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HOUSE RESEARCH ORGANIZATION

daily floor report

Thursday, May 8, 2025
89th Legislature, Number 59
The House convenes at 10 a.m.
Part One

Two bills are on the Major State Calendar, one resolution is on the Constitutional Amendments Calendar, and 81 bills are on the General State Calendar for second reading consideration today. The list of bills in Part One of the *Daily Floor Report* begins on the following page.

Gary VanDeaver
Chairman
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HOUSE RESEARCH ORGANIZATION

Daily Floor Report
Thursday, May 08, 2025
89th Legislature, Number 59
Part 1

SB 17 by Kolkhorst	Prohibiting acquisition of real property by certain aliens or foreign entities	1
SB 1569 by King	Revising confidentiality of certain officials' personal information	7
SB 2420 by Paxton	Requiring age verification and parental consent for app store purchases	9
HB 5138 by Shaheen	Providing for OAG jurisdiction to prosecute certain election offenses	15
HJR 161 by Noble	Proposing a constitutional amendment to prohibit noncitizens from voting	18
HB 1937 by Craddick	Amending procedures related to the tax redetermination bypass process	21
HB 3334 by King	Amending requirements related to wildfire prevention at oil and gas wells	24
HB 5444 by Troxclair	Prohibiting increases in a tax rate when previously rejected by voters	28
HB 5137 by Wilson	Allowing one or more beneficiaries for motor vehicle interest transfers	30
HB 361 by Bernal	Prohibiting comparisons of similar homesteads for certain appraisals	31
HB 321 by Bucy	Implementing an express lane option under Medicaid and CHIP	32
HB 5447 by Troxclair	Modifying certain property tax rate calculations and forms	34
HB 464 by M. González	Establishing a scrap tire remediation grant program	36
HB 678 by Walle	Requiring sexual assault hotline information on college ID cards	38
HB 2294 by Thompson	Authorizing reimbursements for certain child care providers	39
HB 4172 by Thompson	Revising provisions on charitable bingo, authorizing nonprofit corporation	41
HB 3225 by Alders	Prohibiting access by minors to sexually explicit material in city libraries	45
HB 1769 by Darby	Classifying certain retail trade entities for purposes of the franchise tax	48
HB 5394 by Rose	Prohibiting certain requirements imposed on kinship caregivers	49
HB 1837 by Guillen	Creating task force and law enforcement training for dangerous substances	51
HB 1787 by Howard	Establishing a state plan for the prevention and treatment of HPV	54
HB 2271 by Walle	Requiring child care providers to report enrollment data	57
HB 2440 by Curry	Prohibiting restrictions on the sale, use, or ownership of a motor vehicle	59
HB 5134 by Garcia Hernandez	Limiting eligibility for depositions in civil actions	60
HB 5149 by Villalobos	Requiring DFPS to request consent to collect or use a foster child's DNA	61
HB 2151 by Capriglione	Requiring registration for certain repeat indecent assault offenses	62
HB 2073 by Hull	Enhancing penalties for violating a court order with a deadly weapon	64
HB 2186 by Hernandez	Regulating elevator mechanics, elevator apprentices, and contractors	66
HB 2025 by Tepper	Repealing certain filing requirements for plats filed after September 1	69
HB 1936 by Cook	Repealing provisions restricting the issuance of certain citations	70

SUBJECT: Prohibiting acquisition of real property by certain aliens or foreign entities

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

VOTE: 6 ayes — Hefner, Dorazio, Hickland, Isaac, Louderback, Pierson

1 nay — Cortez

4 absent — R. Lopez, Canales, Holt, McLaughlin

SENATE VOTE: On final passage (March 19) — 24 - 7

WITNESSES: None (*The House companion to CSSB 17, HB 17 by Hefner, was considered in a public hearing on April 2*)

BACKGROUND: The 2025 Annual Threat Assessment by the United States Director of National Intelligence lists the following countries as posing a threat to U.S. interests:

- The People's Republic of China;
- The Russian Federation;
- The Islamic Republic of Iran; and
- The Democratic People's Republic of Korea.

DIGEST: CSSB 17 would prohibit the following entities from purchasing or otherwise acquiring an interest in real property in Texas:

- a governmental entity of a designated country, meaning a country identified by the U.S. Director of National Intelligence as posing a risk to national security in at least one of the three most recent Annual Threat Assessments of the U.S. Intelligence Community;
- an individual who was domiciled in a designated country, was a citizen of a designated country domiciled in another country, other than the U.S., for which the individual had not completed the naturalization process, was a citizen of a designated country and unlawfully present in the U.S., or was a citizen of a country other

than the U.S. and acting as an agent or on behalf of a designated country;

- a company or organization headquartered in a designated country, held or controlled by a designated country's government, or owned by, majority held, or controlled by individuals described above; or
- a company or organization owned by, majority held, or controlled by such a company or organization.

The bill would define "real property" to include agricultural land or an improvement on agricultural land, commercial property, industrial property, groundwater, residential property, a mine or quarry, a mineral in place, standing timber, or water rights. Under the bill, "domiciled" would mean having established a place as an individual's true, fixed, and permanent home and principal residence to which the individual intended to return whenever absent.

CSSB 17 would not apply to:

- a citizen or lawful permanent resident of the U.S.,
- a company or organization owned or controlled by one or more such individuals and not by any individual prohibited from acquiring a real property interest in the state under the bill; or
- a leasehold interest in land or improvements constructed on a leasehold if the duration of the interest was less than 100 years.

CSSB 17 would require the attorney general to establish procedures to examine a purchase or acquisition of an interest in real property and determine whether an investigation of a possible violation of the bill was warranted. Upon determining that an investigation was warranted, the attorney general would have to investigate and determine whether a violation had occurred. Upon determining that a violation had occurred, the attorney general would be authorized to bring an in rem action against real property in a district court in the county where all or part of the real property that was the subject of the violation was located and could refer the matter to the appropriate local, state, or federal law enforcement agency.

Except for an acquisition of a leasehold interest, a purchase or acquisition of an interest in real property in violation of the bill would not be void due to the violation, and the validity or enforceability by any person of a purchase contract for or the conveyance of an interest would not be otherwise affected by the violation.

The attorney general would be authorized to conduct discovery to investigate a potential action or in an action, including by petitioning for an order authorizing the taking of a deposition under the Texas Rules of Civil Procedure. If the attorney general had reason to believe that a person could be in possession of any documentary material or other evidence or could have information relevant to an investigation of a suspected violation of CSSB 17, the attorney general also could conduct discovery by issuing a civil investigative demand requiring the person to produce any of the documentary material for inspection and copying, answer in writing any written interrogatories, give oral testimony, or provide any combination of these civil investigative demands.

On request by the attorney general, the secretary of state would be required to serve interrogatories on an individual or entity as necessary to determine the ownership or control of an organization that was the subject of an action by the attorney general under the bill, and provide the attorney general all related records.

If a district court found that the real property subject to an attorney general action under CSSB 17 was purchased or an interest in the real property was otherwise acquired in violation of the bill, the court would be required to enter an order that stated the court's findings, ordered the divestment of the individual's or entity's interest in the real property, and appointed a receiver to divest the interest through sale, termination of a leasehold, or other disposition of the interest and manage and control the real property pending the disposition. The court also would be required to refer the matter for prosecution of any criminal offense in connection with the transaction.

Proceeds from the sale or other disposition of an interest in real property under the court's order would have to be applied first to satisfy any existing liens and then to pay the reasonable costs incurred by the state in

enforcing the bill. Remaining proceeds would have to be remitted to the individual or entity that purchased or otherwise acquired the interest in violation of CSSB 17.

CSSB 17 would provide for the legislatively intended severability of its provisions and every application thereof.

The bill would take effect September 1, 2025, and would apply only to the purchase or acquisition of an interest in real property on or after that date.

SUPPORTERS SAY:

CSSB 17 would enhance national security and protect critical infrastructure and natural resources in Texas by prohibiting organizations and certain aliens other than permanent residents from countries identified as posing a threat to the United States from owning real property in the state. The bill would reduce dependency on the federal government while helping to defend Texas against the threat of espionage, surveillance, and undue influence from hostile foreign governments. Individuals and entities tied to hostile governments that do not share Texas' values and interests should not be allowed to gain a foothold in the state by acquiring property. The bill would prevent foreign adversaries from increasing the state's dependence on dangerous nations through their control of Texas food, housing, energy, or water. CSSB 17 also would keep adversarial nations, who own an increasingly disproportionate amount of agricultural land and other real property, from hindering U.S. citizens and aspiring citizens in their pursuit of the American dream of landownership.

CSSB 17 would ensure that due process was upheld throughout the divestiture process by requiring a civil action suit to be brought by the attorney general in a district court. The bill would create protections for future owners by providing that a property transfer would not be voided or unenforceable simply because a prohibited entity was involved, ensuring that potential owners were not burdened with a clouded title. The bill also would not impede the flow of commerce or banking transactions involved in the purchase of property, but would establish a mechanism for investigations of transactions after the fact if certain foreign actors were involved. Additionally, the bill would not harm manufacturing or otherwise have a negative impact on the Texas economy, as many businesses not tied to foreign adversaries are eager to build factories and

facilities in the state, providing jobs and economic development while still complying with Texas laws and regulations.

CSSB 17's terminology referring to individuals domiciled in countries designated as a national security threat, rather than citizens of those countries, makes the bill as constitutionally strong as possible, ensuring that the bill does not contravene the federal Fair Housing Act by allowing for possible discrimination on the basis of national origin. The bill would not be unconstitutional or racially discriminatory because its prohibitions are in no way based on race, ethnicity, or national origin but instead upon residency and location.

CRITICS SAY:

CSSB 17 would unfairly discriminate against people lawfully present in Texas and deprive them of their property rights based on their national origin. By doing so, the bill would violate the constitutional right to equal protection under the law and undermine the national Fair Housing Act. If there are bad actors, the law should deal with these individuals or entities directly rather than broadly denying the ability to purchase property to innocent individuals without permanent residency in the U.S., many of whom are fleeing the repressive regimes targeted by CSSB 17 in search of a better life. If passed, the bill could open the door to restricting property ownership even for citizens and green card holders from countries designated under the bill. The bill also would allow the attorney general, through in rem actions, to unilaterally seize land and bypass typical notification and due process protections to which persons impacted by the bill should be entitled.

CSSB 17 could foster fear of immigrants and discrimination or violence against people of certain races, particularly people of East Asian heritage, who might be seen as potential adversaries even if they had no connection to a foreign government designated under the bill. Property sellers might be less inclined to work with buyers perceived to be from countries designated by the bill, regardless of the person's citizenship or immigration status.

The bill also would harm economic growth in Texas by turning away foreign-owned manufacturing facilities and other business ventures that

could provide jobs, and by causing the state to lose the valuable talents of people who would be unable to buy a home and settle in the state.

CSSB 17 is unnecessary to defend national security interests because Texas law, specifically the Lone Star Infrastructure Protection Act, already protects critical infrastructure in the state from being controlled by entities from the adversarial nations named under the bill.

OTHER CRITICS SAY:

CSSB 17 would not go far enough to defend Texas against the acquisition of land and other resources by hostile foreign entities. The bill's language about individuals domiciled in adversarial countries is too ambiguous, and the bill should instead ban citizens of such countries from owning property in Texas. The bill also should apply retroactively to ensure that no entities tied to adversarial governments could retain land ownership in the state, and the exemption for leases should be removed. CSSB 17 should include stronger enforcement mechanisms, including dedicated resources to monitor and investigate complex ownership structures and penalties for sellers, brokers, and title companies that facilitate prohibited land transactions.

SUBJECT: Revising confidentiality of certain officials' personal information

COMMITTEE: Delivery of Government Efficiency — favorable, without amendment

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

0 nays

SENATE VOTE: On final passage (April 10) — 30 - 0

WITNESSES: None (*The House companion to SB 1569, HB 4136 by Darby, was considered in a public hearing on April 9*)

BACKGROUND: Concerns have been raised about increased targeting and harassment of higher education officials, including the sharing of such officials' personal information on social media. Some have suggested public information laws should be amended to make the personal information of such officials confidential in order to protect their safety and privacy.

DIGEST: SB 1569 would add the following higher education officials to Public Information Act provisions that protect the personal information of certain government employees and officials from disclosure, including an individual's home address:

- a member of the governing board of a public, private, or independent institution of higher education;
- the chancellor or other chief executive officer of a university system; and
- the president or other chief executive officer of a public, private, or independent institution of higher education.

The bill also would add these officials to a Tax Code provision allowing specified officials to restrict public access to information identifying a named individual's home address in appraisal records.

In addition, the bill would remove a current or former attorney for the Department of Family and Protective Services from the officials who may restrict public access to home address information in appraisal records.

The bill would take effect September 1, 2025, and would apply only to a request for information received by a governmental body or officer on or after that date.

SUBJECT: Requiring age verification and parental consent for app store purchases

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

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

1 nay — Meza

SENATE VOTE: On final passage (April 16) — 30 - 1

WITNESSES: For — None

Against — None

BACKGROUND: Concerns have been raised about minors accessing digital content and entering into contracts regarding the use of their data without adequate age verification or parental consent.

DIGEST: CSSB 2420, which could be cited as the App Store Accountability Act, would establish the duties of app stores and software application developers related to app store age verification, parental consent, data protection, and age ratings.

Duties of app store owners. The bill would require app store owners to verify users' ages, obtain parental consent for purchases or downloads, display age ratings, and provide certain information to app developers, among other provisions.

Age verification and age categories. CSSB 2420 would require owners of app stores when an individual in Texas created an account with the store, to verify the individual's age category using the following age categories:

- an individual younger than 13 years old would be considered a "child";

- an individual at least 13 but younger than 16 years old would be considered a "younger teenager";
- an individual at least 16 but younger than 18 years old would be considered an "older teenager"; and
- an individual at least 18 years old would be considered an "adult."

Parental consent. If the owner of an app store determined that an individual was a minor who belonged to an age category other than “adult,” the owner would have to require that the minor’s account be affiliated with a parent account. For an account to be affiliated with a minor’s account as a parent account, app store owners would be required to verify that the parent account belonged to an individual who the app store owner had verified belonged to the “adult” age category and who had legal authority to make decisions on behalf of the minor. A parent account could be affiliated with multiple minor accounts.

An app store owner would be required to obtain parental consent before allowing the minor to download or purchase software applications or make purchases in or using a software application. The app store owner would be required to obtain consent for each individual download or purchase sought by a minor and notify developers when consent was revoked.

To obtain consent from a minor’s parent or guardian, the app store owner could use any reasonable means to disclose to the parent or guardian:

- the specific software application or purchase for which consent is sought;
- the age rating established by the bill assigned to the software application or purchase;
- the specific content or other elements that led to the rating;
- the nature of any collection, use, or distribution of personal data that would occur because of the software application or purchase; and
- any measures taken to protect the personal data of users.

An app store owner also could obtain consent using any reasonable means to give the parent or guardian a clear choice to give or withhold consent for the download or purchase and ensure that the consent was given by the parent or guardian through the affiliated parent account.

If the app developer provided the owner of an app store with notice of a change to the app, the owner would be required to notify any individual who had given consent for a minor's use or purchase of the app and obtain consent for the minor's continued use or purchase of the app.

An app store owner would not be required to obtain consent from a minor's parent or guardian for the download of an app that:

- provided a user with direct access to emergency services;
- limited data collection to information collected in compliance with the federal Children's Online Privacy Protection Act of 1998 or information necessary for the provision of emergency services;
- allowed a user to access and use the app without requiring the user to create an account; and
- was operated by or in partnership with a governmental entity, a nonprofit organization, or an authorized emergency service provider.

An owner also would not be required to obtain consent for the purchase or download of a software application that was operated by or in partnership with a nonprofit organization that developed, sponsored, or administered a standardized test used for purposes of admission to or class placement in a postsecondary educational institution or a program within a postsecondary educational institution and was subject to prohibitions on the use of student information in the Education Code.

Display of age rating. If the owner of an app store that operated in Texas had a mechanism for displaying an age rating or other content notice, CSSB 2420 would require the owner to make an explanation of the mechanism available to users and display age ratings and content notices for each software application. If the app store did not have a mechanism for displaying an age rating or content notice, the owner would be required to display for each application the assigned rating and the

specific content or other elements that led to the assigned rating. This information would have to be clear, accurate, and conspicuous.

Information for app developers. App store owners also would be required to, using a commercially available method, allow software application developers to access current information related to each user's assigned age category and whether consent had been obtained for each minor user.

Protection of personal data. The bill would require app store owners to protect the personal data of users by limiting the collection and processing of personal data to the minimum amount necessary for age verification, obtaining parental consent, and maintaining compliance records. Owners also would have to transmit personal data using industry-standard encryption protocols that ensured data integrity and confidentiality.

Violation. The owner of an app store would violate the bill if the owner:

- enforced a contract or a provision of a terms of service agreement against a minor that the minor entered into or agreed to without parental consent;
- knowingly misrepresented information disclosed under provisions related to parental consent;
- obtained a blanket consent to authorize multiple downloads or purchases; or
- shared or disclosed personal data obtained for age verification, except as required to provide information to app developers or other law.

An app store would not be liable for a violation of age verification or parental consent provisions if the owner of the app store used widely adopted industry standards to verify the age of each user or obtain parental consent and applied those standards consistently and in good faith.

Construction. Nothing in this subchapter could be construed to:

- prevent an app store owner from taking reasonable measures to block, detect, or prevent the distribution of obscene material, as defined by law, or other material that may be harmful to minors;
- require an app store owner to disclose a user's personal data to an app developer except as provided by the bill;
- allow an app store owner to use a measure required by the bill in a manner that was arbitrary, capricious, anticompetitive, or unlawful;
- block or filter spam;
- prevent criminal activity; or
- protect the security of an app store or software application.

Duties of software application developers. CSSB 2420 would require software developers to assign age ratings to apps and in-app purchases, verify age and consent status using information from the app store, notify app stores of major changes to app content or data practices, and delete personal data after use.

Designation of age rating. An app developer would be required to assign to each app and to each purchase that could be made through the app an age rating based on the age categories established by the bill. An app developer would be required to provide to each app store through which the developer made the app available each assigned rating and the specific content or elements that led to that rating.

Changes to software applications. The bill would require an app developer to provide notice to each app store through which the developer made the app available before making any significant change to the app's terms of service or privacy policy. A change would be considered significant if it:

- changed the type or category of personal data collected, stored, or shared by the developer;
- affected or changed the assigned rating or the content or elements that led to that rating;
- added new monetization features to the software application, including new purchase opportunities or new advertisements; or

- materially changed the functionality or user experience of the software application.

Age verification. An app developer would be required to create and implement a system to use age category and consent information received from an app store to verify age categories assigned to app users and whether consent had been obtained for minor users.

Use of personal data. An app developer could use personal data provided by an app store only to enforce age restrictions and protections on the app, ensure compliance with applicable laws and regulations, and implement safety features and default settings. The bill would require the developer to delete this personal data upon completion of the verification.

Violation. An app developer would violate the bill if the developer:

- enforced a contract or a provision of a terms of service agreement against a minor that the minor entered into or agreed to without parental consent;
- knowingly misrepresented an age rating or reason for that rating; or
- shared or disclosed the personal data of a user acquired from an app store.

An app developer would not be liable for a violation of provisions related to designating age ratings if the developer used widely adopted industry standards to determine the rating and specific content and applied those standards consistently and in good faith.

Other provisions. A violation of the bill would constitute a deceptive trade practice and would be actionable under relevant statute.

The bill would take effect January 1, 2026.

SUBJECT: Providing for OAG jurisdiction to prosecute certain election offenses

COMMITTEE: State Affairs — committee substitute recommended

VOTE: 8 ayes — King, Darby, Guillen, Hull, McQueeney, Metcalf, Raymond, Smithee

6 nays — Hernandez, Anchía, Y. Davis, Phelan, Thompson, Turner

1 present not voting — Geren

WITNESSES: For — Debbie Lindstrom, Citizens Defending Freedom (*Registered, but did not testify*: Tom Glass, Texas Constitutional Enforcement; Fran Rhodes, True Texas Project)

Against — Andrew Hendrickson, ACLU of Texas; Veronikah Warms, Texas Civil Rights Project (*Registered, but did not testify*: Emily French, Common Cause Texas; M Paige Williams, Dallas Criminal District Attorney John Creuzot; Darcy Caballero, Planned Parenthood Texas Votes; Stephanie Gharakhanian, Travis County District Attorney's Office)

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

DIGEST: Notwithstanding any other law, CSHB 5138 would provide that the attorney general had jurisdiction to prosecute and was required to represent the state in the prosecution of a criminal offense under the Election Code if:

- a law enforcement agency submitted a report to the local prosecuting attorney and the attorney general stating there was probable cause to believe an identified person had committed a relevant criminal offense; and
- six months had elapsed from the date the report was submitted and the local prosecuting attorney had not initiated proceedings to prosecute the offense.

The bill would require a law enforcement agency that submitted a report to simultaneously submit a copy to the attorney general. On request of the attorney general, a local prosecuting attorney or law enforcement agency would be required to provide all information requested regarding investigations of election-related criminal offenses to assist the attorney general in performing duties required under the bill.

The bill would make conforming changes to require, rather than authorize, the attorney general to represent the state in the prosecution of relevant criminal offenses under the bill.

CSHB 5138 would take effect September 1, 2025, and would apply only to an offense committed on or after that date.

SUPPORTERS SAY:

By requiring the attorney general to prosecute an election-related offense if, after six months, a county had not initiated proceedings, CSHB 5138 would preserve local control while ensuring election integrity. In the recent *State v. Stephens* criminal ruling, the Texas Court of Criminal Appeals held that certain Election Code provisions authorizing the Office of the Attorney General to prosecute election law violations were invalid. By including the six-month waiting period before the attorney general was required to prosecute an offense, the bill would address the main concern in *Stephens* that overlapping authority of local attorneys and the attorney general to prosecute such offenses violates constitutional separation of powers principles.

Although the Office of the Attorney General can prosecute these election-related cases with permission of a local prosecutor, some local prosecutors have declined to prosecute certain election violations based on complaints submitted by concerned Texans, allowing bad actors to continue to influence elections without consequences. By restoring the ability of the attorney general's office to prosecute election-related crimes, HB 5138 would improve enforcement of election law and strengthen election integrity.

CRITICS SAY:

CSHB 5138 would not establish a strict enough separation of powers to appropriately remedy the constitutional concerns raised in the *State v. Stephens* ruling about the overlapping authority of local prosecutors and

the Office of the Attorney General to prosecute Election Code violations. In *Stephens*, the court established a requirement that any overlap in responsibilities between the Office of the Attorney General and local prosecutors must be by request and on a case-by-case basis. The bill would maintain redundant prosecution authority in violation of this ruling, as counties already can prosecute rare election fraud cases and have unique jurisdiction to determine criminal cases within their territories. Additionally, the attorney general is already authorized to prosecute these cases upon request by a local prosecuting attorney.

The bill also could unnecessarily increase costs to taxpayers by requiring the attorney general to pursue each election case that met the conditions established by the bill. Instead of giving the attorney general more power to prosecute election-related cases, which could have a chilling effect on voters who were not sure about their voting eligibility, the Legislature should invest in election education to empower Texans to vote according to the law without fear.

SUBJECT: Proposing a constitutional amendment to prohibit noncitizens from voting

COMMITTEE: Elections — favorable, without amendment

VOTE: 7 ayes — Shaheen, Isaac, Plesa, Raymond, Swanson, Toth, Wilson

2 nays — Bucy, Morales Shaw

WITNESSES: For — Timothy McKain, Americans For Citizens Voting; Kathy Haigler; Brian Taef (*Registered, but did not testify*: Ed Johnson, Harris County Ballot Security; Andrew Eller, SREC EI Committee and Secure Texas Elections LP Subcommittee; Tom Glass, Texas Legislative Priorities; Ken Moore; Lucy Trainor)

Against — Kevin Hale, The Libertarian Party of Texas; Valerie DeBill; Janis Reinken (*Registered, but did not testify*: Mary Ibarra, ACLU of Texas; Dave Jones, Clean Elections Texas; Emily French, Common Cause Texas; Crystal Zamarron, Deeds Not Words; Amber Mills, MOVE Texas Civic Fund; Katy Schmader, Texas Democratic Party; and 20 individuals)

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

DIGEST: HJR 161 would amend the Texas Constitution by adding persons who are not citizens of the United States to the classes of persons prohibited from voting in the state.

A ballot proposal would be presented to voters at an election on November 4, 2025, and would read: “The constitutional amendment adding individuals who are not United States citizens to the classes of persons not allowed to vote in this state.”

SUPPORTERS SAY: By allowing voters to decide whether the Texas Constitution should prohibit individuals who are not U.S. citizens from voting, HJR 161 would empower voters to protect their right to vote, a sacred liberty that servicemen and servicewomen, minority communities, and naturalized immigrants have worked hard to secure. The Texas Constitution prohibits people under age 18, those who are determined mentally incompetent, and

those convicted of a felony from voting, but does not address noncitizens, which could suggest that citizenship is not a priority qualification to vote in Texas. Voting is a fundamental right that demands a high standard for its security, and HJR 161 would provide for its protection.

The proposed amendment would not expand state authority, as the Election Code already requires a voter to be a citizen of the United States. Codifying this voting requirement in the Texas Constitution would improve voter confidence, eliminate confusion, and provide clear guidance for enforcement. As some cities in other states have allowed noncitizens to vote in local elections, HJR 161 would safeguard Texas against this trend. Other states, varying in political ideology, geography, and demographics, have also adopted constitutional amendments to prohibit noncitizens from voting. HJR 161 would give Texas voters the opportunity to adopt this proactive measure to protect the integrity of the ballot box.

Although some critics have argued that the amendment is not a good use of state resources, a constitutional amendment election will be happening regardless of the passage of HJR 161, so there would be minimal added costs to passing the resolution.

CRITICS SAY:

Prohibiting noncitizens from voting under HJR 161 would be unnecessary, as state and federal laws already clearly limit the right to vote to American citizens. Passing a redundant constitutional amendment could confuse voters who might be led to believe that noncitizen voting is a bigger problem than it is. In addition, the amendment could lead to uncertainty among certain voters, especially those in historically marginalized communities, about their voting status and could hinder some people's participation in the democratic process in the communities where they live and contribute.

Noncitizen voting in Texas is rare and already addressed through the existing legal system for voting offenses, indicating that the current system works in protecting the right to vote. As such, there is no need to amend the state Constitution to prevent noncitizens from voting.

By proposing an unnecessary constitutional amendment, HJR 161 could set a precedent for nonessential expansion of state authority through

constitutional amendments, which should be reserved for limited, necessary uses. The Texas Constitution is not for taking a symbolic stand or responding to trends. State resources should instead be spent on other important issues in Texas, like bolstering the electric grid.

NOTES:

According to the Legislative Budget Board, HJR 161 would have no cost to the state besides the cost of publishing, which would be about $192,000.

SUBJECT: Amending procedures related to the tax redetermination bypass process

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 — John Christian, Ryan LLC (*Registered, but did not testify*: Megan Mauro, Texas Association of Business; Ryan Ash, Texas Taxpayers and Research Association - (TTARA))

Against — None

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

BACKGROUND: Concerns have been raised that taxpayers challenging a tax assessment of a managed audit must pay the full amount under protest and file suit in 90 days if they do not go through the State Office of Administrative Hearings process, which does not preclude the filing of a lien against the taxpayer. Some have suggested amending certain laws to allow taxpayers to avoid lengthy and costly litigation and aid in the efficient resolution of tax disputes.

DIGEST: HB 1937 would amend certain procedures for tax collection and taxpayer suits related to the tax redetermination process, managed audits, and refund claims.

Notice of intent to bypass redetermination process. HB 1937 would authorize a person who conducted a managed audit of the sales and use or gas production tax liability of a taxpayer to file with the comptroller a notice of intent to bypass the redetermination process. The notice would have to meet certain timing and content requirements.

A person who filed a notice of intent could bypass the redetermination process and bring a taxpayer suit if the person participated in a conference or the comptroller did not provide notice in the time required. The suit would have to be filed within a certain timeframe of the conference or the date the notice was filed.

The bill would authorize a conference between a taxpayer and the comptroller to clarify facts or legal issues with the managed audit. If the comptroller required the conference, the comptroller would have to provide notice to the taxpayer that met certain timing and content requirements. The taxpayer could request to reschedule the conference, and the comptroller would have to make a good faith effort to accommodate the request.

Suit to dispute results of managed audit. HB 1937 would authorize a person to sue the comptroller to dispute the results of a managed audit of the sales and use or gas production tax liability of a taxpayer if the person met the requirements to bypass the redetermination process. The bill would establish certain procedures for filing the suit, including the parties who would have to be sued, the timing, the contents of the petition, who could intervene, and the records and supporting documentation that the taxpayer would have to produce.

The comptroller and attorney general would be enjoined from collecting disputed underpayments from the person bringing the suit during the pendency of the suit, but they could assert tax liens or, alternatively, require the person to provide security of a certain amount and in a certain form.

Injunctive relief would be available if the court determined that all or part of the enjoined collection amounts were disputed solely for delay.

Suit after redetermination. During the pendency of a suit after redetermination, the bill would authorize the comptroller and attorney general, as an alternative to asserting tax liens, to require the taxpayer to provide security of a certain amount and in a certain form.

Burden to produce and substantiate claims. HB 1937 would require a taxpayer to produce sufficient, rather than contemporaneous, records to substantiate a claim related to the amount of tax, penalty, or interest to be assessed, collected, or refunded in an administrative or judicial proceeding or in other taxpayer suits.

Abatement of penalty. The bill would abate a penalty for an overdue payment following the comptroller's decision in a redetermination hearing if the disputed amount was the subject of a timely filed suit. If the amount determined to be due in a final judgment in the suit was not paid within 20 days after the day the judgment became final, a penalty of 10 percent of the amount due would be added.

Refund claim procedures. HB 1937 would remove the requirement that a person claiming a refund must submit documentation to enable the comptroller to verify the refund claim during the administrative hearing. The bill would remove the comptroller's authority to demand that all evidence to support the refund claim be produced by a specified date and make conforming changes.

Effective date. The bill would apply to a managed audit or judicial or administrative proceeding that was in progress on or after the effective date.

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

SUBJECT: Amending requirements related to wildfire prevention at oil and gas wells

COMMITTEE: Energy Resources — committee substitute recommended

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

1 nay — Craddick

1 absent — Dean

WITNESSES: For — Craig Cowden, Joe Leathers, Dale Smith, Currie Smith, Texas & Southwestern Cattle Raisers Association (*Registered, but did not testify*: Joshua Sanders, City of Houston; Julie Range, Commission Shift Action; Scott Hutchinson, Entergy Texas; Colin Leyden, Environmental Defense Fund; Cyrus Reed, Lone Star Chapter Sierra Club; Ben Sebree, National Association of Royalty Owners - Texas; Charles Maley, South Texans' Property Rights Association; J Pete Laney, State Firefighters & Fire Marshals Association; Blake Roach, Texas Farm Bureau; Rebecca Edwards, Texas Impact; Mike Hodges, Texas Press Association; Tory Morris)

Against — (*Registered, but did not testify*: Travis McCormick, Panhandle Producers & Royalty Owners Association)

On — Schuyler Wight (*Registered, but did not testify*: Travis Baer, Railroad Commission)

BACKGROUND: Concerns have been raised that poorly maintained electrical infrastructure at oil and gas well sites, particularly in the Panhandle, has contributed to the ignition of wildfires in Texas. Some have suggested that strengthening wildfire prevention, mitigation, and response requirements at these sites could reduce fire risk and improve safety.

DIGEST: CSHB 3334 would establish requirements for third-party inspection and certification before the transfer of certain oil and gas wells, set procedures for addressing noncompliance with wildfire-related regulations, authorize

the Railroad Commission of Texas (RRC) to assume control of inactive wells and terminate electric services under specific conditions, and establish exemptions to surface owner liability.

Wildfire safety inspections of wells before transfer. CSHB 3334 would require a bonded and state-certified third-party inspector, between 60 and 150 days before a well or oil or gas lease subject to a formal complaint filed with the RRC could be transferred from one operator to another, to conduct an inspection of the well, well site, and related facilities for compliance with state laws and regulations pertaining to susceptibility to wildfires.

Within 30 days of conducting the inspection, the third-party inspector would be required to submit a written report of the inspection to RRC and the well operator documenting any violations, safety issues, or fire risks identified during the inspection. Within 30 days of receiving a report, the operator would have to confer with RRC and take any remedial action necessary to address any issues identified in the report.

On completion of all remedial actions required by RRC, the third-party inspector would be required to conduct a follow-up inspection confirming that there were no remaining violations and submit a report to RRC and the operator. An operator, on receipt of the follow-up report documenting that the well, well site, and associated facilities were compliant with state laws and regulations pertaining to susceptibility to wildfires, could submit to RRC a certification affirming that the well was in compliance. RRC could not approve the transfer unless it had received the certification from the operator.

If an operator failed to have the initial inspection conducted or failed to take any required remedial action before transfer of a well, the bill would require RRC to:

- suspend or revoke the permit to operate the well or related facility for which a report was not submitted or remedial action was not taken; and
- send to the owner of the surface of the tract of land on which the well or related facility was located notice that the operator of the

well or related facility was not in compliance with the bill's provisions.

A suspension or revocation would remain in effect until the operator came into compliance.

Inactive wells. For any well and related facilities with no locatable or responsive owner or operator, CSHB 3334 would require RRC to assume control and responsibility for the well and facilities and ensure that the well and facilities were compliant with applicable state laws and regulations pertaining to susceptibility to wildfires.

Termination of electric service for orphaned, inactive, or noncompliant well or facility. At the time RRC determined a well or related facility to be orphaned, inactive, or not in compliance with state laws and regulations pertaining to susceptibility to wildfires, RRC, in consultation with the Public Utility Commission (PUC), would be required to direct an electric utility or other entity that provided electric service for the well or related facility to terminate electric service at the point of origin. Service could not be reinstated until:

- an approved operator assumed ownership of the well or related facility;
- the site of the well or related facility was confirmed by the RRC to be in compliance with all applicable state laws and regulations pertaining to susceptibility to wildfires; and
- the electric utility or other entity received written notice from the RRC and the PUC that the service could be reinstated.

Surface owner liability. A surface owner affected by a well or related facility that was orphaned, inactive, or not in compliance with state laws and regulations would not be liable for actions taken to ensure property safety if the operator had been unresponsive, if the owner had received RRC notice of noncompliance, or if there was an emergency such as the imminent threat of wildfire. Surface owners could seek reimbursement from the operator of a well or related facility located on the owner's land for any action taken by the owner to ensure the safety of the property.

Administrative penalty. CSHB 3334 would authorize the RRC to impose an administrative penalty on a person who violated the bill or a rule adopted or order issued under the bill. The penalty could not exceed $5,000 per violation, with each day a violation continued or occurred constituting a separate violation. The bill would require the amount of the penalty to be based on:

- the seriousness of the violation, including its nature, circumstances, extent, and gravity;
- the economic harm to property or the environment caused by the violation;
- the history of previous violations;
- the amount necessary to deter a future violation;
- efforts to correct the violation; and
- any other matter that justice could require.

The bill would authorize the enforcement of the penalty to be stayed during the time the order was under judicial review if the person paid the penalty to the clerk of the court or filed a supersedeas bond with the court in the amount of the penalty. A person who could not afford to pay the penalty or file the bond could stay the enforcement by filing an affidavit, subject to certain provisions of the Texas Rules of Civil Procedure. The attorney general could sue to collect the penalty. A proceeding to impose the penalty would be considered to be a contested case under the Administrative Procedure Act.

The bill would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of $42,731,528 to general revenue related funds through the biennium.

SUBJECT: Prohibiting increases in a tax rate when previously rejected by voters

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 — James Quintero, Texas Public Policy Foundation (*Registered, but did not testify*: Samuel Sheetz, Americans for Prosperity; Ryan Ash, Texas Taxpayers and Research Association - (TTARA); Jorge Martinez, The LIBRE Initiative)

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

BACKGROUND: Tax Code sec. 26.08 provides that if a school district adopts a tax rate that exceeds the voter-approval tax rate (VATR), the voters of the district must determine whether to approve the adopted tax rate at an election held for that purpose.

Tax Code sec. 26.042(e) provides that, when a school district is impacted by certain disasters, an election to approve an adopted tax rate that exceeds the VATR is not required for the tax year following the disaster.

Concerns have been raised that school districts may repeatedly propose property tax increases, even if voters have consistently rejected the proposals in the past, which can create voter frustration and decrease public confidence in the tax system.

DIGEST: HB 5444 would prohibit a school district from adopting a tax rate in response to certain disasters without an election under Tax Code sec. 26.042(e) for a tax year in which:

- the school district previously adopted a tax rate that exceeded the voter-approval tax rate;

- an election was held for the purpose of determining whether to approve the district's adopted rate; and
- the proposition to approve the district's adopted tax rate was not approved by the voters.

The bill would take effect January 1, 2026.

SUBJECT: Allowing one or more beneficiaries for motor vehicle interest transfers

COMMITTEE: Judiciary & Civil Jurisprudence — favorable, without amendment

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

0 nays

WITNESSES: For — Gary Gerstenhaber, Michael "Mike" Taylor, Texas Silver-Haired Legislature (*Registered, but did not testify*: Steven Deline)

Against — None

BACKGROUND: Concerns have been raised that motor vehicle owners may not transfer their interest in a motor vehicle to more than one beneficiary upon death, while the transfer of other personal property to multiple beneficiaries is a common practice.

DIGEST: HB 5137 would authorize a motor vehicle owner to transfer the owner's interest to one or more beneficiaries, rather than a sole beneficiary.

The bill would take effect September 1, 2025.

SUBJECT: Prohibiting comparisons of similar homesteads for certain appraisals

COMMITTEE: Ways & Means — committee substitute recommended

VOTE: 11 ayes — Meyer, Martinez Fischer, Bernal, Button, Capriglione, Gervin-Hawkins, Hickland, Muñoz, Troxclair, Turner, Vasut

0 nays

2 absent — Noble, V. Perez

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

Against — None

On — Don Spencer, Texas Association of Appraisal Districts

BACKGROUND: Concerns have been raised that property taxes are increasing at higher rates for some long-term residents of certain neighborhoods where homes are being purchased for use as short-term rentals or flipped for a profit.

DIGEST: CSHB 361 would prohibit the chief appraiser in a county with a population of more than 50,000 from considering the sale of a property to be a comparable sale when determining the market value of property for which the owner received a residence homestead exemption unless:

- the owner of the sold property received a residence homestead exemption for the property on the date of the sale; and
- the sold property was located in the same neighborhood as the property being appraised.

The bill would take effect January 1, 2026, and would apply to an ad valorem tax year that began on or after the bill's effective date.

SUBJECT: Implementing an express lane option under Medicaid and CHIP

COMMITTEE: Public Health — committee substitute recommended

VOTE: 10 ayes — VanDeaver, Campos, Bucy, Collier, Cunningham, Frank, Johnson, J. Jones, Pierson, Simmons

3 nays — Olcott, Schofield, Shofner

WITNESSES: For — Alec Mendoza, Texans Care for Children; Charles Miller, Texas 2036; Shannon Jaquette, Texas Catholic Conference of Bishops; Lauren Gambill, Texas Pediatric Society (*Registered, but did not testify*: John Litzler, Baptist General Convention of Texas Christian Life Commission; Rob Borja, Central Health; Jason Sabo, Children at Risk; Stacy Wilson, Children's Hospital Association of Texas; Adam Haynes, Conference of Urban Counties; Michael Dole, Driscoll Health System; Katherine Strandberg, Every Body Texas; Lynn Cowles, Every Texan; Larry Gonzales, Feeding Texas; Christine Yanas, Methodist Healthcare Ministries; Christine Busse, NAMI Texas; Maureen Milligan, Teaching Hospitals of Texas; Tom Banning, Texas Academy of Family Physicians; Megan Mauro, Texas Association of Business; Janet Walker, Texas Association of Community Health Plans; Jason Baxter, Texas Association of Health Plans; David Reynolds, Texas Chapter American College of Physicians; Kelsey Bernstein, Texas Council of Community Centers; Sara Gonzalez, Texas Hospital Association; Robert Watson, Texas Impact; Rachel Wolleben, Texas Women's Healthcare Coalition; Kerrie Judice, TexProtects; Cicely Kay, Travis County Commissioners Court; Ashely Harris, United Ways of Texas; Kasey Corpus, Young Invincibles; Selina Moran)

Against — None

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

BACKGROUND:

Concerns have been raised about the number of uninsured children in Texas and barriers to initial health coverage enrollment of these children.

DIGEST:

CSHB 321 would require the Health and Human Services Commission (HHSC), in accordance with applicable federal law, to implement an express lane option for determining a child's eligibility for coverage under CHIP and Medicaid using data received from a Supplemental Nutrition Assistance Program (SNAP) application.

The bill would require HHSC to open a new case to ensure there was no delay in providing benefits under SNAP when determining eligibility for CHIP or Medicaid. If HHSC determined a child was eligible for coverage, the agency would be required to enroll the child in CHIP or Medicaid, as applicable, in accordance with federal law. The bill would also require HHSC to provide notice of the determination to the child's parent, legal guardian, or custodial relative and obtain the individual's affirmative consent to enroll the child.

The bill would require HHSC to ensure that consent was obtained within a reasonable amount of time, as determined by the agency, and in a specific manner, which could include during an initial eligibility or recertification interview for SNAP.

The bill also would authorize HHSC to verify income in the manner provided by the bill as an alternative to requiring a recertification review to determine continued eligibility for Medicaid coverage for a child under age 19.

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: Modifying certain property tax rate calculations and forms

COMMITTEE: Ways & Means — committee substitute recommended

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

0 nays

WITNESSES: For — Carl Walker, Texas Taxpayers and Research Association (*Registered, but did not testify*: Samuel Sheetz, Americans for Prosperity; Jorge Martinez, The LIBRE Initiative)

Against — Adam Haynes, Conference of Urban Counties (*Registered, but did not testify*: Julie Wheeler, Travis County Commissioners Court; Steven Deline)

BACKGROUND: Some have suggested that including a hyperlink to a document that evidences the accuracy of certain entries in tax rate calculation forms would allow taxpayers to more easily verify the accuracy of the information in those forms.

DIGEST: CSHB 5447 would require the forms prescribed by the comptroller for the calculation of each taxing unit's no-new-revenue and voter-approval tax rates to be capable of including a hyperlink to a document that provided evidence for the accuracy of each entry included in the form, other than an entry making a mathematical calculation. The officer or employee designated by a taxing unit's governing body to calculate tax rates would be required to include the hyperlink on the tax rate calculation forms.

For a taxing unit in which a tax rate calculation was affected by statutory provisions relating to captured appraised value and tax increment funds for certain reinvestment zones, the bill would require adjustments to taxable property value and to tax amounts to be calculated separately for each reinvestment zone. The comptroller would have to ensure that the tax rate calculation forms could accommodate these calculations.

The bill would take effect January 1, 2026.

SUBJECT: Establishing a scrap tire remediation grant program

COMMITTEE: Environmental Regulation — committee substitute recommended

VOTE: 6 ayes — Landgraf, Anchía, K. Bell, Bumgarner, Reynolds, Toth

0 nays

3 absent — Ordaz, Morales Shaw, Oliverson

WITNESSES: For — Rick Thompson, County Judges and Commissioners Association of Texas; Frank Malinak and Jason Snelgrove, Lee County; Ed Johnson (*Registered, but did not testify*: Ryan Skrobarczyk, City of Corpus Christi; Josie Castro Garcia, Dallas County; Elisa M. Tamayo, El Paso County; Katelyn Caldwell, Harris County Commissioners Court; Haley Lohrke, Lee County; Cyrus Reed, Lone Star Chapter Sierra Club; Joel Romo, Nueces County; Adrian Shelley, Public Citizen; Drew Fuller, Texas Farm Bureau; Cicely Kay, Travis County Commissioners Court; Steven Deline; Marlene Plua)

Against — None

On — (*Registered, but did not testify*: Charly Fritz, Texas Commission on Environmental Quality)

BACKGROUND: Concerns have been raised that the illegal dumping of scrap tires can pose public health, environmental, and economic risks across Texas, particularly in areas lacking resources to address the issue properly. Some have suggested that establishing a centralized grant program could help counties remediate illegal tire dumps and prevent associated hazards.

DIGEST: CSHB 464 would require the Texas Commission on Environmental Quality (TCEQ) to establish a scrap tire remediation grant program to award grants to counties for the purpose of reducing the number of scrap tires disposed of in inland or coastal water and onto rights-of-way and other land.

The bill would create a dedicated scrap tire remediation grant account in the general revenue fund. The account would consist of appropriations by the Legislature, gifts, grants, donations, and interest earned on the investment of money in the account. Funds in the account could be used only to award grants under the program and to administer it.

TCEQ would be authorized to award a grant under the scrap tire remediation grant program to a county to be used for the following:

- identifying and prosecuting violators of provisions providing offenses for illegal dumping and discarding lighted materials, as those provisions relate to the illegal disposal of scrap tires;
- providing information to the public to discourage the illegal disposal of scrap tires; and
- removing and properly disposing of illegally disposed of scrap tires.

TCEQ would be required to submit a written report to the Legislature by September 1 of each year with recommendations to address illegal scrap tire disposal.

The bill would take effect September 1, 2025.

NOTES:

The Legislative Budget Board could not determine the fiscal implications of the bill because the amounts and timing of any appropriations, grant distributions, depository interest, and gifts, grants, or donations for the new funds are unknown.

SUBJECT: Requiring sexual assault hotline information on college ID cards

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 — (*Registered, but did not testify*: Jaime Puente, Every Texan; Angel Carroll, Measure; Christine Busse, NAMI Texas; Yvette Salazar, Texas Council on Family Violence; Stephanie O'Banion, United Ways of Texas; David Albert; Tory Morris; Ren Morris; Thomas Parkinson)

Against — None

BACKGROUND: Concerns have been raised that college students may not be adequately aware of available resources regarding sexual assault.

DIGEST: HB 678 would require each student identification card issued by a higher education institution to have the contact information for the National Sexual Assault Hotline printed on it.

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 reimbursements for certain child care providers

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

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

0 nays

1 absent — Meza

WITNESSES: For — Kim Kofron, Children at Risk; Tamkeen Shroff, Goddard School Long Meadow Farms; Kurt Hutson, Texas Licensed Childcare Association (*Registered, but did not testify*: Brooke Freeland, Austin Travis County Success by Six Coalition; Catherine Davis, Child Care Associates; Amanda Posson, Every Texan; Shawneequa Blount, Institute to Advance Child Care at CCA; Matthew Bentley, KinerCare Learning Companies; David Feigen, Texans Care for Children; Lori Henning, Texas Association of Goodwills; Matt Abel, Texas Economic Development Council; Ashley Harris, United Ways of Texas; Steven Deline)

Against — None

On — Brian Van Dyck, Kiddie Academy of College Station and Kiddie Academy of Bryan; Reagan Miller, Texas Workforce Commission

BACKGROUND: Concerns have been raised that some high-quality child care providers in low-income areas are unable to receive higher reimbursement rates through the Texas Rising Star Program because their published rates are kept low to remain affordable for families.

DIGEST: HB 2294 would allow a local workforce development board to reimburse a child care provider participating in the Texas Rising Star Program at the board's maximum reimbursement rate for the provider's quality rating, regardless of the provider's published rate. This authority would apply

only if paying the higher reimbursement rate would not reduce the Texas Workforce Commission's target performance measure for the average number of children served daily in the area.

The bill would take effect September 1, 2025.

SUBJECT: Revising provisions on charitable bingo, authorizing nonprofit corporation

COMMITTEE: Licensing & Administrative Procedures — committee substitute recommended

VOTE: 12 ayes — Phelan, Thompson, Gerdes, Geren, Harless, Harris, Hernandez, Longoria, McQueeney, Patterson, M. Perez, Romero

0 nays

1 absent — Walle

WITNESSES: For — Steve Bresnen, Bingo Interest Group; Tom Stewart, Texas Charity Advocates; William Smith, Texas Charity Advocates, Bingo Interest Group; Mitch Fuller, VFW Dept of Texas (*Registered, but did not testify*: Anne Mazuca, Mark Westerman, Texans for Charitable Bingo; Stephen Fenoglio, Texas Charity Advocates)

Against — None

On — (*Registered, but did not testify*: LaDonna Castanuela, Tex Lottery Commission, Charitable Operations Division)

BACKGROUND: Some have suggested that changes are needed to certain charitable bingo provisions to address rising inflation and an advisory opinion by the Texas Lottery Commission.

DIGEST: CSHB 4172 would amend provisions relating to charitable bingo operations.

Establishment of a nonprofit corporation. The bill would authorize a statewide organization that existed before January 1, 2024, and whose primary purpose as of that date was to assist certain bingo organizations, to form a nonprofit corporation to carry out the purposes described in the bill. An organization would qualify as a statewide organization if its membership included multiple licensed authorized organizations that

collectively maintained primary business offices in at least 15 Texas counties.

A nonprofit established under the bill could spend accepted remitted money from prize fees for certain expenses, as well as advertising and promotional activities to inform the public about charitable bingo, including:

- the purposes for which charitable bingo was conducted;
- the types of charities benefiting from charitable bingo;
- the locations where and times when charitable bingo was conducted;
- the types of games conducted at charitable bingo locations; and
- the amount of a prize or series of prizes that could be offered at a bingo occasion.

A nonprofit could only spend money in accordance with a plan adopted by its board of directors and could not spend any money until the date it provided a notice regarding its commencement of business. The nonprofit would be permitted to accept money remitted to it by a licensed authorized organization.

At least annually, the board of a nonprofit corporation would be required to adopt a plan for the corporation to spend money. A nonprofit would commence business on the date its board adopted an initial annual plan. On that date, the nonprofit would be required to provide notification of its commencement of business to the Texas Lottery Commission and each licensed authorized organization that remitted money to a county or municipality under prize fee requirements in 2023.

The bill would prohibit a nonprofit from making certain political contributions or expenditures. A nonprofit formed under the bill could use money to advertise bingo and include in an advertisement or promotion the total amount of bingo prizes offered statewide. A nonprofit corporation would not be prohibited from accepting and spending money from sources other than bingo prize fees, and it would be required to maintain books and records as required by state and federal law.

A nonprofit corporation established under the bill would be exempt from limited sales, excise, and use tax and franchise tax and would not be licensed to conduct bingo or as a commercial lessor, bingo distributor, or bingo manufacturer.

Bingo supplies. The bill would permit a licensed distributor to receive bingo equipment or supplies from a licensed authorized organization if the distributor delivered the equipment or supplies to the organization and the equipment or supplies were defective, not ordered by the organization, or delivered in a quantity that exceeded the quantity the organization ordered.

A licensed authorized organization that returned bingo equipment or supplies to the licensed distributor would be required to maintain a record specifying, for each returned equipment or supply, a reason for the return and the quantity returned and provide a copy of the record to the distributor.

A licensed distributor that received returned equipment or supplies from a licensed authorized organization would be required to maintain a record showing receipt of the returned equipment or supplies and provide a copy of the record to the organization.

Prize fees. The bill would raise the maximum amount of operating capital a licensed authorized organization could retain in the organization's bingo account from $50,000 to $100,000. The bill would include organizations that had been closed for at least six months among the organizations for which the Texas Lottery Commission would be required to adopt rules allowing the organization to retain a maximum amount of operating capital in the bingo account exceeding that cap.

The bill would raise the minimum amount of cash prize that would require a licensed authorized organization to collect a 5 percent fee from more than $5 to more than $100.

A licensed authorized organization or unit that collected a prize fee for a bingo game conducted in a county or municipality entitled to receive a

portion of a bingo prize fee as of January 1, 2019, could reduce the amount remitted by an amount not to exceed 15 percent of the total amount remitted to the applicable county or municipality by the licensed authorized organization or unit in 2023. The licensed authorized organization or unit would be required to remit the amount remaining after the remittance to the applicable county or municipality to, and the amount remaining could be accepted by, a nonprofit corporation formed under the bill. If the nonprofit did not accept the amount remitted, the licensed authorized organization or unit would be required to remit the amount in the manner provided under existing provisions relating to the remittance of prize fees.

Provisions relating to prize fees would take effect October 1, 2025.

The bill would take effect September 1, 2025.

SUBJECT: Prohibiting access by minors to sexually explicit material in city libraries

COMMITTEE: State Affairs — committee substitute recommended

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

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

WITNESSES: For — Richard Vega, At His Feet Ministries; Colby Wiltse, Citizens Defending Freedom; Jennifer Fleck, Travis County GOP; and 9 individuals (*Registered, but did not testify*: Sheena Rodriguez, Alliance for a Safe Texas; Vanessa Sivadge, Protecting Texas Children; Jamie Haynes, Texans Wake Up; Marco Roberts, Texas Conservative Liberty Forum; Mary Elizabeth Castle, Jonathan Covey, Texas Values; Megan Benton, Texas Values Action; and 9 individuals)

Against — Ash Hall, ACLU of Texas; Jim Crosby, Austin Justice Coalition; Miriam Laeky, Equality Texas; Frank Strong, Texas Freedom to Read Project; Chris Barton, Texas Institute of Letters; Autumn Lauener, Texas Transgender Nondiscrimination Scholars; Laura Miller, Texas UU Justice Ministry; and 13 individuals (*Registered, but did not testify*: Andrew Hendrickson, ACLU of Texas; Jake Anderson, City of Dallas; Ariel Traub, City of Garland, Texas; Christine Wright, City of San Antonio; William Pritchett, Equality Texas; Kathy Mitchell, Equity Action; Chandra Villanueva, Every Texan; Caitlin Flanders, Human Rights Campaign; Erin Walter, Texas Unitarian Universalist Justice Ministry; Landon Richie, Transgender Education Network of Texas; and 162 individuals)

On — Gretchen Pruett, Texas Library Association (*Registered, but did not testify*: Christine Wright, City of San Antonio; Sarah Karnes, Texas State Library and Archives Commission; Zoe Pettit; Heather Stalter)

BACKGROUND: Concerns have been raised that sexually explicit material can be found in public library sections designated for minors. Some have suggested that a

uniform standard for libraries to review and remove such material should be required by law.

DIGEST:

CSHB 3225 would prohibit a municipal public library from maintaining sexually explicit material, as defined by the bill, in a physical or electronic collection that a minor may access and would require a library that maintained sexually explicit material to implement age verification measures to prevent minors from accessing such materials. The bill also would prohibit a municipal public library from maintaining, curating, displaying, or making available for checkout sexually explicit material in a minor's section of the library. These provisions would not apply to religious materials.

CSHB 3225 would require the Texas State Library and Archives Commission (TSLAC), by September 1, 2026, to establish guidelines for a municipal public library to review its collections to determine whether material curated in a minor's section contained sexually explicit material. The guidelines would have to require the library to annually review its collections, document the review process, and adopt a process to review specific material upon petition from a member of the public and determine if the material contained sexually explicit material within 10 days of receiving the petition.

A library that determined that it maintained, curated, displayed, or made available sexually explicit material in a minor's section or in a manner that a minor could access in violation of the bill would be required to remove or relocate the material so as to prevent access by a minor within 45 days of making the determination. Each municipal public library would have to conduct the initial review by January 1, 2027.

CSHB 3225 would authorize TSLAC to require documentation of compliance with the bill to determine eligibility for state library grants. A municipal public library would not be eligible to receive a grant from TSLAC unless it:

- provided an attestation on the application that the library did not maintain sexually explicit material in any collection designated for minors, implemented age verification measures, and did not

maintain, curate, display, or make available sexually explicit material in a minor's section; and
- confirmed its adherence to TSLAC's guidelines for grant eligibility.

A municipal public library that violated CSHB 3225 would be liable to the state for a civil penalty of up to $10,000 for each violation. The attorney general could bring an action to recover the penalty or obtain an injunction to restrain the violation. Such an action could be brought in a district court in Travis County or the county in which the violation occurred. The attorney general would be required to deposit a penalty collected under the bill to the credit of the general revenue fund. The attorney general could recover reasonable expenses incurred in bringing an action under the bill.

The bill would take effect September 1, 2025.

NOTES:

The author of CSHB 3225 intends to offer a floor amendment that would:

- allow a minor to check out from a physical collection or view or download in an electronic format any materials in a library's collection with consent from the minor's legal guardian if the library gave notice to the legal guardian that the collection could contain sexually explicit material;
- require a library to annually review all new material curated for minors, rather than its collection;
- require the guidelines established by TSLAC under the bill to allow a library to deny a petition to review any material previously reviewed under the process provided by the bill; and
- establish notice requirements and a timeline for a library to conduct the review of its materials curated for minors as required by the bill.

SUBJECT: Classifying certain retail trade entities for purposes of the franchise tax

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 — Theresa Garcia, Textile Rental Service Association (*Registered, but did not testify*: Ryan Ash, Texas Taxpayers and Research Association; Kevin Schwalb, Textile Rental Services Association; Steven Deline)

Against — None

BACKGROUND: Concerns have been raised that companies involved in the rental of industrial uniforms, industrial garments, and industrial linen supplies are required to pay the general state franchise tax rather than the lower retail/wholesale franchise tax rate paid by similar industries offering rentals. Some have suggested that these entities should be reclassified as retail/wholesale entities so they are taxed at the lower rate.

DIGEST: HB 1769 would amend the definition of retail trade under the Tax Code to include activities that involved the rental of industrial uniforms, industrial garments, and industrial linen supplies that were classified as Industry 7213 or 7218 of the 1987 Standard Industrial Classification Manual published by the federal Office of Management and Budget.

The bill would take effect January 1, 2027, and apply only to a report originally due on or after the bill's effective date.

SUBJECT: Prohibiting certain requirements imposed on kinship caregivers

COMMITTEE: Human Services — committee substitute recommended

VOTE: 10 ayes — Hull, Manuel, A. Davis, Dorazio, Noble, Richardson, Rose, Schatzline, Slawson, Swanson

0 nays

1 absent — C. Morales,

WITNESSES: For — Kerrie Judice, TexProtects; Beverly Morris (*Registered, but did not testify*: Kathy Green, AARP Texas; Alec Mendoza, Texans Care for Children; Stephanie Battaglia, Texas CASA; Lauren Rose, Texas Network of Youth Services; Ashley Harris, United Ways of Texas; Steven Deline; Maxine LaQueene)

Against — None

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

BACKGROUND: Concerns have been raised regarding discrepancies between the authority of a single source continuum contractor under a contract with the state for community-based foster care and certain licensing or policy requirements adopted by the Department of Family and Protective Services (DFPS) or Health and Human Services Commission (HHSC). Some have suggested that the law should be amended to clarify the requirements that a single source continuum contractor or child-placing agency may impose on a kinship caregiver.

DIGEST: CSHB 5394 would prohibit a single source continuum contractor or a child-placing agency from subjecting a relative or designated caregiver to any requirement other than as provided by law or by DFPS or HHSC rule. The bill also would prohibit these entities from adopting any policies or procedures related to a relative or designated caregiver other than as authorized by law or DFPS or HHSC rule.

The bill would take effect September 1, 2025.

SUBJECT: Creating task force and law enforcement training for dangerous substances

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

VOTE: 8 ayes — Hefner, R. Lopez, Canales, Dorazio, Holt, Isaac, Louderback, McLaughlin

0 nays

3 absent — Cortez, Hickland, Pierson

WITNESSES: For — Stefanie Turner, Texas Against Fentanyl (*Registered, but did not testify*: Christine Wright, City of San Antonio; Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); Ray Hunt, Houston Police Officers' Union; Bryan Flatt, TMPA; Michelle Evans)

Against — None

BACKGROUND: Concerns have been raised that the increase in fentanyl-related overdoses and the escalation of crimes associated with fentanyl and other dangerous controlled substances have created significant public safety challenges in Texas. Some have suggested creating a statewide training program to provide law enforcement with uniform continuing education and best practices for handling these substances and mitigating risks to officers and the public.

DIGEST: HB 1837 would require the Department of Public Safety (DPS), in coordination with local law enforcement agencies, to establish and administer a Dangerous Controlled Substances Offenses Enforcement Training Program for peace officers employed by local law enforcement agencies. The program would be required to prepare officers to collaborate, cooperate with, and assist law enforcement agencies and prosecutors in the interdiction, investigation, and prosecution of dangerous controlled substance offenses involving substances in Penalty Group 1 and 1-B, including fentanyl.

The training program would be required to include:

- information on criminal activity related to controlled substances listed in Penalty Group 1 and 1-B, including manufacture and delivery of those substances by cartels, transnational gangs, and other groups engaged in organized criminal activity along the Texas-Mexico border;
- methods for identifying intrastate criminal activity associated with the manufacture or delivery of controlled substances in Penalty Group 1 and 1-B and other related organized crime;
- best practices for investigating and prosecuting such criminal activity;
- the safest methods, as determined by the Health and Human Services Commission, for handling these controlled substances; and
- the proper use of opioid antagonists.

The bill also would authorize the Texas Commission on Law Enforcement (TCOLE) to recognize or, with the consent of DPS, to assist in administering the training program as a continuing education program for officers. TCOLE would be authorized to credit officers who successfully complete the program with the appropriate number of continuing education hours.

Lethal Controlled Substances Poisoning Prevention Task Force. CSHB 1837 would establish a Lethal Controlled Substances Poisoning Prevention Task Force. The task force would be required to:

- compile data on criminal activity related to the manufacture or delivery of controlled substances in Penalty Group 1 and 1-B, including activity in the Texas-Mexico border region;
- develop best practices for the investigation, interdiction, and prosecution of such criminal activity;
- establish best practices for the safe handling of these controlled substances and the proper use of opioid antagonists; and
- study methods to incentivize the production of opioid antagonists, particularly for those used by law enforcement agencies in Texas.

As soon as practicable after the bill's effective date, the governor would be required to appoint to the task force two members each from DPS, TCOLE, and the Health and Human Services Commission.

Within six months of its formation, the task force would be required to submit to the governor and the DPS director an initial report containing data and best practices. A final report would be due to the Legislature by December 1, 2026, containing findings regarding methods to incentivize increased production of opioid antagonists, including proposed legislation.

The task force would be abolished, and these provisions would expire on January 1, 2027.

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

SUBJECT: Establishing a state plan for the prevention and treatment of HPV

COMMITTEE: Higher Education — favorable, without amendment

VOTE: 8 ayes — Wilson, Howard, A. Davis, Lambert, V. Perez, Shaheen, VanDeaver, Ward Johnson

2 nays — Shofner, Tinderholt

1 absent — Lalani

WITNESSES: For — Rekha Lakshmanan, The Immunization Partnership (*Registered, but did not testify*: Katherine Strandberg, Every Body Texas; Christine Yanas, Methodist Healthcare Ministries; Craig Holzheauser, Texas Association of City and County Health Officials; David Reynolds, Texas Chapter American College of Physicians; Matt Dowling, Amanda Tollett, Texas Medical Association; Clayton Travis, Texas Pediatric Society; Desiree Ingram, Texas Women's Healthcare Coalition; Isha Darbari; Brian Evans; Juan Gallegos; Kevin Gillespie)

Against — Michelle Evans, Texans for Vaccine Choice (*Registered, but did not testify*: Brita Treat; Mark Treat)

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

BACKGROUND: Concerns have been raised about human papillomavirus (HPV) vaccination rates in the state. Some have suggested that greater awareness is needed about the effects of HPV, as well as HPV prevention and treatment.

DIGEST: HB 1787 would require the Department of State Health Services (DSHS), using existing resources to the extent possible, to develop a state plan for preventing and treating human papillomavirus (HPV) and the health problems caused by HPV infection among students at higher education institutions. The plan would have to include strategies for preventing and treating HPV and related health problems in specific demographic groups

that were disproportionately affected by the infection. In developing the plan, DSHS would have to seek the advice of:

- the public, including advocates who had been infected with HPV;
- each state agency that provided services to persons with HPV or that was assigned duties related to health problems caused by the infection, including the Health and Human Services Commission and the Texas Higher Education Coordinating Board (THECB);
- any advisory body that addressed issues related to HPV-caused health problems;
- public advocates concerned with issues related to HPV-caused health problems;
- providers of services to persons with such health problems; and
- a statewide professional association of physicians.

DSHS would have to review and modify the plan as needed at least once every five years and could update it biennially.

The bill would require THECB and DSHS to jointly develop a program to heighten awareness and enhance knowledge and understanding of HPV among students at higher education institutions. The awareness program would have to require THECB and DSHS to:

- conduct health education, public awareness, and community outreach activities to promote public awareness and knowledge about the risk factors for, the value of early detection of, available screening services for, and the options available for the treatment of health problems caused by HPV; and
- post on their respective websites the options available for the prevention, treatment, and detection of HPV, as well as information on the health problems caused by the infection, risk factors, methods of transmission, and the value of early detection of the infection.

THECB and DSHS, using existing resources, could include in the program a study to estimate the current and future impact on Texas of HPV-caused health problems.

The bill would take effect September 1, 2025.

SUBJECT: Requiring child care providers to report enrollment data

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

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

0 nays

1 absent — Meza

WITNESSES: For — (*Registered, but did not testify*: Brooke Freeland, Austin Travis County Success by Six Coalition; Josué Cedillo, Baptist General Convention of Texas Christian Life Commission; Catherine Davis, Child Care Associates; Kim Kofron, Children at Risk; Shawneequa Blount, Institute to Advance Child Care at CCA; David Feigen, Texans Care for Children; Charles Miller, Texas 2036; Lori Henning, Texas Association of Goodwills; Kelle Kieschnick, Texas Business Leadership Council; Matt Abel, Texas Economic Development Council; Madison Gessner, Texas Restaurant Association, Employers for Childcare Taskforce; Ashley Harris, United Ways of Texas; Paige West, Wonderschool; Steven Deline)

Against — (*Registered, but did not testify*: Kurt Hutson, Texas Licensed Childcare Association)

On — Reagan Miller, Texas Workforce Commission

BACKGROUND: Concerns have been raised that the state lacks a complete view of child care availability because only providers receiving subsidies are currently required to report data to the Texas Workforce Commission's child care availability portal.

DIGEST: CSHB 2271 would require licensed day-care centers, group day-care homes, and family homes to report their capacity and enrollment information to the Texas Workforce Commission (TWC) at least once a month.

The reported data would have to be disaggregated by age group and include the provider's desired total capacity, current enrollment, and the number of available openings. Providers also would be required to notify TWC of any changes in their capacity or enrollment as soon as practicable. TWC would be required to include this information on its child care availability portal.

The bill would take effect September 1, 2025.

SUBJECT: Prohibiting restrictions on the sale, use, or ownership of a motor vehicle

COMMITTEE: Environmental Regulation — committee substitute recommended

VOTE: 5 ayes — Landgraf, Ordaz, K. Bell, Bumgarner, Toth

0 nays

4 absent — Anchía, Morales Shaw, Oliverson, Reynolds

WITNESSES: For — Stephen Wiehe, Motorcycle Riders Foundation; Sheila Hemphill, Texas Right To Know (*Registered, but did not testify*: Gerard Torres, CenterPoint Energy; Paul Landers, Motorcycle Riders Foundation; Robert Braziel, Texas Automobile Dealers Association)

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

On — (*Registered, but did not testify*: Walker Williamson, Texas Commission on Environmental Quality)

BACKGROUND: Concerns have been raised that future state regulations could restrict the sale or use of motor vehicles based on their energy source, which could limit consumer choice and transportation freedom. Some have suggested that prohibiting such restrictions would help preserve access to a wide range of vehicle options for Texans.

DIGEST: CSHB 2440 would prohibit a state agency from restricting the sale, use, or ownership of a motor vehicle based on its energy source, including those powered by an engine.

The bill also would prohibit Texas' air quality state implementation plan from including any provision that restricted a person's ability to purchase any motor vehicle, including a motor vehicle powered by an engine.

The bill would take effect September 1, 2025.

SUBJECT: Limiting eligibility for depositions in civil actions

COMMITTEE: Judiciary & Civil Jurisprudence — favorable, without amendment

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

1 nay — Hayes

WITNESSES: For — (*Registered, but did not testify*: Jack Walker, Texas Trial Lawyers Association; Steven Deline)

Against — None

BACKGROUND: Concerns have been raised that pre-suit depositions are sometimes used to gather information before filing a lawsuit, even without a strong legal basis. Some have suggested that these depositions can be costly and time-consuming, potentially leading to harassment of businesses, individuals, or political figures, even if no case is ultimately filed.

DIGEST: HB 5134 would authorize a person to petition a court for an order to take a deposition to perpetuate or obtain the person's own testimony or that of any other person for use in an anticipated action or to investigate a potential claim or action. The bill would limit this authority to a person who had sustained actual damages or who could reasonably expect to sustain actual damages in the person's anticipated or potential claim or action.

A person who filed a petition in violation of the bill would be liable to each person named in the petition for that person's attorney's fees incurred in defending against the petition. The bill's provisions could not be modified or repealed by a rule adopted by the Texas Supreme Court.

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 DFPS to request consent to collect or use a foster child's DNA

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*: Steven Deline)

On — Julia Hatcher, Texas Association of Family Defense Attorneys

BACKGROUND: Concerns have been raised that the collection and use of DNA from children in foster care is not currently limited by law, creating the potential for misuse of sensitive genetic information. Some have suggested that requiring consent from a primary caregiver or a court order would help protect the privacy rights foster children and prevent the use of their DNA for purposes unrelated to their immediate care.

DIGEST: CSHB 5149 would prohibit the Department of Family and Protective Services (DFPS) from collecting or using a DNA sample from a child in DFPS's managing conservatorship for any purpose without the written consent of an adult having actual care, control, and possession of the child as the child's primary caregiver or a court order.

The bill would take effect September 1, 2025.

SUBJECT: Requiring registration for certain repeat indecent assault offenses

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 — Lauren Lawrence, Phil Sorrells - Tarrant County Criminal District Attorney (*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; Nathan Carroll, Houston Police Department; Bo Stallman, Sheriffs' Association of Texas; Brianna Waldock, TexProtects; Bryan Flatt, TMPA)

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

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

BACKGROUND: Under Article 62.001(5), Code of Criminal Procedure, individuals convicted of certain sexual offenses are required to register as sex offenders.

Concerns have been raised that indecent assault is not included among the offenses requiring sex offender registration, creating a potential gap in the law that could leave communities exposed to potential harm.

DIGEST: HB 2151 would amend Article 62.001(5), Code of Criminal Procedure, to add a second violation of indecent assault to the list of reportable convictions or adjudications under the sex offender registry if the second violation did not result in a deferred adjudication.

The bill also would add to the list of reportable convictions or adjudications a second violation of the laws of another state, federal law, the laws of a foreign country, or the Uniform Code of Military Justice, if the offense contained elements that were substantially similar to the elements of indecent assault, unless the second violation resulted in a deferred adjudication. The bill would make conforming changes to prerelease notification and registration requirements to reflect this addition.

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

SUBJECT: Enhancing penalties for violating a court order with a deadly weapon

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 — Andy Kahan, Crime Stoppers Houston; Molly Voyles, Texas Council On Family Violence; April Aguirre (*Registered, but did not testify*: Philip Mack Furlow, 106th Judicial District Attorney; Eric Carcerano, Chambers County District Attorney; James Kershaw, Harris County Deputies' Organization FOP #39; Ray Hunt, Houston Police Officers' Union; Brian Hawthorne, Sheriffs' Association of Texas (SAT); Ashley Brooks, Texas Association Against Sexual Assault; John Wilkerson, Texas Municipal Police Association (TMPA); Steven Deline)

Against — None

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

BACKGROUND: Concerns have been raised that existing law does not adequately address the increased danger when someone violates a protective order or condition of bond while carrying a deadly weapon. Some have suggested that enhancing penalties in these cases could help deter violence and improve safety for victims and the public.

DIGEST: CSHB 2073 would enhance the criminal penalty for violating certain court orders or conditions of bond in cases involving family violence, child abuse or neglect, sexual assault or abuse, indecent assault, stalking, or trafficking if the defendant committed the violation while in possession of a deadly weapon.

The bill would classify a violation as a state-jail felony (180 days to two years in a state jail and an optional fine of up to $10,000) if the defendant committed the violation while possessing a deadly weapon.

For repeated violations, CSHB 2073 also would increase the penalty to a second-degree felony (two to 20 years in prison and an optional fine of up to $10,000) if any single instance in the offense involved conduct punishable as a state-jail felony due to possession of a deadly weapon during a violation.

The bill would take effect September 1, 2025.

SUBJECT: Regulating elevator mechanics, elevator apprentices, and contractors

COMMITTEE: Licensing & Administrative Procedures — committee substitute recommended

VOTE: 11 ayes — Phelan, Thompson, Gerdes, Geren, Harless, Harris, Hernandez, Longoria, McQueeney, M. Perez, Romero

1 nay — Patterson

1 absent — Walle

WITNESSES: For — Benjamin Lamkin, Matthew Marriott, International Union of Elevator Constructors Local 21; Daniel Garcia (*Registered, but did not testify*: Amanda Posson, Every Texan; Amber Jones, Texas AFL-CIO; Rick Lord, Texas Building & Construction Trades; Steven Deline)

Against — Zachary Boyer, Boyer Elevator; Don Zimmerman, Home Elevator Of Texas; Charles Herrera, Mechanical Materials

On — Charlotte Melder, TDLR

BACKGROUND: Some have suggested that establishing registration and certification requirements for elevator mechanics would ensure better safety in the elevator industry through required training and qualifications for individuals involved in the installation and maintenance process.

DIGEST: CSHB 2186 would require the Texas Commission of Licensing and Regulation (TCLR) to provide for the registration and certification of elevator mechanics and apprentices.

Elevator mechanic registration. The bill would prohibit an individual from erecting, constructing, installing, altering, servicing, repairing, or maintaining equipment unless the individual was registered as an elevator mechanic with the Texas Department of Licensing and Regulation (TDLR) as provided by the bill. An applicant for elevator mechanic

registration or registration renewal would be required to submit an application to TDLR in the form and manner TDLR prescribed.

An applicant for a registration would be required to:

- submit with the application a certificate of completion or proof of a certificate of completion from a nationally recognized training program for the elevator industry, certain federally approved elevator constructor apprenticeship programs, or an equivalent program acceptable to TDLR; or
- provide with the application verifiable evidence in the form and manner prescribed by TDLR that the applicant had at least five years of experience erecting, constructing, installing, altering, servicing, repairing, or maintaining equipment.

An applicant for registration renewal would be required to submit with the application proof of completion of continuing education related to the erection, construction, installation, alteration, servicing, repair, or maintenance of equipment in accordance with TCLR rule.

The bill would require TCLR to adopt rules on issuance of a limited elevator mechanic registration, including rules on the qualifications required for the limited elevator mechanic registration and to restrict the scope and location of practice of an elevator mechanic who received a limited elevator mechanic registration.

A registration issued under the bill would expire on the first anniversary of the date of issuance. A registered elevator mechanic could not supervise more than one elevator apprentice.

Elevator apprentice registration. An individual could not assist an elevator mechanic or contractor in erecting, constructing, installing, altering, servicing, repairing, or maintaining equipment unless the individual was registered as an elevator apprentice as provided by the bill and employed by a contractor and supervised by an elevator mechanic.

The bill would require an applicant for elevator apprentice registration or registration renewal to submit an application to TDLR in the form and

manner it prescribed. An applicant for registration renewal would be required to submit with the application proof of completion of continuing education related to the erection, construction, installation, alteration, servicing, repair, or maintenance of equipment in accordance with TCLR rule. An apprentice registration issued under the bill would expire on the first anniversary of the date of issuance.

Contractor responsibilities. The bill would prohibit a contractor from employing, contracting with, or obtaining the services of a person to install, alter, test, repair, or maintain equipment on the contractor's behalf unless the person was registered as an elevator mechanic or elevator apprentice under the bill.

Enforcement and implementation. The executive director of TDLR would be required to compile a list of elevator mechanics and elevator apprentices who were registered with TDLR and employ personnel who were necessary to enforce this chapter.

The bill would require TCLR to provide for the registration, including certification, of elevator inspectors, elevator mechanics, and elevator apprentices, and adopt rules required by the bill.

An individual who had engaged in the practice of erecting, constructing, installing, altering, servicing, repairing, or maintaining equipment in this state for at least five years preceding the effective date of the bill would be entitled to obtain a registration under the bill, if before September 1, 2027, the person submitted an application in the form and manner prescribed by TDLR and paid the required registration fee.

The bill would take effect September 1, 2025.

SUBJECT: Repealing certain filing requirements for plats filed after September 1

COMMITTEE: Land & Resource Management — favorable, without amendment

VOTE: 6 ayes — Gates, Lalani, Alders, R. Lopez, Morgan, Virdell

0 nays

3 absent — Y. Davis, Hinojosa, Hunter

WITNESSES: For — Terry Holeman (*Registered, but did not testify*: Josie Castro Garcia, Dallas County Commissioners Court; Aaron Taliaferro, Director, Tarrant County Government Relations; Elisa M. Tamayo, El Paso County; Maya Grever, Harris County Commissioners Court; J.D. Hale, Texas Association of Builders; Abby Powell, Texas Land Title Association; Mark Hanna, Texas Society of Professional Surveyors)

Against — Craig Farmer, American Planning Association, Texas Chapter

BACKGROUND: Concerns have been raised that, under current law, if taxes for a property are calculated after a person files a plat, replat, or amended plat for the property but before the county clerk records the plat, the county clerk may reject the plat.

DIGEST: HB 2025 would repeal certain provisions requiring a person who files a plat, replat, or amended plat or replat of a subdivision of real property or a condominium after September 1 to include a tax receipt issued by the collector for each taxing unit with jurisdiction over the property indicating that the taxes for the current year were paid or had not been calculated.

The bill would take effect September 1, 2025.

SUBJECT: Repealing provisions restricting the issuance of certain citations

COMMITTEE: Transportation — favorable, without amendment

VOTE: 11 ayes — Craddick, M. Perez, Curry, Gámez, Harris Davila, Hefner, LaHood, C. Morales, E. Morales, Patterson, Paul

1 nay — Little

1 absent — Canales

WITNESSES For — (*Registered, but did not testify*: Stephanie Mace, AARP Texas; Tanya Lavelle, Disability Rights TX)

Against — (*Registered, but did not testify*: Tabi Conner; Steven Deline)

On — Ron Lucey, Governor's Committee on People with Disabilities

BACKGROUND: Concerns have been raised that recent legislation has created confusion concerning whether a person may be cited for the unauthorized use of a parking space designated for persons with disabilities, resulting in some police departments stopping the issuance of citations altogether.

DIGEST: HB 1936 would repeal a Transportation Code provision that authorized a peace officer to issue a warning, but not a citation, for the offense of unauthorized use of parking designated for persons with disabilities to a person who had stood a vehicle in a parking space or area designated specifically for persons with disabilities that did not have a sign identifying the parking space as required by state law.

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