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HOUSE RESEARCH ORGANIZATION

daily floor report

Saturday, May 10, 2025
89th Legislature, Number 61
The House convenes at 9 a.m.
Part One

Two resolutions are on the Constitutional Amendments Calendar and 118 bills are on the General State Calendar for second reading consideration today. The list of bills in Part One of the *Daily Floor Report* appears on the following page.



Gary VanDeaver
Chairman
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HOUSE RESEARCH ORGANIZATION

Daily Floor Report

Saturday, May 10, 2025

89th Legislature, Number 61

Part 1

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- SUBJECT:** Authorizing the creation of a regional mobility authority
- COMMITTEE:** Transportation — favorable, without amendment
- VOTE:** 12 ayes — Craddick, M. Perez, Curry, Gámez, Harris Davila, Hefner, LaHood, Little, C. Morales, E. Morales, Patterson, Paul
- 0 nays
- 1 absent — Canales
- WITNESSES:** For — (*Registered, but did not testify:* Lorena Campos, Texas Rail Advocates; Steven Deline)
- Against — None
- BACKGROUND:** Concerns have been raised that Maverick County faces growing transportation and infrastructure needs due to a steadily increasing population. Some have suggested that establishing a regional authority to acquire, design, construct, operate, maintain, and expand local transportation projects could help the county finance and plan transportation projects independently.
- DIGEST:** HJR 144 would propose an amendment to the Texas Constitution to authorize the Legislature, by local law, to create a regional mobility authority to construct, maintain, and operate transportation projects in a region of Texas. The amendment would authorize the Legislature to pass the law without the local notice required for special or local laws.
- A ballot proposal would be presented to voters at an election on November 4, 2025, and would read: "The constitutional amendment to authorize the legislature to create a regional mobility authority by local law."
- NOTES:** According to the Legislative Budget Board, the constitutional amendment would have no cost to the state other than the cost of publication, which would be \$191,689.

The enabling legislation for HJR 144 is HB 3332 by E. Morales, which was placed on the General State Calendar and included in the *Daily Floor Report* on May 9.

SUBJECT: Amending Constitution to authorize funding for energy efficiency projects

COMMITTEE: State Affairs — committee substitute recommended

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

0 nays

WITNESSES: For — (*Registered, but did not testify*: Luke Metzger, Environment Texas; Cyrus Reed, Lone Star Chapter Sierra Club; Kenneth Flippin, Texas Chapter US Green Building Council; Bri Weber, Texas Solar + Storage Association; Steven Deline; Tom Rose)

Against — (*Registered, but did not testify*: Mia McCord, Texas Chemistry Council)

On — (*Registered, but did not testify*: Barksdale English, Public Utility Commission of Texas)

BACKGROUND: Some have suggested that authorizing the use of Texas Energy Fund money for energy efficiency projects would strengthen grid resiliency by reducing demand, benefit retail electric customers by promoting consumer savings, and enhance environmental stewardship.

DIGEST: CSHJR 218 would amend the constitutionally authorized purposes of the Texas Energy Fund to include financing energy efficiency projects conducted to benefit retail electric customers.

The ballot proposal would be presented to voters at an election on November 4, 2025 and would read: “The constitutional amendment to authorize the use of money in the Texas energy fund for energy efficiency projects that benefit retail electric customers.”

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NOTES:

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

The enabling legislation for CSHJR 218 is CSHB 2623 by Y. Davis, which is also on the General State Calendar for second reading today.

- SUBJECT:** Revising provisions related to the business court
- COMMITTEE:** Judiciary & Civil Jurisprudence — committee substitute recommended
- VOTE:** 6 ayes — Leach, Dyson, Hayes, LaHood, Landgraf, Schofield
5 nays — Johnson, Dutton, Flores, J. González, Moody
- WITNESSES:** For — Kevin Reddington, Texans for Lawsuit Reform; David Harrell and Mike Tankersley, Texas Business Law Foundation (*Registered, but did not testify*: Carrie Simmons, Energy Transfer; Wendt Foster, Independent Bankers Association of TX; Sarah Horn, National Federation of Independent Business (NFIB); Megan Mauro, Texas Association of Business; John Kuhl and Chuck Mains, Texas Business Law Foundation; Margo Cardwell, Texas Civil Justice League; Meredyth Fowler, Texas Mortgage Bankers Association; Tulsí Oberbeck, Texas Oil and Gas Association)

Against — (*Registered, but did not testify*: Melissa Shannon, Bexar County Commissioners Court; Josie Castro Garcia, Dallas County; Katelyn Caldwell, Harris County Commissioners Court; Jay Harvey, TEXABOTA; Jennie Knapp, Texas Association of Defense Counsel)

On — Megan LaVoie, Office of Court Administration; Jerry Bullard, Texas Business Court (*Registered, but did not testify*: Cicely Kay, Travis County Commissioners Court)
- BACKGROUND:** The 88th Legislature in 2023 created the business court with civil jurisdiction over actions involving certain actions in complex business litigation, including qualified transactions of at least \$10 million. Five divisions of the business court’s judicial district opened on September 1, 2024. Some have suggested that establishing the remaining six divisions of the business court and revising certain provisions related to the court’s jurisdiction and other matters would provide clarity and help with court operations.
- DIGEST:** CSHB 40 would amend various provisions on the business court.

Jurisdiction, amount in controversy. CSHB 40 would move Montgomery County from the Second Business Court Division to the Eleventh Business Court Division. The bill would remove a provision abolishing the Second, Fifth, Sixth, Seventh, Ninth, and Tenth Business Court Divisions on September 1, 2026.

Amount in controversy. The bill would lower the minimum amount in controversy for business court jurisdiction from \$10 million to \$5 million and amend the definition of a qualified transaction to include a series of related transactions.

The bill would grant to the business court concurrent civil jurisdiction with district courts for certain actions, including actions in which a district court had exclusive jurisdiction. The amount in controversy for jurisdictional purposes would be the total amount of all joined parties' claims.

The bill would specify that an action arising out of a business, commercial, or investment contract, rather than a contract generally, qualified for business court jurisdiction. The bill would add actions relating to intellectual property and trade secrets to the business court's jurisdiction.

The bill also would add references to the business court in various provisions relating to civil procedure referring to district courts.

Arbitration. The business court would have jurisdiction concurrent with district courts for actions related to arbitrations if a claim included in the controversy in arbitration was subject to business court jurisdiction, regardless of the amount in controversy. The bill would clarify that certain civil procedures related to arbitration would not confer on the business court any new or additional jurisdiction.

Injunctive relief. The bill would limit the jurisdiction of the business court in an action seeking injunctive relief to certain claims, including disputes based on governance, internal affairs, acts of an owner or managerial

official, breach of fiduciary duties, or actions arising out of the Business Organizations Code.

Supplemental jurisdiction. The bill would revise provisions regarding the business court's supplemental jurisdiction, including removing a requirement that all parties and the judge agree before a supplemental claim could proceed. The business court would not have jurisdiction over Insurance Code claims unless the claim fell within the court's supplemental jurisdiction. Certain claims related to consumer transactions would be excluded from the business court's jurisdiction, regardless of whether the claim was otherwise within the court's supplemental jurisdiction.

Rules for jurisdiction. The state Supreme Court would be required to establish rules for the determination of business court jurisdiction on the filing of an action in the business court. In adopting the rules, the Supreme Court would have to consider the business court's purpose, commonalities between the business court and district courts, impacts on fundamental fairness and the protection of rights, and the court's developing precedent and practice.

Venue. The bill would allow a party's governing documents to establish venue in certain actions, including actions arising out of the Business Organizations Code. An initial application for arbitration filed in the business court would have to plead facts to establish venue in a county in a division of the business court. The county in which the initial application was filed would be determined in the same manner as that county would be determined for an initial application in a district court.

Judges. CSHB 40 would require the governor, with the advice and consent of the Senate, to appoint one additional judge to each of the First and Eleventh Divisions of the business court, if the Legislature made a specific appropriation of money for that purpose.

The bill would repeal a provision that established the term of a business court judge as two years.

Administrative presiding judge pro tempore. The bill would create an administrative presiding judge pro tempore position, with two-year terms, to serve in the event of a vacancy in the position of administrative presiding judge.

Recusal. If a business court judge determined that the judge should not hear a case pending in the judge's court, the judge would be required to enter a recusal order, request assignment of another judge to hear the case, and take no further action in the case except for good cause.

Visiting judges. The chief justice of the Supreme Court could assign an active judge to serve as a visiting judge of the business court. The chief justice also could assign an active judge of the business court to serve as a visiting judge of a district court or other court. Visiting judges would be subject to objection, disqualification, or recusal in the same manner as other judges.

Judge's chambers, court facilities. The bill would require each business court judge's chambers to be in the county with the largest population in the division, or in an adjacent county. The chief justice of the supreme court could approve the location of a business court judge's chambers in a county other than those described. The bill would authorize the Office of Court Administration (OCA) to contract for the use of court facilities with a public or private party.

The bill would include a county in which a business court judge maintained chambers as a location where the sheriff would be required to attend court. The business court or OCA could require a sheriff, sheriff's deputy, or other licensed peace officer to attend the business court and provide security for judges.

Counties would be required to accommodate the business court in courtrooms and facilities equivalent to those provided to district courts. A county could be reimbursed by the state for those facilities.

Compensation. In addition to the annual base salary from the state, the bill would entitle a business court judge to an annual salary supplement equal to the difference between the judge's annual base salary and the maximum

combined base salary from all state and county sources paid to a district judge. An administrative presiding judge would be entitled to an annual base salary equal to \$5,000 more than the maximum salary from the state to which the judge was otherwise entitled.

A business court judge could receive compensation for up to 30 days of training and study before the judge's term.

The bill also would entitle a business court judge to reimbursement of certain expenses, including expenses related to presenting educational information about the business court and attending educational meetings related to business law.

Other provisions. CSHB 40 would exclude the business court from provisions related to courts' obligations to keep lists of and appoint attorneys ad litem, guardians ad litem, mediators, and guardians in certain counties.

The bill would increase the number of ex officio members on the Texas Judicial Council from 16 to 17, including the administrative presiding judge of the business court.

Reporting. The bill would require OCA to annually report on the case activity, rather than the number and type of cases, of the business court. The case activity report would include:

- a summary of the caseload of each business court;
- a summary of the assignments of business court judges to other divisions;
- a projection of the expected caseloads for the next two years; and
- recommendations to ensure the business court met demand for the next two years.

Transfer. A civil action commenced before September 1, 2024 could be transferred to the business court on an agreed motion under rules adopted by the Supreme Court. When adopting the rules, the Supreme Court would have to prioritize complex civil actions, consider the business

court's capacity, and ensure the fair and efficient administration of justice. This section would expire September 1, 2035.

Additional procedural matters. The bill would require an interlocutory appeal of a ruling on venue from the business court to be taken to the Fifteenth Court of Appeals.

The bill would revise a provision regarding a special judge, specifying that a special judge's verdict would have to include any applicable requirements for the issuance of a written opinion.

Effective date. Except as otherwise provided, the bill would apply only to civil actions commenced on or after September 1, 2024.

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

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of \$23,603,631 to general revenue related funds through the biennium.

- SUBJECT:** Establishing the Texas State Guard Professionalization Task Force
- 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 — Selene Rodriguez, Texas Public Policy Foundation; Mitch Fuller, VFW Dept of Texas (*Registered, but did not testify*); Charles Maley, South Texans' Property Rights Association; James Cunningham, Texas Council of Chapters of MOAA and TCVO; William West, The American Legion, Dept of Texas; Kym Olson)
- Against — None
- On — Tanya Trout, Texas Military Department
- BACKGROUND:** Some have suggested that professionalizing the Texas State Guard, a volunteer force under the Texas Military Department that supports disaster response efforts, would make it a more reliable state-level resource.
- DIGEST:** CSHB 101 would establish the Texas State Guard Professionalization Task Force to advise the adjutant general on the professionalization of the Texas State Guard.
- The adjutant general or the adjutant general's designee would be the chair of the task force, which would also include the director of the Department of Public Safety or the director's designee, the chief of the Texas Division of Emergency Management or the chief's designee, the executive director of the Texas Department of Transportation or the executive director's designee, the director of the Texas A&M Forest Service or the director's designee, and the executive head of any other state agency or the

executive head's designee as determined by the adjutant general or the adjutant general's designee.

The bill would require the task force to meet at the call of the chair as often as necessary to perform its duties to:

- examine the state missions and operations of the Texas State Guard using statistical analyses and data received from focus groups and other research methods, including identifying short- and long-term critical state missions and operations needs;
- identify any and develop solutions to existing and potential challenges and threats to the Texas State Guard's operations, including critical infrastructure;
- develop strategies to professionalize the Texas State Guard and develop the capabilities consistent with the findings;
- recommend to the adjutant general and the governor policy priorities to address identified long-term needs and the solutions and policy priorities, and budgetary needs to implement those solutions; and
- advise the adjutant general and the governor regarding the staffing, facilities, equipment, and technology needed to implement the strategies developed.

The task force would be required to submit a report to the adjutant general and the governor that contains its findings and recommendations by August 31, 2026. The task force and its functions would expire on September 1, 2026.

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

- SUBJECT:** Creating a science park district and temporary commission
- COMMITTEE:** Trade, Workforce & Economic Development — committee substitute recommended
- VOTE:** 9 ayes — Button, K. Bell, Bhojani, Harris Davila, Longoria, Lujan, Meza, Ordaz, Richardson
- 0 nays
- 2 absent — Talarico, Luther
- WITNESSES:** None (*Committee substitute considered in a public hearing on April 30*)
- BACKGROUND:** Some have suggested that establishing a framework for the establishment of a Texas science park district would help to develop such districts to attract new business, retain employees, and ensure the stability of the supply chain for national and state security.
- DIGEST:** CSHB 112 would establish provisions for the creation of a Texas science park district in a county with a population of 800,000 or more or adjacent to such a county.
- The bill would authorize landowners to petition the Texas Economic Development and Tourism Office for the creation of a science park district, subject to requirements regarding electricity, water, and transportation infrastructure access. If the office determined that the petition conformed to requirements and would benefit the territory, the office could approve the petition and appoint a temporary board. Otherwise, the office would be required to deny the petition or require petitioners to amend it.
- Upon the creation of a science park district, the office would be required to request the appointment of a temporary board of directors for the district, composed of nine directors appointed by state officials who would oversee strategic planning and initial activities. The temporary board would be required to call for an election for four director positions

as soon as practicable after the creation of the district. The following year, the board would be required to call for an election for the remaining five directors. The board would transition to nine elected directors serving staggered two-year terms. Directors would serve without compensation but could be reimbursed for expenses. The bill would establish provisions related to meetings and officer duties.

The bill would grant a district the powers provided to a municipal management district under statutory provisions, except for the authority to establish and maintain reasonable and nondiscriminatory rates, fares, tolls, charges, rents, or other compensation for the use of district improvements.

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

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

The bill would establish the Texas Science Park Commission within the Texas Economic Development and Tourism Office to develop a comprehensive plan for district governance, funding, partnerships, and industry targeting. The commission would submit its plan and recommendations by December 1, 2026, and would be abolished on September 1, 2027.

The bill would take effect September 1, 2025.

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

A bill digest of CSHB 112 was originally published in the HRO *Daily Floor Report* on April 29.

- SUBJECT:** Requiring State Preservation Board approval of certain traffic changes
- COMMITTEE:** State Affairs — committee substitute recommended
- VOTE:** 12 ayes — King, Hernandez, Darby, Y. Davis, Geren, Hull, McQueeney, Metcalf, Phelan, Raymond, Smithee, Thompson
- 2 nays — Anchía, Turner
- 1 absent — Guillen
- WITNESSES:** For — (*Registered, but did not testify:* Bradley Hodges)
- Against — (*Registered, but did not testify:* Carrie Rogers, City of Austin)
- BACKGROUND:** Concerns have been raised that changes to traffic flows and configurations on roads in the vicinity of the state Capitol could impact the Department of Public Safety’s ability to respond to emergencies or other security incidents in the Capitol Complex.
- DIGEST:** Unless the action was authorized by an affirmative vote of four members of the State Preservation Board, CSHB 146 would prohibit a municipality from taking any action that, for the portion of Congress Avenue between the Congress Avenue Bridge and 11th Street (“covered segment”), permanently reduced the number of traffic lanes or closed any lane for more than 14 consecutive days. This would not apply to:
- a special event with 50 attendees or more for which a municipality orders temporary closure of a covered segment or an adjacent area;
 - a construction project on or adjacent to a covered segment; or
 - a traffic control plan or pedestrian safety plan related to a construction project on or adjacent to a covered segment.
- The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2025.

- SUBJECT:** Prohibiting marriage for emancipated persons under 18
- COMMITTEE:** Judiciary & Civil Jurisprudence — favorable, without amendment
- VOTE:** 9 ayes — Leach, Johnson, Dyson, Flores, J. González , Hayes, LaHood, Moody, Schofield
- 0 nays
- 2 absent — Dutton, Landgraf
- WITNESSES:** For — Anna Katharina Dechert, Tahirih Justice Center; Dré Fields and Becca Powell; Unchained At Last; Michelle Sorensen; Laura Swansey (*Registered, but did not testify*: Nusrat Ameen, Daya; Katherine Strandberg, Every Body Texas; Bronwyn Blake, Texas Advocacy Project; Stephanie Battaglia, Texas CASA; Molly Voyles, Texas Council on Family Violence; Kristen Lenau, Texas Womens Healthcare Coalition; Kerrie Judice, TexProtects; and 11 individuals)
- Against — None
- BACKGROUND:** Current law allows a person under 18 to marry in Texas if the person has had the disabilities of minority removed by a court order, which occurs when a minor is emancipated.
- DIGEST:** HB 168 would prohibit the issuance of a marriage license to a person under 18 years of age, regardless of whether the person had been granted a court order removing the disabilities of minority in any state.
- The bill also would void a marriage if either party to the marriage was younger than 18 years of age, regardless of whether a court order removing the disabilities of minority had been obtained in any state. A marriage would be void only if it was entered into on or after the effective date of the bill.
- The bill would take effect September 1, 2025.

- SUBJECT:** Revising certain offenses related terrorism, ammunition smuggling
- COMMITTEE:** Homeland Security, Public Safety & Veterans' Affairs — committee substitute recommended
- VOTE:** 10 ayes — Hefner, R. Lopez, Canales, Cortez, Hickland, Holt, Isaac, Louderback, McLaughlin, Pierson
- 0 nays
- 1 absent — Dorazio
- WITNESSES:** For — Bryan Flatt, TMPA; Gary Zimmerman (*Registered, but did not testify*); Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); James Kershaw, Harris County Deputies' Organization FOP#39; Ray Hunt, Houston Police Officers' Union; Timothy Mabry, Lead Through Fire; Kimberly Moyers)
- Against — Nick Hudson, American Civil Liberties Union of Texas; Kirsten Budwine, Texas Civil Rights Project
- On — Kathy Mitchell, Equity Action
- BACKGROUND:** Concerns have been raised that the legal framework of the state's terrorist offender registration program may not fully address certain acts of terrorism or adequately cover individuals who engage in illegal firearm or ammunition transactions. Some have suggested providing greater authority to law enforcement by expanding the conduct that is considered an act of terrorism.
- DIGEST:** HB 214 would establish that certain criminal offenses were acts of terrorism under the Penal Code if an individual committed or conspired to commit the offense with the intent to intimidate or coerce the public or a substantial group of the public or influence by intimidation or coercion the policy, conduct or activities of the state, a political subdivision of the state, or the United States, including:

- aggravated kidnapping;
- continuous smuggling of people;
- criminal mischief, if the offense was committed using a firearm or explosive weapon as defined in state law;
- commercial bribery;
- fraudulent use or possession of identifying information, if punishable as a third-degree felony or higher category of offense;
- breach of computer security;
- telecommunications crimes;
- impersonating a public servant, if the actor was impersonating or conspiring to impersonate a peace officer;
- intentionally or knowingly possessing, transporting, manufacturing, repairing, or selling explosive weapons, machine guns, or improvised explosive devices;
- knowingly possessing components of explosives; or
- firearm smuggling.

The bill also would include transporting or transferring ammunition for a firearm to the offense of smuggling a firearm.

HB 214 would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, the fiscal implications of the bill cannot be determined due to the lack of data to estimate the prevalence of conduct outlined in the bill's provisions that would be subject to criminal penalties.

- SUBJECT:** Limiting pretrial detention to potential term of confinement
- COMMITTEE:** Criminal Jurisprudence — favorable, without amendment
- VOTE:** 8 ayes — Smithee, Wu, Bowers, J. Jones, Little, Money, Moody, Rodríguez Ramos
- 2 nays — Cook, Louderback
- 1 absent — Virdell
- WITNESSES:** For — (*Registered, but did not testify:* Nick Hudson, American Civil Liberties Union of Texas; Rick Thompson, County Judges and Commissioners Association of Texas; Josie Castro Garcia, Dallas County; Kathy Mitchell, Equity Action; Kirsten Budwine, Texas Civil Rights Project; Allen Place, Texas Criminal Defense Lawyers Association; Nikki Pressley, Texas Public Policy Foundation; Lakshmi Fox; Richard Hayes; Thomas Parkinson; Tristan Stitt)
- Against — (*Registered, but did not testify:* Jennifer Szimanski, Combined Law Enforcement Associations of Texas; James Parnell, Dallas Police Association; Ray Hunt, Houston Police Officers’ Union; Carlos Ortiz, San Antonio Police Officers Association; John Wilkerson, Texas Municipal Police Association)
- BACKGROUND:** Some have suggested that pretrial detention practices in Texas could raise due process concerns by allowing defendants to remain in jail awaiting trial for longer than the maximum sentences they could receive if convicted.
- DIGEST:** HB 413 would prohibit the pretrial detention of a defendant charged with a class B misdemeanor (up to 180 days in jail and/or a maximum fine of \$2,000) or higher category of offense for a cumulative period that, when considering the maximum credit toward the defendant's sentence to which the defendant would be entitled to earn as a result of conduct while confined in the county jail, exceeded the maximum term of confinement that could be imposed on conviction of the offense. The bill would not

apply to defendants being evaluated for competency or subject to an order of commitment issued after the defendant is found incompetent to stand trial.

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

- SUBJECT:** Prohibiting TCEQ authorization of certain ASR projects
- COMMITTEE:** Natural Resources — committee substitute recommended
- VOTE:** 8 ayes — Harris, Martinez, Ashby, Barry, C. Bell, Buckley, Gámez, Villalobos
- 3 nays — J. Garcia, Romero, Zwiener
- 2 absent — Fairly, M. González
- WITNESSES:** For — Sylvia Carrillo Trevino, City of Bastrop; Elvis Hernandez, Lost Pines GCD; Andrew Wier, SAWDF (*Registered, but did not testify*: Gregory Ellis, Lost Pines GCD)
- Against — Shay Roalson, City of Austin (*Registered, but did not testify*: Emlea Chanslor, Marisa Flores Gonzalez, City of Austin)
- On — Ashley Forbes, TCEQ
- BACKGROUND:** Some have suggested that prohibiting the use of a Class V injection well for certain aquifer storage and recovery (ASR) projects could help mitigate risks of water migration, injection of contaminants, and chemical reactions below the surface as a result of these projects and reduce liability for residents of impacted areas.
- DIGEST:** CSHB 1523 would apply only to a Class V injection well located in any portion of the territory of a groundwater conservation district located wholly or partly in a county that had a population of between 70,000 and 100,000, contained a portion of the Colorado River, and was adjacent to a county that had a population of one million or more.
- The bill would prohibit the Texas Commission on Environmental Quality (TCEQ) from authorizing the use of such a well for an aquifer storage and recovery project operated by:

- a municipally owned utility that primarily provided water to a municipality that was located in a county adjacent to a county to which the bill applied with a population of 750,000 or more; or
- a nonprofit entity that had partnered with a municipally owned utility to provide water to such a municipality.

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

- SUBJECT:** Prohibiting people convicted of certain felonies from being poll watchers
- COMMITTEE:** Elections — committee substitute recommended
- VOTE:** 7 ayes — Shaheen, Isaac, Plesa, Raymond, Swanson, Toth, Wilson
2 nays — Bucy, Morales Shaw
- WITNESSES:** For — (*Registered, but did not testify*: Ed Johnson, Harris County Ballot Security; Patricia Shipton, Secure Elections Project; Karen Marshall, State Republican Executive Committee; Tammy Baker; Kathy Haigler; Russell Hayter; Bill Sargent; Lucy Trainor)

Against — (*Registered, but did not testify*: Mary Ibarra, ACLU of Texas; Sofia Lozano, Marliza Marin, Common Cause Texas; and 14 individuals)

On — Dr. Laura Pressley, True Texas Elections, LLC (*Registered, but did not testify*: Chuck Pinney, Texas Secretary of State; Katherine Cano)
- BACKGROUND:** Concerns have been raised that persons convicted of a first- or second-degree felony offense are able to serve as a poll watcher, despite being disqualified from holding many other jobs. Some have suggested that amending these regulations would reinforce standards of accountability and ethical conduct to safeguard the state’s elections.
- DIGEST:** CSHB 493 would amend the Election Code to specify that a person was ineligible to serve as a poll watcher if the person had been finally convicted of a first- or second-degree felony.

A certificate of appointment for a poll watcher would be required to contain an affidavit executed by the appointee stating that the appointee had not been finally convicted of a first- or second-degree felony or a felony offense connected to conduct directly attributable to an election.

The bill would take effect September 1, 2025.

- SUBJECT:** Amending curbside voting and voter assistance reporting provisions
- COMMITTEE:** Elections — committee substitute recommended
- VOTE:** 8 ayes — Shaheen, Bucy, Isaac, Plesa, Raymond, Swanson, Toth, Wilson
1 nay — Morales Shaw
- WITNESSES:** For — Ed Johnson, Harris County Ballot Security; Debbie Garza; Kathy Haigler; Maria Hernandez; Toni Trevino (*Registered, but did not testify*: Rhonda Ward, SREC Committeewoman SD 3; Andrew Eller, State Republican Executive Committeeman SD24; Daniel Hunt, State Republican Executive Committeeman SD3; Tammy Baker; Kristen Dearing; Debbie Georgatos; Russell Hayter)
- Against — Mary Ibarra, ACLU of Texas; Marliza Marin, Common Cause Texas; Taylor Trevino, Texas Civil Rights Project; Sabrina Gonzalez Saucedo, The Arc of Texas (*Registered, but did not testify*: David Weinberg, Brennan Center for Justice; Sofia Lozano, Common Cause Texas; Amber Mills, MOVE Texas Civic Fund; Brenda Cruz, Texas Democratic Party; and 16 individuals)
- On — Chase Bearden, Coalition of Texans with Disabilities; Molly Broadway, Disability Rights Texas; Bill Sargent (*Registered, but did not testify*: Christina Adkins, Chuck Pinnney, Texas Secretary of State; Karen Darby)
- BACKGROUND:** Election Code sec. 61.003(a) establishes an offense for loitering or electioneering during the voting period within 100 feet of an outside door through which a voter can enter the building in which a polling place is located.
- Election Code sec. 64.009(f) requires a person simultaneously assisting seven or more curbside voters by providing voters with transportation to the polling place to complete and sign a form that contains the person's name and address and whether the person is providing assistance solely

under curbside voting provisions or under both curbside voting provisions and general voter assistance provisions.

Concerns have been raised about inconsistency and potential misuse of certain voting accommodations. Some have suggested that discouraging electioneering near curbside voting spaces, enhancing transparency for curbside voting, and creating offenses for failing to comply with certain reporting requirements could provide necessary safeguards against election fraud related to voter assistance.

DIGEST:

CSHB 421 would expand the offense under Election Code sec. 61.003(a) to include loitering or electioneering within 20 feet of a parking space designated for curbside voting. The bill would require signs in curbside voting areas to display, in large font that was clearly readable from a vehicle, that electioneering was prohibited within 20 feet of the parking space.

Before an election officer could deliver a ballot to a curbside voter, the voter would have to complete and sign a form that contained the following statement: "I swear (or affirm) under penalty of perjury that I am physically unable to enter the polling place without personal assistance or likelihood of injuring my health, or I am requesting a reasonable accommodation under Section 1.022, Election Code. Therefore, I am requesting to vote outside the polling place." A completed form would have to be delivered to the secretary of state as soon as practicable. Upon request, the secretary of state would be required to make the form available to the attorney general for inspection.

Except as provided for by provisions allowing the use of an interpreter for voting, an election officer who delivered a ballot to the voter at the polling place entrance or curb could not provide assistance in marking the ballot. If four or more election officers were present at the polling place, two election officers would be required to deliver a ballot to the voter at the polling place entrance or curb.

The bill would amend Election Code sec. 64.009(f) to specify that a person providing assistance during the early voting period and on election day was required to complete the form. It would be a class A

misdemeanor (up to one year in jail and/or a maximum fine of \$4,000) for knowingly failing to complete the required form.

For the purposes of voter assistance provisions, the bill would eliminate an exception for election officers who assisted voters from the requirement to complete a form describing the nature of assistance. Within 30 days after the election, the county clerk would be required to report to the secretary of state information regarding any individual who assisted a total of seven or more voters during the early voting period and on election day.

The bill would take effect September 1, 2025.

- SUBJECT:** Exempting positions from civil service system in certain counties
- COMMITTEE:** Intergovernmental Affairs — favorable, without amendment
- VOTE:** 10 ayes — C. Bell, Cecil, Zwiener, Cole, Cortez, C. Garcia Hernandez, Lowe, Luther, Rosenthal, Spiller, Tepper
- 0 nays
- 1 absent — Leo Wilson
- WITNESSES:** For — Javier Salazar, Bexar County Sheriffs Office; Rene Ochoa, Ron Tooke, Deputy Sheriffs Association of Bexar County (*Registered, but did not testify*); Melissa Shannon, Bexar County Commissioners Court; Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); Charles Reed, Dallas County Sheriff
- Against — (*Registered, but did not testify*): James Parnell, Dallas Police Association; Ray Hunt, Houston Police Officers’ Union; John Sierega, TMPA)
- BACKGROUND:** Concerns have been raised that county civil service systems limit the flexibility of sheriffs to appoint individuals to leadership and specialized roles in counties with rapid population growth facing staffing shortages.
- DIGEST:** HB 594 would authorize a sheriff of a county with a population between 2 million and 3.3 million to exempt from the civil service system the position of chief deputy, four positions of major deputy, one or more positions in the office of departmental legal counsel, and additional positions in the department.
- The bill would prohibit a sheriff from designating more than 18 positions as exempt from the civil service system and would lower the minimum population threshold of a county for which a sheriff could designate certain positions as exempt from 3.3 million to 2 million.
- The bill would take effect September 1, 2025.

SUBJECT: Limiting contempt rulings, interest on certain child support orders, arrears

COMMITTEE: Judiciary & Civil Jurisprudence — committee substitute recommended

VOTE: 9 ayes — Leach, Johnson, Dutton, Dyson, Flores, Hayes, LaHood,
Landgraf, Schofield

0 nays

2 absent — J. González, Moody

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

Against — None

BACKGROUND: Concerns have been raised that the child support enforcement system imposes penalties on individuals who fall behind on payments due to circumstances that may be outside of their control.

DIGEST: CSHB 557 would prohibit a court from finding a person in contempt of court for failing to pay child support if the person appeared at the enforcement hearing and presented certain satisfactory evidence of being current or having a plan to become current in the payment of child support, and showing that the failure to make timely payments was due to an error made by a third party or other circumstances outside the person's control.

The bill also would authorize a court to suspend interest from accruing on confirmed child support arrearages that were reduced to a money judgment if the court found that the arrearages resulted from a third-party error or circumstances outside of the person's control.

The bill would take effect September 1, 2025.

- SUBJECT:** Requiring timely pretrial hearings after competency restoration
- COMMITTEE:** Criminal Jurisprudence — committee substitute recommended
- VOTE:** 11 ayes — Smithee, Wu, Bowers, Cook, J. Jones, Little, Louderback, Money, Moody, Rodríguez Ramos, Virdell
- 0 nays
- WITNESSES:** For — Lyssette Galvan, NAMI Texas; Melanie Billingsley, Texas Jail Project; Chance Oliver (*Registered, but did not testify*: M. Paige Williams, Dallas County Criminal District Attorney John Creuzot; Santiago Franco, Harris County Commissioners Court; Christine Yanas, Methodist Healthcare Ministries; Natasha Malik, Texas Appleseed; Beverly Biehl; Thomas Parkinson)
- Against — None
- On — Brandon Wood, Texas Commission on Jail Standards (*Registered, but did not testify*: Jennie Simpson, Health and Human Services Commission)
- BACKGROUND:** Under Code of Criminal Procedure art. 46B.084, after a defendant returns from a state hospital for competency restoration services, proceedings must resume within a certain period or, in some counties, as soon as practicable after the defendant is determined to be competent to stand trial.
- Some have raised concerns that defendants restored to competency may face delays in their proceedings, increasing the risk of reverting to incompetent status while awaiting further proceedings in jail.
- DIGEST:** CSHB 305 would amend Code of Criminal Procedure art. 46B.084 to establish that, in a jurisdiction subject to the requirement for criminal proceedings to resume not later than the 14th day after a court’s determination that a defendant’s competency has been restored, a pretrial hearing on any evidentiary or procedural issue that must be resolved for

the proceedings to proceed to trial or for another resolution would be required to be conducted not later than the 14th day after the court's determination that the defendant's competency has been restored.

The bill would take effect September 1, 2025.

- SUBJECT:** Requiring schools to obtain and make available airway clearance devices
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 14 ayes — Buckley, Bernal, Allen, Ashby, Bryant, Cunningham, Dutton, Hinojosa, Hunter, Kerwin, Leach, Leo Wilson, Schoolcraft, Talarico
- 1 nay — Frank
- WITNESSES:** For - Debbie Myers, Westyn Mandrell Foundation (*Registered, but did not testify*: Steven Deline)
- Against - Becca Harkleroad, Texas School Nurses Organization
- On - (*Registered, but did not testify*: Clayton Travis, Texas Pediatric Society; Shane Sexton, Texas Education Agency)
- BACKGROUND:** Concerns have been raised that many schools currently do not have immediate access to airway clearance devices to help students during choking incidents.
- DIGEST:** HB 549 would require each school district to make available at each campus at least one airway clearance device appropriate for use on the majority of students enrolled at the campus. In determining the location at which to store the device, the principal of the campus would have to consider the primary location on campus where students consume food. A district would have to comply with the bill only if the district could obtain an airway clearance device through donation of the device in the original packaging or purchase or lease of the device using appropriated or donated money.
- At each location where a device was stored, a school district would be required to ensure the presence of at least one employee trained in the proper use of the device at any time a substantial number of state were present at the location. A school district would have to ensure that each device was stored and used in accordance with the manufacturer’s specifications and any applicable law. The bill would not:

- waive any immunity from liability of a school district or the district's officers or employees;
- create any liability for or a cause of action against a school district or the district's officers or employees; or
- waive any immunity from liability for emergency care.

The bill would define an "airway clearance device" as a noninvasive device capable of removing or assisting with the removal of a person's foreign-body airway obstruction.

The bill would apply beginning with the 2025-2026 school year and would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2025.

SUBJECT: Limiting home insurers from reducing initial payments for damage or loss

COMMITTEE: Insurance — committee substitute recommended

VOTE: 6 ayes — Dean, Vo, J. González, Goodwin, Hopper, Wharton

2 nays — Paul, Spiller

1 absent — Morgan

WITNESSES: For — Ches Bostick, Texas Association of Public Insurance Adjusters (TAPIA); Ware Wendell, Texas Watch (*Registered, but did not testify*); Charles Cascio, AARP Texas; John ‘Ben’ Brown, American Adjuster Association; Carie Ann Roach, Independent Insurance Agents of Texas; Seth Juergens, Texas Realtors; Craig Eiland, Texas Trial Lawyers Association; Steven Deline)

Against — Jon Schnautz, Insurance Council of Texas (*Registered, but did not testify*); Scot Kibbe, American Property Casualty Insurance Association (APCIA); Mike Meroney, Chubb, Inc.; Ward Tisdale, National Association of Mutual Insurance Companies; Beaman Floyd, Texas Coalition for Affordable Insurance Solutions)

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

BACKGROUND: Concerns have been raised that policyholders facing lost or damaged property are often required to pay for a portion of the repair costs before receiving reimbursement from their insurers, causing repair delays that can lead to further damage and disproportionately harm lower-income homeowners. Some have suggested that the law should limit a homeowner’s, renter’s, or condominium owner’s insurer from reducing the initial payment by an amount greater than 20 percent of the insurer’s estimated cost would help protect homeowners.

DIGEST: CSHB 854 would prohibit a homeowner’s, renter’s, or condominium owner’s insurance policy that included replacement cost coverage, in a

valid claim for loss of or damage to insured property, from reducing an initial payment by an amount greater than 20 percent of the insurer's estimated cost to repair or replace the lost or damaged property, minus the applicable deductible. An insurer would not be required to pay more than the total cost to replace the lost or damaged property with property of a like kind and quality.

The bill would apply to each insurer authorized to engage in the business of residential property insurance in Texas. On documentation provided to the insurer that repair or replacement was completed and on payment of the applicable deductible, the insurer would be required to make the remaining payment due after the initial payment.

The bill would take effect September 1, 2025, and would apply only to an insurance policy delivered, issued for delivery, or renewed on or after January 1, 2026.

- SUBJECT:** Expanding salary and retirement credit for career and technical teachers
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 10 ayes — Buckley, Allen, Ashby, Bryant, Cunningham, Dutton, Hinojosa, Hunter, Kerwin, Leach
- 1 nay — Frank
- 4 absent — Bernal, Leo Wilson, Schoolcraft, Talarico
- WITNESSES:** For — Ray Pieniasek, Agriculture Teachers Association of Texas; Robin Painovich, Career & Technical Association of Texas (*Registered, but did not testify*); Tricia Cave, Association of Texas Professional Educators (ATPE); Kelsey Kling, Texas AFT; Kelly Rasti, Texas Association of School Boards; Jennifer Easley, Texas PTA; Carrie Griffith)
- Against — None
- On — Sara Kohn, Texas Education Agency (*Registered, but did not testify*); Monica Martinez, Texas Education Agency)
- BACKGROUND:** Education Code sec. 21.403(b) allows for work experience in a career and technical field to count as up to two years of teaching experience for purposes of the state minimum salary schedule for certified teachers. Similarly, work experience for an eligible member of the Teacher Retirement System (TRS) may count as a maximum of two years' service credit under Government Code sec. 823.404(a). Some have suggested increasing the maximum number of years of applicable work experience that career and technical education (CTE) teachers may count toward salary step and service credit would better reflect the breadth of a teacher's professional experience.
- DIGEST:** The bill would revise provisions of the Education Code and Government Code to entitle a certified teacher in a career and technical education (CTE) field to salary step credit for purposes of the minimum salary schedule as if the work experience were teaching experience for a

maximum of five, rather than two, years. The bill also would establish that an eligible TRS member could count a maximum of five, rather than two, years of work experience for which the member was entitled to salary step credit as equivalent to service credit.

The bill apply beginning with the 2025-2026 school year.

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 health benefit plans to cover certain telemedicine services

COMMITTEE: Insurance — favorable, without amendment

VOTE: 8 ayes — Dean, Vo, J. González, Goodwin, Hopper, Paul, Spiller,
Wharton

0 nays

1 absent — Morgan

WITNESSES: For — (*Registered, but did not testify*: Charles Cascio, AARP Texas;
Amber Hausenfluck, Texas Academy of Pediatric Dentistry; Deanna L.
Kuykendall, Texas Brain Injury Providers Alliance; Kelsey Bernstein,
Texas Council of Community Centers; Jess Calvert, Texas Dental
Association; Marcus Mitias, Texas Health Resources; Sara Gonzalez,
Texas Hospital Association)

Against — None

On — (*Registered, but did not testify*: Rachel Bowden, TDI)

BACKGROUND: Some have suggested that extending health benefit plan coverage to
telehealth services given by providers outside the state would help ensure
that Texans have access to these services.

DIGEST: HB 1052 would require a health benefit plan to provide coverage for a
covered health care service or procedure delivered as a telemedicine
medical service, teledentistry dental service, or telehealth service with an
originating site or distant site located outside of Texas on the same basis
that the plan provided coverage for the service or procedure with an
originating site and distant site located in Texas if:

- the individual who received the service resided primarily in Texas;
and

- the health professional who provided the service was licensed or otherwise authorized to provide the service in Texas and had a physical office in Texas.

An "originating site" would be defined as the location where an individual received a telemedicine medical service, teledentistry dental service, or telehealth service. A "distant site" would be defined as the location where a health professional provided such a service.

HB 1052 would apply only to a health benefit plan delivered, issued for delivery, or renewed on or after January 1, 2026.

The bill would take effect September 1, 2025.

- SUBJECT:** Evaluating the economic impact of undergrounding certain power lines
- COMMITTEE:** State Affairs — favorable, without amendment
- VOTE:** 10 ayes — King, Hernandez, Anchía, Y. Davis, Geren, McQueeney, Phelan, Raymond, Thompson, Turner
- 4 nays — Darby, Hull, Metcalf, Smithee
- 1 absent — Guillen
- WITNESSES:** For — (*Registered, but did not testify*: Stephanie Mace, AARP Texas; Sally Bakko, City of Galveston; Joshua Sanders, City of Houston; Joel Romo, City of Port Aransas; Spencer Gutierrez, City of Sugar Land; Santiago Franco, Harris County Commissioners Court; Cyrus Reed, Lone Star Chapter Sierra Club; Adrian Shelley, Public Citizen; Kenneth Flippin, Texas Chapter of US Green Building Council; Perry Fowler, Texas811)
- Against — None
- On — (*Registered, but did not testify*: Therese Harris, Public Utility Commission of Texas)
- BACKGROUND:** Some have suggested that directing the Public Utility Commission of Texas to study the implications of burying power lines in the Gulf Coast region could address public safety risks, infrastructure damage, and widespread power outages caused by extreme weather events.
- DIGEST:** HB 842 would require the Public Utility Commission of Texas (PUC) to evaluate, for the area within 150 miles of the Gulf of Mexico’s coast, the potential economic costs and savings of undergrounding power lines.
- PUC would be required to submit a report of the results of the study and any recommendations to the governor, lieutenant governor, and speaker of the House by September 1, 2026.

The bill would take effect September 1, 2025, and it would expire October 31, 2026.

NOTES: According to the Legislative Budget Board, the bill would have a negative impact of \$1,000,000 through the biennium.

- SUBJECT:** Authorizing county and hospital district disease control pilot programs
- COMMITTEE:** Intergovernmental Affairs — favorable, without amendment
- VOTE:** 7 ayes — C. Bell, Zwiener, Cole, Cortez, Garcia Hernandez, Lowe, Rosenthal
- 3 nays — Leo Wilson, Luther, Spiller
- 1 absent — Tepper
- WITNESSES:** For — Melissa Shannon, Bexar County Commissioners Court; Charles Reed, Dallas County Commissioners Court; Nicholas Ours, Harris County Commissioners Court; Januari Fox, Prism Health North Texas; Michelle Espinoza, Texas Harm Reduction Alliance; Maggie Luna, Texas Harm Reduction Alliance; Cameron Edrich; Alicia Torres (*Registered, but did not testify*); Nick Hudson, American Civil Liberties Union of Texas; Robin Kirschenbaum, Austin Justice Coalition; Josie Castro Garcia, Dallas County; Elisa M. Tamayo, El Paso County; Katherine Strandberg, Every Body Texas; Maria Reza, Grassroots Leadership; Christine Yanas, Methodist Healthcare Ministries; Nzingha Williams-Eugene, Teaching Hospitals of Texas; David Reynolds, Texas Chapter American College of Physicians; Robert Watson, Texas Impact; Matt Dowling, Texas Medical Association; Rachel Wolleben, Texas Women's Healthcare Coalition; Julie Wheeler, Travis County Commissioners Court; Cate Graziani, VOCAL-TX; and 6 individuals)
- Against — None
- BACKGROUND:** Some have suggested that access to clean needles through a syringe exchange program could reduce the spread of blood-borne diseases across the state.
- DIGEST:** HB 3174 would authorize Bexar, Dallas, El Paso, Harris, Nueces, Travis, and Webb Counties and hospital districts in those counties to establish a disease control pilot program to prevent the spread of infectious and

communicable diseases, including HIV, hepatitis B, and hepatitis C. The pilot program could include disease control outreach programs that:

- provided for the anonymous exchange of used hypodermic needles and syringes for an equal number of new hypodermic needles and syringes;
- offered education on the transmission and prevention of infectious and communicable diseases; and
- assisted program participants in obtaining health care and other physical and mental health-related services, including substance abuse treatment services and blood-borne disease testing.

The bill would authorize a county or hospital district to register an organization to operate the disease control pilot program and distribute hypodermic needles and syringes to control the spread of certain blood-borne communicable diseases. The county or hospital district could charge the organization a registration fee in an amount reasonable and necessary to cover the costs of registration oversight, including coordination with law enforcement personnel. A registered organization could charge a program participant a fee for each hypodermic needle or syringe used in the program not to exceed 150 percent of the actual cost to the organization of the hypodermic needle or syringe.

A registered organization would have to annually provide to the Department of State Health Services and the county or hospital district with which the organization is registered information on:

- the effectiveness of the disease control pilot program;
- the program's impact on reducing the spread of infectious and communicable diseases; and
- the program's effect on injected drug use by individuals who resided within the county or hospital district.

A person licensed as a wholesale drug distributor or device distributor could distribute hypodermic needles and syringes to a disease control pilot program authorized by the bill.

An organization registered to participate in the pilot program:

- would be required to store hypodermic needles and syringes in a proper and secure manner and allow only authorized employees or volunteers of the organization's disease control pilot program to access the hypodermic needles and syringes;
- could include hypodermic needles and syringes in packaged safe kits made available to program participants through the program;
- could provide hypodermic needles, syringes, and safe kits to program participants only through an authorized employee or volunteer of the program; and
- would be required to store and dispose of used hypodermic needles and syringes in accordance with applicable state laws and administrative rules governing the safe and proper disposal of medical waste.

Except to the extent specifically prohibited by law, an organization registered to operate a disease control pilot program could solicit or accept gifts, grants, or donations to fund the program.

The bill would make conforming changes to provisions in the Health and Safety Code and the Government Code to include counties authorized to participate in the program in provisions guiding relevant pilot programs and to exempt persons participating in or operating the pilot program from possession or delivery of drug paraphernalia offenses.

The bill would take effect September 1, 2025.

- SUBJECT:** Increasing the priority of child support in claims against an estate
- COMMITTEE:** Judiciary & Civil Jurisprudence — committee substitute recommended
- VOTE:** 7 ayes — Leach, Dyson, Flores, Hayes, LaHood, Landgraf, Schofield
4 nays — Johnson, Dutton, J. González, Moody
- WITNESSES:** For — Brad LaMorgese, Texas Family Law Foundation (*Registered, but did not testify*: Guy Herman, Statutory Probate Judges of Texas; Amy Bresnen, Texas Family Law Foundation)
Against — Meredyth Fowler, Texas Mortgage Bankers Association (*Registered, but did not testify*: Wendy Foster, IBAT Independent Bankers Association of TX; Celeste Embrey, Texas Bankers Association)
- BACKGROUND:** Concerns have been raised that in situations where a decedent’s estate is not sufficient to cover all claims against the estate, certain claims are prioritized over those related to delinquent child support and arrearages, which could leave a minor child who has lost a parent in a difficult financial situation.
- DIGEST:** CSHB 3311 would move the following from Class 4 to Class 3 in the order of priority of claims against an estate:
- claims for the principal amount and accrued interest on delinquent child support and child support arrearages that had been confirmed as a judgment by a court or administratively determined, as evidenced by a child support payment record; and
 - claims for unpaid child support obligations.
- The bill would reduce the amount owed for unpaid child support obligations by all but one year of the amount of any family allowance paid for the maintenance of the child.
- The bill would move from Class 3 to Class 4 in the order of priority of claims against an estate each secured claim for money, including a tax

lien, to the extent the claim can be paid out of the proceeds of the property subject to the mortgage or other lien.

CSHB 3311 also would require the family allowance in the administration of a decedent's estate to include an amount sufficient for the maintenance of each minor child of the decedent until the later of the child's 18th birthday or graduation from high school, rather than for only one year after the decedent's death. The bill would remove the option for the family allowance to be paid in installments, and instead would require it to be paid in a lump sum.

The bill would take effect on September 1, 2025.

- SUBJECT:** Revising confidentiality of law enforcement agency employee files
- COMMITTEE:** Homeland Security, Public Safety & Veterans' Affairs — favorable, without amendment
- VOTE:** 10 ayes — Hefner, R. Lopez, Cortez, Dorazio, Hickland, Holt, Isaac, Louderback, McLaughlin, Pierson
- 0 nays
- 1 absent — Canales
- WITNESSES:** For — Thomas Kilgore, City of Lakeway, Texas; Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); Jonathan Blanchard, Dallas Police Department; Jeffrey Bert, Texas Police Chiefs Association (*Registered, but did not testify*: Ryan Brannan, Austin Police Association; Ray Hunt, Houston Police Officers' Union; Brian Hawthorne, Sheriffs Association of Texas; Bryan Flatt, TMPA)
- Against — Ananda Tomas, ACT 4 SA Action Fund; Jim Crosby, Austin Justice Coalition; Bradley Hargis, Capital Area Private Defender Service; Kathy Mitchell, Equity Action; Eric Martinez, Mano Amiga; Kirsten Budwine, Texas Civil Rights Project; Krish Gundu, Texas Jail Project; Faith Bussey; Lakshmi Fox (*Registered, but did not testify*: Andrew Hendrickson, ACLU of Texas; Chas Moore, Austin Justice Coalition; M. Paige Williams, Dallas Criminal District Attorney John Creuzot; David Stout, El Paso County Precinct #2, Local Progress Texas; Kelley Shannon, Freedom of Information Foundation of Texas; Alicia Costello; Goldie Vanzandt)
- On — John Beauchamp, Texas Commission on Law Enforcement
- BACKGROUND:** Concerns have been raised that current law does not reflect a uniform standard of confidentiality for certain information maintained by law enforcement agencies on employees licensed by the Texas Commission on Law Enforcement (TCOLE). Some have suggested that laws addressing the confidentiality of officers' personal information should be

updated to reflect the model policies recommended during TCOLE's most recent Sunset Review.

DIGEST:

HB 2486 would require that the head of a law enforcement agency or a designee maintain a department file on each Texas Commission on Law Enforcement (TCOLE) license holder employed by the agency. The department file would have to contain any letter, memorandum, or document relating to the license holder that was not included in a personnel file, including any such document relating to alleged misconduct by the license holder for which the agency determined there was insufficient evidence to sustain the misconduct charge.

A law enforcement agency hiring a license holder would be entitled to view the contents of the license holder's department file, as provided by state law on preemployment procedures.

A law enforcement agency would be required to provide contents from a license holder's department file to TCOLE as a part of the employment termination report or upon request by TCOLE as part of an ongoing investigation relating to the license holder.

Unless the information was requested by the hiring law enforcement agency or by TCOLE for the above reasons, the law enforcement agency would be prohibited from releasing any information contained in a license holder's department file to any other agency or person requesting information on the license holder. The agency would be required to refer the person or agency requesting the information to the agency head or designee. A department file required under the bill would be confidential and not subject to disclosure under the Public Information Act.

The bill would take effect September 1, 2025.

SUBJECT: Collecting and pledging hotel and convention tax revenue for related costs

COMMITTEE: Ways & Means — committee substitute recommended

VOTE: 11 ayes — Meyer, Martinez Fischer, Bernal, Button, Capriglione, Gervin-Hawkins, Hickland, Muñoz, Noble, Perez, Vincent, Turner

0 nays

2 absent — Troxclair, Vasut

WITNESSES: For — Patrick McNulty, Joe Ricco, and Kerry Schwartz, City of South Padre Island (*Registered, but did not testify*: Justin Bragiel, Texas Hotel & Lodging Association; Ron Hinkle, Texas Travel Alliance)

Against — None

On — (*Registered, but did not testify*: Lara Abi Habib, Julio Mendoza-Quiroz and Elliott Reed, Texas Comptroller of Public Accounts)

BACKGROUND: Tax Code sec. 351.151(2)(B) and (C) establishes that a “qualified convention center,” for the purposes of municipal hotel occupancy tax, is a facility that is wholly owned by a municipality and none of which is or may be owned through an undivided common interest, and is connected to a qualified hotel or has an exterior wall located within 1,000 feet from the nearest exterior wall of a qualified hotel.

Tax Code sec. 351.151(3)(A) and (B) establishes that a “qualified hotel,” for the purposes of municipal hotel occupancy tax, must be located on land owned by a designated municipality and must be connected to a qualified convention center facility or have an exterior wall that is located within 1,000 feet from the nearest exterior wall of a qualified convention center facility.

Some have suggested that the state should include South Padre Island among the municipalities entitled to receive certain tax benefits derived from hotel and convention center projects to support the expansion of its

convention center and the development of additional business ventures to ensure the island remains a premier coastal destination.

DIGEST: CSHB 3196 would amend Tax Code provisions relating to the imposition of the municipal hotel occupancy taxes to apply to “eligible barrier island coastal municipalities”, defined as municipalities that border on the Gulf of Mexico and are located wholly on a barrier island with boundaries within 30 miles of Mexico.

For these municipalities, provisions defining a “qualified convention center” under Tax Code sec. 351.151(2)(B) and (C) would not apply to a facility:

- that otherwise met the requirements of a qualified convention center facility as provided by statute;
- that was wholly owned by an eligible barrier island coastal or a county in which the municipality was located and not owned in undivided interest;
- for which the nearest hotel was located near a natural impediment, including open water or protected wetlands, that would make it impractical for the facility to be located within 1,000 feet of the nearest exterior wall of the qualified hotel; and
- that had an exterior wall that was located within 2,000 feet of the nearest exterior wall of a qualified hotel.

Provisions defining a “qualified hotel” under Tax Code sec. 351.151(3)(A) and (B) would not apply to a hotel:

- that otherwise met the requirements of a qualified hotel as provided by statute;
- that was located on land owned by the designated municipality or county in which the municipality was located;
- for which the qualified convention center was located near a natural impediment, including open water or protected wetlands, that made it impractical for the facility to be located within 1,000 feet of the nearest exterior wall of the qualified convention center; and

- that had an exterior wall that was located within 2,000 feet of the nearest exterior wall of a qualified convention center.

The bill also would provide that a parking area or structure that otherwise met the requirements of a “qualified project” could be located not more than 2,000 feet from the nearest property line of a qualified convention center facility or qualified hotel if the facility or hotel was located near a natural impediment, including open water or protected wetlands, that made it impractical to acquire, lease, construct, repair, remodel, expand, or equip a parking area or structure located within 1,000 feet of the facility or hotel.

Under the bill, provisions that allow infrastructure located within the property lines or within a certain distance of a qualified convention center or hotel to be considered a "qualified project" for the purposes of municipal hotel occupancy taxes would not apply to infrastructure:

- for which the qualified convention center or hotel was located near a natural impediment, including open water or protected wetlands, that made it impractical to acquire, construct, repair, remodel, or expand infrastructure located within 1,000 feet of the facility or hotel; and
- that was located within 2,000 feet of the nearest property line of the qualified convention center facility or qualified hotel.

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 SBOE to adopt civics skills in social studies curriculum
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 11 ayes — Buckley, Allen, Ashby, Bryant, Cunningham, Dutton, Frank, Hinojosa, Hunter, Kerwin, Leach
- 0 nays
- 4 absent — Bernal, Leo Wilson, Schoolcraft, Talarico
- WITNESSES:** For — (*Registered, but did not testify:* Tricia Cave, ATPE; Christine Yanas, Methodist Healthcare Ministries; Kelsey Kling, Texas AFT; Carrie Griffith, Texas State Teachers Association)
- Against — None
- On — (*Registered, but did not testify:* Monica Martinez, Texas Education Agency; Adam Kranz)
- BACKGROUND:** Concerns have been raised that many young Americans graduate from high school without a fundamental understanding of government functions, lawmaking, or civic participation.
- DIGEST:** HB 824 would require the State Board of Education (SBOE), in adopting the essential knowledge and skills for the government component of the social studies curriculum for high school students, to adopt essential knowledge and skills to develop each student’s civic knowledge, including:
- the role of government officials, such as statewide elected and county officials and city councilors;
 - the voting process and election laws in Texas;
 - the eligibility requirements to run for elected office in the state;
 - Robert’s Rules of Order; and
 - the elected officials who represented the student at each level of government.

The bill would apply beginning with the 2025-2026 school year and would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2025.

SUBJECT: Removing restriction on hotel occupancy tax use by certain municipalities

COMMITTEE: Ways & Means — favorable, without amendment

VOTE: 11 ayes — Meyer, Martinez Fischer, Bernal, Button, Capriglione, Gervin-Hawkins, Hickland, Muñoz, Noble, V. Perez, Turner

0 nays

2 absent — Troxclair, Vasut

WITNESSES: For — (*Registered, but did not testify:* Justin Bragiel, Texas Hotel & Lodging Association; Ron Hinkle, Texas Travel Alliance; Steven Deline)

Against — None

On — (*Registered, but did not testify:* Lara Abi Habib, Julio Mendoza-Quiroz, and Elliott Reed, Texas Comptroller of Public Accounts)

BACKGROUND: Some have suggested that removing certain constraints on the use of hotel occupancy tax revenue by certain municipalities would enable the funding of tourism initiatives and economic development projects, as well as support local businesses.

DIGEST: HB 1039 would repeal Tax Code sec. 351.1035, which restricts the allocation of hotel occupancy tax revenues collected by municipalities that were the largest municipality in certain border counties.

The bill would apply only to revenue collected on or after the effective date of the bill.

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

- SUBJECT:** Providing an annual state salary supplement for certain county judges
- COMMITTEE:** Intergovernmental Affairs — favorable, without amendment
- VOTE:** 8 ayes — C. Bell, Zwiener, Cole, Cortez, Garcia Hernandez, Cassandra, Leo Wilson, Rosenthal, Spiller
- 2 nays — Lowe, Luther
- 1 absent — Tepper
- WITNESSES:** For — Rick Thompson, County Judges and Commissioners Association of Texas (*Registered, but did not testify*: Melissa Shannon, Bexar County Commissioners Court; Adam Haynes, Conference of Urban Counties; Santiago Franco, Harris County Commissioners Court; James Deloach, Lamb County; Trey Duhon, Waller County)
- Against — None
- BACKGROUND:** Concerns have been raised about the omission of county judges from a recent increase in compensation provided to members of the judiciary.
- DIGEST:** HB 2529 would entitle a county judge to an annual salary supplement from the state in an amount equal to 18 percent of the annual salary paid to a district judge with comparable years of service, rather than 18 percent of the state base salary set by the General Appropriations Act.
- The bill would take effect September 1, 2025, and apply only to a salary payment for a pay period beginning on or after the bill’s effective date.

- SUBJECT:** Restricting certain municipalities from repealing civil service systems
- COMMITTEE:** Intergovernmental Affairs — favorable, without amendment
- VOTE:** 9 ayes — C. Bell, Cortez, Garcia Hernandez, Leo Wilson, Lowe, Luther, Rosenthal, Spiller, Tepper
- 2 nays — Zwiener, Cole
- WITNESSES:** For — Kathy Reyes, CLEAT; Tiffany Williams, San Marcos Police Officers' Association; Beau Simpson, Texas State Association of Firefighters (*Registered, but did not testify*: Ronnie Wright, Arlington Professional Firefighter Association; Lloyd Cook, Fort Worth POA; Matt Sapp, Frisco Firefighters Association; John Wilkerson, Houston Police Officers' Union, Texas Municipal Police Association (TMPA); Andrew Wright, Houston Police Officers' Union; Brian Becker, Irving Professional Fire Fighters Association; Aidan Alvarado, Laredo Firefighters Association; Adrian Martinez, Carlos Ortiz, San Antonio Police Officers Association; Glenn Deshields, Texas State Association of Fire Fighters)
- Against — Peter Hunt, Austin Justice Coalition
- BACKGROUND:** Some have suggested that civil service for firefighters and police officers should be retained in certain municipalities in order to promote high professional standards and reduce potential political influence on professionals in these areas.
- DIGEST:** HB 2713 would lower from less than 950,000 to less than 70,000 the population threshold of a municipality for which the municipality's governing body, after receiving a petition requesting an election to repeal provisions related to municipal civil service for firefighters and police officers in that municipality, would be required to order such an election
- 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 TEDTO to evaluate the cost of state agency marketing
- COMMITTEE:** Delivery of Government Efficiency — committee substitute recommended
- VOTE:** 12 ayes — Capriglione, Bhojani, Alders, Bowers, Cain, Campos, Cook, Curry, L. Garcia, Olcott, Rodríguez Ramos, Tinderholt
- 0 nays
- 1 absent — Troxclair
- WITNESSES:** For — (*Registered, but did not testify:* Gabriela Perdichizzi, Texas Association of Business)
- Against — None
- BACKGROUND:** Some have suggested that the Legislature should better understand marketing expenditures by state agencies to promote transparency.
- DIGEST:** CSHB 4936 would require the Texas Economic Development and Tourism Office (TEDTO) to conduct a study to evaluate the total costs incurred by state agencies for marketing purposes and the feasibility of creating a Department of Marketing Services to review requests by state agencies for marketing expenditures. The bill would require the study, at a minimum, to analyze:
- the total costs incurred by each state agency for marketing purposes;
 - the number of full-time equivalent positions necessary to create a Department of Marketing Services and the duties and salaries of each of these positions; and
 - all other costs associated with creating the proposed department.

CSHB 4936 would require TEDTO to prepare and submit a report with its findings to the governor, the lieutenant governor, the speaker of the House

of Representatives, and each member of the Legislature by September 30, 2026.

The bill would expire September 1, 2027.

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

- SUBJECT:** Establishing DPS handgun training for tactical medical professionals
- COMMITTEE:** Homeland Security, Public Safety & Veterans' Affairs — committee substitute recommended
- VOTE:** 10 ayes — Hefner, R. Lopez, Canales, Dorazio, Hickland, Holt, Isaac, Louderback, McLaughlin, Pierson
- 0 nays
- 1 absent — Cortez
- WITNESSES:** For — Nicholas Teague, Bastrop/Travis Counties ESD1 (*Registered, but did not testify*); Robin Foster, Harris County Deputies' Organization FOP Lodge 39; Ray Hunt, Houston Police Officers' Union; Brian Hawthorne, Sheriffs' Association of Texas; Bryan Flatt, TMPA; Tommy Cole
- Against — (*Registered, but did not testify*): Alycia Castillo, Texas Civil Rights Project; Steven Deline)
- BACKGROUND:** Concerns have been raised that medical professionals who were authorized by the 87th Legislature to carry a firearm while accompanying tactical law enforcement units to high-risk incidents may sometimes still be liable for harm resulting from discharging their weapon.
- DIGEST:** CSHB 4995 would require the Department of Public Safety (DPS) to establish a training program for licensed tactical medical professionals and provide certain civil and criminal protections and defenses to tactical medical professionals who discharge their firearm while performing their duties.
- The bill would define a “tactical medical professional” as a person who was a physician or emergency medical services personnel licensed to practice in Texas and was employed or otherwise appointed by the head of a law enforcement agency to provide direct support to a tactical unit of the agency responding to a high-risk incident by providing medical services to victims, officers, and other persons at the incident.

Training course. The bill would require the DPS director, in consultation with the Texas Commission on Law Enforcement (TCOLE), to establish minimum standards for an initial training course that a tactical medical professional could complete to receive a certification of completion from DPS. The training course would have to:

- be administered by a qualified handgun instructor;
- provide classroom training and field instruction in the use of handguns; and
- require physical demonstrations of proficiency in techniques learned in training.

DPS, in consultation with TCOLE, would also be required to establish minimum standards for an annual continuing education course administered by a qualified handgun instructor for tactical medical professionals who have completed the initial training.

DPS would be required to issue a certificate upon completion of the initial training or continuing education course. This certificate would expire one year after its issuance.

To participate in training or continuing education courses and receive a certificate of completion, a tactical medical professional would have to have a valid license to carry a handgun. Tactical medical professionals also would be responsible for paying training costs to the course provider.

The bill would prohibit training or continuing education courses from being held before January 1, 2026.

Civil liability protections. CSHB 4995 would amend the Civil Practice and Remedies Code to establish that a governmental unit could not be held liable in a civil action arising from the discharge of a handgun by a tactical medical professional who was licensed to carry a handgun. The bill also would establish that discharging a gun was outside the scope of a tactical medical professional's duties.

Criminal liability protections. CSHB 4995 would amend certain provisions in the Penal Code related to trespassing by a license holder with a concealed or openly carried handgun to include a tactical medical professional in provisions that provide a defense to prosecution for volunteer emergency services personnel and first responders engaged in the actual discharge of duties while carrying a handgun. To be eligible for this defense, the tactical medical professional would have to have held an unexpired certificate of completion at the time of engaging in the applicable conduct and have been engaged in the actual discharge of their duties while carrying the handgun.

The bill would extend the nonapplicability of provisions related to unlawful carrying of weapons and places where weapons were prohibited to tactical medical professionals who were carrying a handgun in a concealed manner or in a shoulder or belt holster, held an unexpired certificate of completion at the time of engaging in the applicable conduct, and were engaged in the actual discharge of their duties while carrying the handgun.

The changes to civil and criminal liability would only apply to causes of action or offenses that accrued after September 1, 2025.

The DPS director would be required to adopt the rules necessary to implement the bill by December 1, 2025.

CSHB 4995 would take effect September 1, 2025.