texas Hospital Association; Brandon Garcia, Texas Public Charter Schools Association; Kate Kuhlmann, Texas School Alliance; Carrie Griffith, Texas State Teachers Association; Haseeb Abdullah)
- Against — None
- On — (*Registered, but did not testify*: Monica Martinez, Texas Education Agency; Adam Kranz)
- BACKGROUND:** Some have suggested that the Legislature should address recommendations by the Healthcare Workforce Task Force to combat the state's healthcare workforce crisis.
- DIGEST:** CSHB 2189 would establish various provisions related to health profession-related career programs.

Instructional materials. The bill would require the Texas Education Agency (TEA) to make available at no cost to school districts high-quality instructional materials for use in health profession-related career and technology education programs. The instructional materials could include material designed to cover all essential knowledge and skills for a course offered through a health profession-related career and technology education program, or supplemental materials designed to complement, enrich, or extend a particular subject area included in such a program. These provisions would apply beginning with the 2026-2027 academic year.

Study on feasibility of sharing laboratory resources. The bill would require the Texas Higher Education Coordinating Board (THECB), in collaboration with TEA, to study the feasibility of creating partnerships between public schools and higher education institutions to share educational laboratory resources for purposes of health profession-related career and technology education programs. The study would have to identify current educational laboratory resources at public schools and higher education institutions that could be used for these programs and examine methods of creating partnerships, incentives, or funding mechanisms to facilitate laboratory resource sharing.

By December 1, 2026, THECB, in collaboration with TEA, would be required to submit to the Legislature a report on the study and any recommendations for legislative or other action. These provisions would expire September 1, 2027.

Review of certain dual credit programs. The bill would require TEA, THECB, and the Texas Workforce Commission (TWC) to jointly review the curriculum of courses in health profession-related career and technology education programs that were offered for joint high school and college credit at public schools to ensure that the programs aligned with applicable requirements at higher education institutions and allowed for the stacking of credentials to reduce duplication of effort.

In conducting the review, these agencies would have to consult with both academic and practicing health care professionals. By December 1, 2026, TEA, THECB, and TWC jointly would have to submit to the Legislature a

report on the review that included a description of actions taken and any recommendations for legislative or other action. These provisions would expire September 1, 2027.

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

NOTES:

According to the Legislative Budget Board, the costs related to making high-quality instructional materials available at no cost to school districts cannot be determined. No other significant fiscal implication to the state is anticipated.

- SUBJECT:** Allowing electronic delivery of notice for certain zoning changes
- COMMITTEE:** Land & Resource Management — favorable, without amendment
- VOTE:** 6 ayes — Gates, Lalani, Davis, Yvonne, Hunter, Lopez, Ray, Morgan
0 nays
3 absent — Alders, Hinojosa, Virdell
- WITNESSES:** For — (*Registered, but did not testify:* Priscilla Rosales-Pina, American Planning Association Texas Chapter; T. J. Patterson, City of Fort Worth; Jacob Smith, City of Houston; Christine Wright, City of San Antonio)
Against — None
- BACKGROUND:** Concerns have been raised that required notices delivered by physical mail can be delayed or misplaced. Some have suggested that allowing electronic delivery of certain notices could help ensure that important information was received in a timely manner.
- DIGEST:** HB 4506 would authorize a municipality to deliver certain required notices for public hearings on proposed zoning changes electronically only if the recipient elected to receive notice electronically. A municipality that intended to deliver notice electronically would be required to establish an online portal on its website through which a notice recipient could elect to receive notice electronically and manage preferences for receiving such notice. The bill would authorize a municipality to deliver notice electronically by email or text message.
- 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:** Authorizing OPUC to access certain electricity market data
- COMMITTEE:** State Affairs — committee substitute recommended
- VOTE:** 14 ayes — King, Hernandez, Anchía, Darby, Y. Davis, Yvonne, Geren, Guillen, Hull, McQueeney, Metcalf, Phelan, Smithee, Thompson, Turner
- 0 nays
- 1 absent — Raymond
- WITNESSES:** For — Cyrus Reed, Lone Star Chapter Sierra Club (*Registered, but did not testify*; Stephanie Mace, AARP Texas; Joshua Sanders, City of Houston)
- Against — None
- On — (*Registered, but did not testify*: Benjamin Barkley, Office of Public Utility Counsel; Kenneth Flippin, Texas Chapter of US Green Building Council)
- BACKGROUND:** Concerns have been raised that the Office of Public Utility Counsel (OPUC) is limited in its ability to obtain sufficient data to fulfill its role in providing legal and technical expertise in public utility-related contested cases and rulemakings and analysis on certain issues impacting the public.
- DIGEST:** CSHB 5269 would entitle the Office of Public Utility Counsel (OPUC) to electronically request and receive electricity market data at no cost from the Public Utility Commission (PUC), ERCOT, and an electric utility, including data related to reliability, generation resource adequacy, long-term transmission planning, and transmission and distribution system resiliency.
- Information submitted to OPUC would be confidential and not subject to disclosure under the Public Information Act, if that information would be confidential and not subject to disclosure by PUC if it held the information.

The bill would take effect September 1, 2025.

SUBJECT: Requiring rulemaking to designate seasonally critical natural gas facilities

COMMITTEE: Energy Resources — committee substitute recommended

VOTE: 9 ayes — Darby, E. Morales, Dean, Dyson, J. Garcia, Gerdes, Guerra, Reynolds, Rosenthal

0 nays

2 absent — Craddick, Gates

WITNESSES: For — Caleb Troxclair, Texas Alliance of Energy Producers; Katie Coleman, Texas Association of Manufacturers (*Registered, but did not testify*); Kari Gibson, ConocoPhillips; Teddy Carter, Devon Energy; Greg Macksood, Ovintiv Inc.; Michael D. Lozano, Permian Basin Petroleum Association; Kolton McDougald, Texas Chemistry Council; Ryan Paylor, Texas Independent Producers & Royalty Owners Association (TIPRO); Tulsı Oberbeck, Texas Oil and Gas Association; Thure Cannon, Texas Pipeline Association; Steven Deline)

Against — (*Registered, but did not testify*: Mark Bell, Association of Electric Companies of Texas)

On — Natalie Dubiel, Railroad Commission (*Registered, but did not testify*); Julie Range, Commission Shift Action; Therese Harris, Public Utility Commission of Texas; Cheyenne Rendon, Society of Native Nations)

BACKGROUND: Concerns have been raised that current rules for designating critical natural gas infrastructure do not distinguish between year-round and seasonal operations, potentially causing the misallocation of emergency resources when energy prioritization is vital. Some have suggested that allowing for the designation of seasonal critical customers could improve coordination between regulators and energy providers, enhance grid reliability during extreme weather, and ensure that only essential facilities received prioritization when needed.

DIGEST: CSHB 5224 would require the Railroad Commission of Texas (RRC), in collaboration with the Public Utility Commission of Texas (PUC), to adopt rules establishing criteria for a facility operating under the jurisdiction of RRC that had been designated as a critical customer during energy emergencies to be designated as a seasonal critical customer. To do so, RRC would be required to establish standards for determining the seasons during which a facility could be designated as a seasonal critical customer, including the beginning and end dates for each season, and a process to allow a person who owned or operated a facility to apply to RRC to be designated as a seasonal critical customer, including allowing an owner or operator to apply for a seasonal designation as part of a critical infrastructure designation application.

RRC would be required to annually provide to PUC a list of facilities designated as seasonal critical customers. PUC would be required to provide each updated list to the Electric Reliability Council of Texas (ERCOT). The bill would require RRC to provide to PUC the first list of designated facilities by March 31, 2026, and would require the PUC to provide the list to ERCOT by April 30, 2026.

The bill also would require PUC to adopt rules, by February 1, 2026, as necessary to allow ERCOT to competitively procure demand reductions from a facility that had been designated as a seasonal critical customer during the season in which the facility has been so designated.

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 bill would have a negative impact of \$3,077,500 to general revenue related funds through the biennium.

- SUBJECT:** Providing for modernization of state agency websites and digital services
- COMMITTEE:** Delivery of Government Efficiency — committee substitute recommended
- VOTE:** 13 ayes — Capriglione, Bhojani, Alders, Bowers, Cain, Campos, Cook, Curry, L. Garcia, Olcott, Rodríguez Ramos, Tinderholt, Troxclair
- 0 nays
- WITNESSES:** For — Jeff Burdett, NFIB; Glenn Hamer, Texas Association of Business; Ann Bishop, TPEA (*Registered, but did not testify*: Rahul Sreenivasan, Texas 2036; Cole Meyer, Texas Appleseed; Kelsey Bernstein, Texas Council of Community Centers; Steven Deline; Thomas Parkinson)
- Against — None
- On— (*Registered, but did not testify*: Amanda Crawford, Department of Information Resources)
- BACKGROUND:** Concerns have been raised that many current state agency websites are outdated and inefficient, making them difficult for small business owners to navigate. Some have suggested that the state should begin modernizing its agency websites to make online licensing and reporting processes easier.
- DIGEST:** CSHB 5195 would require each state agency to assess its website and online service portals to identify areas for improvement in user accessibility, navigation, and digital service efficiency. In performing the assessment, a state agency would have to consider:
- strategies to simplify user access to forms, applications, and services;
 - opportunities to reduce or eliminate paperwork requirements if electronic alternatives exist;
 - enhancements to ensure compliance with accessibility standards for individuals with disabilities;

- using responsive web design to ensure the agency's website is equally accessible using a desktop computer, laptop computer, or mobile device;
- adopting best practices for search functionality, page load speed, and service integration; and
- using the Department of Information Resources' (DIR) web page templates and web design guidelines to provide consistency among state agency websites and improve the usability of the website.

CSHB 5195 would require DIR to provide guidance and technical assistance for use by state agencies in standardizing agency modernization planning efforts required by the bill. DIR would have to develop and disseminate best practices for user-centered design, digital accessibility, and service integration, including web page templates and web design guidelines that provided a consistent look for state agency websites and simplify user navigation. DIR could establish a working group of state agency technology officers to facilitate information sharing and support consistency across agencies.

By November 15, 2026, DIR would be required to submit a report to the Legislature detailing the status of efforts under CSHB 5195 and identifying common priorities and challenges.

The bill would take effect September 1, 2025.

- SUBJECT:** Revising provisions on health benefit plan issuers, pharmacy benefit managers
- COMMITTEE:** Insurance — committee substitute recommended
- VOTE:** 8 ayes — Dean, J. González, Goodwin, Hopper, Morgan, Paul, Spiller, Wharton
- 0 nays
- 1 absent — Vo
- WITNESSES:** For — Neal Dave, Texas Oncology; Pete Powers, Texas Pharmacy Association; Shawn Sams (*Registered, but did not testify*: Adam Leggett, American Pharmacies; Taylor Cummins, AstraZeneca; Lynn Kelly, H-E-B, LP; Kevin Warren, National Association of Chain Drug Stores (NACDS); Nzingha Williams-Eugene, Teaching Hospitals of Texas; Mckenzie Martin, Texas Association of Community Health Centers (TACHC); Lauren Fleming, Texas Coalition for Patients; Janis Carter, Texas Federation of Drug Stores; Mackenzie Lyra, Texas Health Resources; Danielle Lobsinger Bush, Texas Healthcare and Bioscience Institute; Sara Gonzalez, Texas Hospital Association; Ben Wright, Texas Medical Association; Casey Nicholas)
- Against — None
- On — Blake Hutson, Texas Association of Health Plans (*Registered, but did not testify*: Rachel Bowden, Texas Department of Insurance)
- BACKGROUND:** Concerns have been raised that because of market consolidation, a small number of pharmacy benefit managers (PBMs) control the majority of prescription drug reimbursements in the country and can use their market power to require pharmacies to accept certain contracts. Some have suggested that providing contract protections for pharmacies and pharmacists who contract with PBMs would help address the issue.
- DIGEST:** CSHB 3317 would amend certain provisions related to pharmacists and pharmacies, health benefit plan issuers, and pharmacy benefit managers

(PBMs) in pharmacy benefit networks. The bill also would establish prescription cost recoupment processes.

Pharmacy benefit network. A health benefit plan issuer or PBM would be required to make available to any pharmacist or pharmacy in its pharmacy benefit network access to a secure, online portal through which all network contracts between the parties could be accessed.

Adverse material change. An issuer or PBM could make an adverse material change to the terms of an active network contract only with the mutual agreement of the parties. A contract provision that allowed otherwise would be void and unenforceable. The bill would require a network contract to state that the contract was subject to certain applicable laws and rules adopted by the insurance commissioner.

The bill would define "adverse material change" as a modification or addendum to a network contract that would decrease a pharmacist's or pharmacy's payment or compensation, change them to a less preferred tier, or change administrative procedures in a way that could reasonably be expected to increase their administrative expenses or decrease the payment or compensation. The term would not include:

- a decrease in payment or compensation resulting solely from a change in a published governmental fee schedule on which the payment or compensation was based, if the applicability of the schedule was clearly identified in the contract;
- a decrease in payment or compensation anticipated under the contract terms, if the amount and applicability date of the decrease were clearly identified in the contract;
- an administrative change that could increase the pharmacist's or pharmacy's administrative expenses, the applicability of which was clearly identified in the contract;
- a change that was required by federal or state law;
- a termination for cause; or
- a termination without cause at the end of the contract term.

An adverse material change to a network contract could not go into effect until 120 days after the pharmacist or pharmacy affirmatively agreed to the adverse material change in writing.

An adverse material change to a network contract proposed by an issuer or PBM would have to include notice that a pharmacist or pharmacy could choose to not agree to the adverse material change and that such a decision would not affect the terms of the existing contract or the pharmacist's or pharmacy's participation in another pharmacy benefit network. Failure to include the notice would make an otherwise agreed-upon adverse material change void and unenforceable.

Non-adverse modifications or addenda. An issuer or PBM would be required to, within 90 days before the date a proposed modification or addendum to a network contract was to take effect, post the proposed changes to the online portal and provide to the pharmacist or pharmacy notice by email, including:

- a link to the online portal;
- the National Council for Prescription Drug Programs number or other identifier approved by the commissioner for the pharmacist or pharmacy to which the proposed modification or addendum applied; and
- a description of the proposed changes that allowed the pharmacist or pharmacy to compare the proposed changes to the current contract.

The issuer or PBM could consider the proposed modification or addendum approved by the pharmacist or pharmacy if they failed to respond within 31 days of receiving notice.

A network contract could not incorporate by reference a document not included in a contract or contract attachment, including a provider manual. All financial terms, including reimbursement rates and methodology, would have to be in the contract. An issuer or PBM would be required to make a provider manual readily available on the online portal and post a modification or addendum to the provider manual to the online portal in the same manner as a contract modification or addendum.

These provisions would not apply to a proposed modification or addendum to a network contract that was required by state or federal law or rule, or a network contract:

- with an unspecified and indefinite duration;
- with no stated or automatic renewal period or event; and

- that could only be terminated by notice from one party to the other.

Other prohibitions. An issuer or PBM could not:

- charge a fee before providing a pharmacist or pharmacy with the full proposed network contract;
- require a pharmacist or pharmacy to participate in a pharmacy benefit network;
- condition a pharmacist's or pharmacy's participation in a pharmacy benefit network on participation in any other pharmacy benefit network; or
- penalize a pharmacist or pharmacy for refusing to participate in a pharmacy benefit network.

Repeals. The bill would remove the requirement for a fee schedule to be provided electronically in spreadsheet format and, on request, in writing to each contracted pharmacist and pharmacy. The bill would repeal the provision prohibiting an issuer or PBM from including a dispensing fee amount in the calculation of an overpayment, with exceptions.

Limitations on payment adjustments and recoupment. An issuer or PBM could not, as a result of an audit, deny or reduce a claim payment made to a pharmacist or pharmacy after adjudication of the claim.

Recoupment of the cost of a prescription drug and the dispensing fee for the drug would only be permitted if:

- the original claim was submitted fraudulently;
- the original claim payment was incorrect because the pharmacist or pharmacy had already been paid for the service; or
- the pharmacist or pharmacy made a substantive nonclerical or non-recordkeeping error that led to the patient receiving the wrong prescription drug or dosage.

An issuer or PBM could recoup only the dispensing fee from a pharmacist or pharmacy if an overpayment were due to a clerical error made by the pharmacy or pharmacist.

General provisions. The bill would specify that a group number on an identification card provided to an enrollee in a health benefit plan with pharmacy benefit cards could only be assigned to enrollees in such a plan with pharmacy benefit cards.

The bill would take effect September 1, 2025, and would apply only to a network contract entered into or renewed on or after the effective date and a health benefit plan delivered, issued for delivery, or renewed on or after January 1, 2026.

SUBJECT: Providing limited regulatory relief for nontraditional mortgage lenders

COMMITTEE: Pensions, Investments & Financial Services — favorable, without amendment

VOTE: 7 ayes — Lambert, Plesa, Bryant, L. Garcia, Hayes, Schoolcraft, Vo
0 nays
2 absent — Bumgarner, Holt

WITNESSES: For — Paula Bridges; John Womack (*Registered, but did not testify*: Nellie Woodward, Vista MC; and 10 individuals)
Against — None
On — Iain Berry, Department of Savings and Mortgage Lending (*Registered, but did not testify*: William Purce, Department of Savings and Mortgage Lending (resource only)

BACKGROUND: Concerns have been raised that some property owners and entities engaged in low-volume or incidental residential mortgage lending are not traditional mortgage lenders and should not be subject to the full scope of regulatory requirements intended for licensed loan originators.

DIGEST: HB 4166 would exempt certain owners of residential real estate from the requirements of the Residential Mortgage Loan Company Licensing and Registration Act and the Texas Secure and Fair Enforcement for Mortgage Licensing Act of 2009. To be exempt, an owner of residential real estate would need to have made a first lien mortgage loan to a purchaser of the property against which the mortgage was secured, provided that all residential mortgage loan origination activity in connection with the loan was provided by a properly sponsored and authorized licensee.

The bill would take effect September 1, 2025.

- SUBJECT:** Requiring public transportation plans to consider people with disabilities
- COMMITTEE:** Transportation — favorable, without amendment
- VOTE:** 7 ayes — Craddick, M. Perez, Curry, Hefner, LaHood, C. Morales, Patterson
- 2 nays — Little, Paul
- 4 absent — Canales, Gámez, Harris Davila, E. Morales
- WITNESSES:** For — Ashley Harris, United Ways of Texas (*Registered, but did not testify*); Stephanie Mace, AARP Texas; Tanya Lavelle, Disability Rights Texas; Amanda Posson, Every Texan (formerly the Center for Public Policy Priorities); Katrina Miller, Farm&City; Bryan Mares, National Association of Social Workers-Therapy; Elizabeth Colvin, RAISE Texas; Lori Henning, Texas Association of Goodwills; Lauren Rose, Texas Network of Youth Services; Steven Deline)
- Against — (*Registered, but did not testify*): Christianna Brown, Elaina Brown, Monica Brown, Fran Rhodes, True Texas Project; Leighton Eaves; Brita Treat; Mark Treat)
- BACKGROUND:** Concerns have been raised about individuals with disabilities accessing public transportation. Some have suggested that requiring metropolitan planning organizations to consider the transportation needs of individuals who receive services from the Health and Human Services Commission (HHSC) or the Texas Workforce Commission (TWC) could expand access for these individuals, thereby increasing self-sufficiency and economic mobility for people with disabilities.
- DIGEST:** HB 3947 would require each metropolitan planning organization, in developing a 10-year transportation plan under the unified transportation program, to consider the transportation needs of individuals who received services from the Health and Human Services Commission (HHSC) or the Texas Workforce Commission (TWC).

The bill would require a planning organization that requested financial assistance from the Texas Transportation Commission (TTC) to submit evidence to TTC that transportation providers within the boundaries of the planning organization had considered meeting the transportation needs of individuals who would be receiving services from HHSC or TWC, including adjustments to the providers' fixed routes to address the needs of those individuals.

The bill would take effect September 1, 2025.

- SUBJECT:** Making certain attorney positions eligible for stress management services
- COMMITTEE:** Criminal Jurisprudence — committee substitute recommended
- VOTE:** 8 ayes — Smithee, Bowers, Cook, J. Jones, Little, Louderback, Money, Virdell
- 0 nays
- 3 absent — Wu, Moody, Rodríguez Ramos
- WITNESSES:** For — Jennifer Morse, Dallas County Criminal District Attorney John Creuzot; Mark Russo, JPCA (*Registered, but did not testify*: Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); James Parnell, Dallas Police Association; Ray Hunt, Houston Police Officers’ Union; Christine Busse, NAMI Texas; Carlos Ortiz, San Antonio Police Officers Association; John Wilkerson, Texas Municipal Police Association (TMPA))
- Against — None
- BACKGROUND:** Concerns have been raised about a nationwide prosecutor shortage and a high depression and suicide rate among district and county prosecutors who work directly with victims and first responders. Some have suggested that making these positions eligible for the critical incident stress management services that are currently available to emergency service providers could address mental health concerns and promote retention in these positions.
- DIGEST:** CSHB 3358 would amend the definition of an emergency service provider for purposes of eligibility for critical incident stress management services, including consultation, counseling, debriefing, defusing, intervention, case management services, prevention, and referral. The bill would include as an emergency service provider an individual who provided post-emergency response services as:

- an attorney, investigator, or other staff member of the office of a district attorney, criminal district attorney, or county attorney; or
- a justice of the peace or a staff member for a justice court.

CSHB 3358 would take effect September 1, 2025.

- SUBJECT:** Allowing certain persons to file late applications for timber land appraisal
- COMMITTEE:** Ways & Means — favorable, without amendment
- VOTE:** 13 ayes — Meyer, Martinez Fischer, Bernal, Button, Capriglione, Gervin-Hawkins, Hickland, Muñoz, Noble, V. Perez, Troxclair, Turner, Vasut
- 0 nays
- WITNESSES:** For — (*Registered, but did not testify:* Don Spencer, Texas Association of Appraisal Districts; Joe Morris, Texas Forestry Association; Russell Hayter)
- Against — None
- On — (*Registered, but did not testify:* Allison Mansfield, Texas Comptroller of Public Accounts)
- BACKGROUND:** Some have suggested that a person who inherits timber land when a property owner passes away should be authorized to file a late application for a special land appraisal without being subject to associated fees.
- DIGEST:** HB 3370 would require the chief appraiser of an appraisal district to accept and approve or to deny an application for special appraisal as qualified timber land after the deadline for filing the application has passed if:
- the land was appraised as qualified timber land in the preceding tax year;
 - the ownership of the land changed as a result of the death of a land owner during that tax year; and
 - the application was filed no later than the delinquency date for the taxes on the land for the year for which the application was filed by either the executor or administrator of the decedent’s estate, the decedent’s surviving spouse or child, or a fiduciary acting on their behalf.

Applications that met these conditions would be exempt from the penalty for a late application.

The bill would take effect September 1, 2025.

SUBJECT: Authorizing THECB pediatric subspecialty preceptorship program

COMMITTEE: Higher Education — favorable, without amendment

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

0 nays

1 absent — Lalani

WITNESSES: For — Juan Gallegos, Texas Pediatric Society (*Registered, but did not testify*); Stacy Wilson, Children's Hospital Association of Texas; Kevin Warren, DHR Health; Elisa Hernandez, El Paso Children's Hospital; Travis McCormick, Make Texans Healthy Again; David Reynolds, Texas Chapter American College of Physicians; Meredith Cooke, Texas Children's Hospital; Benjamin Williams, Texas Hospital Association; Matt Dowling, Amanda Tollett, Texas Medical Association; Lauren Gambill, Texas Pediatric Society)

Against — None

BACKGROUND: Concerns have been raised that Texas faces a critical shortage of pediatric subspecialists, which impacts the quality of care and access to specialized services for children.

DIGEST: HB 4438 would authorize the Texas Higher Education Coordinating Board (THECB) to contract with one or more organizations to operate a statewide pediatric subspecialty preceptorship program for Texas medical students. An organization eligible to receive funds under the bill would have to be a qualified nonprofit organization or be operated by a state accredited medical school. Students eligible to participate in the preceptorship program would have to indicate an interest in a career in a pediatric subspecialty.

The bill would apply beginning with the 2025-2026 academic year and 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:** Amending compensation awards to certain crime victims
- COMMITTEE:** Appropriations — favorable, without amendment
- VOTE:** 23 ayes — Bonnen, M. González, Barry, DeAyala, Fairly, Garcia Hernandez, Gervin-Hawkins, Howard, V. Jones, Kitzman, J. Lopez, Lujan, Manuel, Martinez, Oliverson, Orr, Rose, Simmons, Slawson, Tepper, Villalobos, Walle, Wu
- 1 nay — Harrison
- 3 absent — Collier, Goodwin, Lozano
- WITNESSES:** For — (*Registered, but did not testify:* Terra Tucker, Alliance for Safety and Justice and Crime Survivors for Safety and Justice; James Parnell, Dallas Police Association; Ray Hunt, Houston Police Officers’ Union; Jennifer Mudge, Texas Council on Family Violence; John Sierega, TMPA)
- Against — None
- On — (*Registered, but did not testify:* Lane Brown and Allison Garcia, Office of the Attorney General)
- BACKGROUND:** Current law authorizes the attorney general to make an emergency award under the crime victims’ compensation program under certain circumstances and subject to certain limitations. Some have suggested expanding the attorney general’s authority to make emergency awards for victims affected by crimes committed during a state of emergency.
- DIGEST:** HB 3745 would remove a provision requiring the attorney general to make an emergency award of compensation to a crime victim only before acting on an application for compensation. Instead, the bill would authorize an award for anticipated pecuniary losses.
- In addition, certain limitations on emergency awards would not apply to an application for compensation made by a claimant in relation to a

deceased victim when the application for compensation arose from criminally injurious conduct that resulted in a proclaimed state of emergency under relevant provisions of the Government Code.

The bill would take effect September 1, 2025.

SUBJECT: Expanding officer authority to execute search warrant for blood specimen

COMMITTEE: Criminal Jurisprudence — favorable, without amendment

VOTE: 8 ayes — Smithee, Bowers, Cook, J. Jones, Little, Louderback, Money, Virdell

0 nays

3 absent — Wu, Moody, Rodríguez Ramos

WITNESSES: For — TJ Smetzer, Addison Police Department (*Registered, but did not testify*); David Mintz, Be A Blake Foundation; Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); James Parnell, Dallas Police Association; James Kershaw, Harris County Deputies' Organization FOP#39; Nathan Carroll and Ray Hunt, Houston Police Officers' Union; Anthony Kivela, HPROA; Brian Hawthorne, Sheriffs' Association of Texas (SAT); John Wilkerson, Texas Municipal Police Association (TMPA); Scott Rubin, Texas Police Chiefs Association; Thomas Parkinson)

Against — Faith Bussey (*Registered, but did not testify*); Steven Deline)

BACKGROUND: Current law requires a search warrant for a blood specimen that is executed in an adjacent county to be executed by an officer with authority to make an arrest in that county, which can take the officer off the streets for extended periods. Some have suggested amending the law to allow additional officers to execute a search warrant in an adjacent county.

DIGEST: HB 3602 would authorize any peace officer, rather than any law enforcement officer authorized to make an arrest in the county of execution, to execute a warrant issued to collect a blood specimen from a person suspected of committing an intoxication offense under state law.

The bill would take effect September 1, 2025.

- SUBJECT:** Increasing font size and legibility of certain mail-in ballot applications
- COMMITTEE:** Elections — favorable, without amendment
- VOTE:** 9 ayes — Shaheen, Bucy, Isaac, Morales Shaw, Plesa, Raymond, Swanson, Toth, Wilson
- 0 nays
- WITNESSES:** For — Susana Carranza (*Registered, but did not testify*: Mary Ibarra, ACLU of Texas; Dave Jones, Clean Elections Texas; Chase Bearden, Coalition of Texans with Disabilities; Emily French, Common Cause Texas; Crystal Zamarron, Deeds Not Words; Marc Hoskins, Disability Rights Texas; and 15 individuals)
- Against — (*Registered, but did not testify*: Anita Overton)
- On — Ed Johnson, Harris County Ballot Security; Kathy Haigler (*Registered, but did not testify*: Ryan Jimenez, Secretary of State; Jennifer Doinoff, Texas Association of County Election Officials; Jay Williamson, The County and District Clerks’ Association of Texas; Lucien Tannehill-Miyakawa)
- BACKGROUND:** Concerns have been raised that the requirement for early voting ballot applications to be printed in six-point font and the lack of standardization regarding paper and text color pose an accessibility issue, especially for older adults, those with visual impairments, and voters who relocate within the state.
- DIGEST:** HB 3697 would require the officially prescribed application form for an early voting mail-in ballot to be printed in at least 12-point, rather than 6-point, type, in black text on a white background.
- The bill would take effect September 1, 2025.

- SUBJECT:** Enhancing penalties for misuse of official information for financial gain
- COMMITTEE:** State Affairs — favorable, without amendment
- VOTE:** 14 ayes — King, Hernandez, Anchía, Darby, Y. Davis, Geren, Guillen, Hull, McQueeney, Metcalf, Phelan, Raymond, Thompson, Turner
- 0 nays
- 1 absent — Smithee
- WITNESSES:** None (*Committee substitute considered in public hearing on April 28*)
- BACKGROUND:** Under Penal Code sec. 39.06, the offense of misuse of official information is a third-degree felony (two to 10 years in prison and an optional fine of up to \$10,000). However, the offense is punishable as a class C misdemeanor (maximum fine of \$500) if a public servant, including a school administrator, coerces another into suppressing or failing to report nonpublic information that the person has access to by virtue of their office or employment.
- DIGEST:** CSHB 2001 would amend the penalties applicable to the offense of misuse of official information under Penal Code sec. 39.06. If an offense resulted in a net pecuniary gain to the person committing the offense, the offense would become:
- a third-degree felony (two to 10 years in prison and an optional fine of up to \$10,000) if the net gain was less than \$150,000;
 - a second-degree felony (two to 20 years in prison and an optional fine of up to \$10,000) if the net gain was between \$150,000 and \$300,000; and
 - a first-degree felony (life in prison or a sentence of five to 99 years and an optional fine of up to \$10,000) if the net gain was \$300,000 or more.

All other offenses of misuse of official information would be punishable as a third-degree felony, including coercion of an individual by a public

servant, including a school administrator, into suppressing or failing to report official information to a law enforcement agency.

The bill would take effect September 1, 2025.

**SUPPORTERS
SAY:**

CSHB 2001 would increase accountability for public servants and help restrain or prevent insider trading. Because the enhanced penalties apply to any form of misuse of official information that results in net pecuniary gain, this bill would apply not only to public servants but to other individuals who solicit, receive, or benefit from insider trading information.

**CRITICS
SAY:**

No concerns identified.

NOTES:

An HRO bill analysis of HB 2001 was originally published in Part Two of the *Daily Floor Report* on April 24.

SUBJECT: Requiring elections administrators to enter certain contracts on request

COMMITTEE: Elections — favorable, without amendment

VOTE: 8 ayes — Shaheen, Bucy, Isaac, Morales Shaw, Plesa, Raymond, Toth,
Wilson

1 nay — Swanson

WITNESSES: For — Sophia Mirto (*Registered, but did not testify*: Kathy Haigler;
Russell Hayter; Perla Hopkins; Ken Moore; Leslie Thomas)

Against — Ed Johnson, Harris County Ballot Security

On — (*Registered, but did not testify*: Chuck Pinney, Secretary of State;
Jennifer Doinoff, Texas Association of County Election Officials)

BACKGROUND: Concerns have been raised that because counties are not always required to offer certain election services for elections held on the May uniform election date, political subdivisions needing administration support can experience logistical challenges. Some have suggested that removing the option for county administrators to decline to enter into a contract to furnish election services for certain May elections would ensure consistency in election administration and help political subdivisions access necessary election services.

DIGEST: HB 1968 would repeal the provision establishing that a county elections administrator is not required to enter into a contract to furnish election services for an election held on the first Saturday in May in even-numbered years held by a political subdivision other than a county or ordered by the governor. The bill would make conforming changes to relevant statute.

The bill would take effect September 1, 2025.

SUBJECT: Authorizing request for U.S. reimbursement of border security expenses

COMMITTEE: State Affairs — favorable, without amendment

VOTE: 15 ayes — King, Hernandez, Anchía, Darby, Y. Davis, Geren, Guillen, Hull, McQueeney, Metcalf, Phelan, Raymond, Smithee, Thompson, Turner

0 nays

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

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

BACKGROUND: Concerns have been raised that Texas taxpayers have borne the costs of securing the southern international border in recent years. Some have suggested that the U.S. Congress should reimburse the state for expenses incurred through state border enforcement programs.

DIGEST: HB 3371 would authorize the Texas governor to submit an application to the U.S. Congress for reimbursement, requesting payment for expenses incurred by the state during a period specified in the application for activities related to securing the southern international border of the United States.

The application would be required to include the amount of state expenses incurred during the period specified in the application for which the state sought reimbursement, and would provide that payment in full was due from the federal government as soon as practicable.

If the total amount requested in the application was not paid within a reasonable period, the bill would authorize the attorney general to bring an action against the appropriate federal agency to recover the amount due as stated in the application or any amount that remained unpaid.

Any amount received from the federal government under the bill would be required to be deposited in the state treasury to the credit of the general revenue fund.

The initial application for reimbursement submitted by the governor would have to be at least \$4.72 billion for the state fiscal biennium ending August 31, 2023, and \$6.54 billion for the state fiscal biennium ending August 31, 2025. Provisions in the bill related to the initial application would expire on August 31, 2026.

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

- SUBJECT:** Amending the prohibition of certain wireless devices at polling places
- COMMITTEE:** Elections — committee substitute recommended
- VOTE:** 7 ayes — Shaheen, Bucy, Morales Shaw, Plesa, Raymond, Swanson, Toth
2 nays — Isaac, Wilson
- WITNESSES:** For — Susana Carranza; Jeff Howard (*Registered, but did not testify*: Pat Fry; Thomas Parkinson)

Against — Andrew Eller, SREC EI Committee and Secure Texas Elections LP Subcommittee, Self; Dr Laura Pressley, True Texas Elections; Kathy Haigler; Ken Moore (*Registered, but did not testify*: Ed Johnson, Harris County Ballot Security; Leslie Thomas)

On — Jennifer Doinoff, Texas Association of County Election Officials (*Registered, but did not testify*: Ryan Jimenez, Secretary of State; Jay Williamson, The County and District Clerks’ Association of Texas)
- BACKGROUND:** Concerns have been raised that prohibiting the use of wireless communication devices within 100 feet of a voting station can be difficult and time-consuming for election workers to enforce and unnecessarily prevents people from using cell phones while waiting in line to vote.
- DIGEST:** CSHB 3909 would prohibit a person from using a wireless communication device within a room where voting was taking place, rather than within 100 feet of a voting station, and except persons with disabilities from the prohibition.

The secretary of state would have to require a presiding judge to post a notice that stated the prohibition in a prominent and reasonably visible location outside of the room where voting was taking place.

The bill would take effect September 1, 2025.