**HOUSE RESEARCH ORGANIZATION • TEXAS HOUSE OF REPRESENTATIVES**
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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 Two

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

Gary VanDeaver
Chairman
89(R) - 61

**HOUSE RESEARCH ORGANIZATION**

Daily Floor Report

Saturday, May 10, 2025

89th Legislature, Number 61

Part 2

SUBJECT: Revising provisions of the Service Contract Regulatory Act

COMMITTEE: Licensing & Administrative Procedures — favorable, without amendment

VOTE: 13 ayes — Phelan, Thompson, Gerdes, Geren, Harless, Harris, Hernandez, Longoria, McQueeney, Patterson, M. Perez, Romero, Walle

0 nays

WITNESSES: For — (*Registered, but did not testify*: Mark Vane, Service Contract Industry Council)

Against — None

On — (*Registered, but did not testify*: Steven Leary, TDLR)

BACKGROUND: Some have suggested that service contracts should be more extensively regulated to ensure that consumers are aware of the terms, conditions, and coverage under their contracts and avoid misunderstandings or exploitation.

DIGEST: HB 4830 would amend provisions regarding service contracts and providers under the Service Contract Regulatory Act.

**Definitions.** For the purposes of Occupations Code provisions relating to service contract providers, the bill would amend the definition of "consumer" to mean an individual to whom a service contract was sold, offered, or marketed, rather than an individual who bought tangible personal property for a purpose other than resale, and would remove specifications about the types of personal property that could be purchased.

The bill would amend the definition of "service contract" to include an agreement where a service contract provider agreed to provide a reimbursement or payment for certain repairs or maintenance, including for damage caused by a power surge to a product. Additionally, the definition would include an agreement in which a provider agreed to, in

conjunction with a leased motor vehicle, provide for the repair, replacement, or maintenance of property for certain reasons specified in the bill and payment in an amount not to exceed the purchase price of the vehicle for such repair, replacement, or maintenance of the property.

The bill would establish that a service contract in which the provider agreed to repair, replace, or maintain a product, or provide indemnification for the repair, replacement, or maintenance of a product, for operational or structural failure or damage caused by a defect in materials or workmanship or by normal wear could no longer provide for the repair or replacement of a product for damage resulting from a power surge.

The bill would amend the definition of "residential service contract" to mean a service contract in which a provider agreed to provide incidental payment or reimbursement, rather than incidental payment of indemnity, for covered items under limited circumstances. The bill would exclude from the definition service contracts offered:

- in connection with the retail purchase of an appliance, the terms of which did not include any other item listed in the definition; or
- by a registered provider that covered appliances attached to or located on residential property and the terms of which did not include any other item listed in the definition.

The bill would amend the definition of "maintenance agreement" to mean an agreement that provided only for scheduled maintenance for a specified, rather than limited, period. The term would not include coverage for repairs or other incidental expenses necessitated by an operational or structural failure due to the breakdown of a part, regardless of whether the replacement of the part otherwise constituted scheduled maintenance.

The bill would define "scheduled maintenance" to mean a service performed at or with reference to a time or wear interval for a device appliance, electrical, plumbing, heating, cooling, air-conditioning system, or motor vehicle and could include the replacement of fluids, filters, brake pads, wiper blades, belts, tires, and other similar parts designed to wear

out with normal use and recommended to be replaced or replenished at designated intervals.

The bill would amend the definition of "warranty" to include an undertaking made solely by the seller of a structural component or system. The bill would specify that such an undertaking would have to guarantee a remedial measure in the event of a defect in or performance failure of the covered item. The remedial measure could include reimbursement for costs related to the defect or failure, the repair or replacement of the product, component, system, or part, or the repetition of service.

**Exempt agreements.** The bill would revise the applicability of the Service Contract Regulatory Act to specify that such provisions did not apply to a service contract sold or offered for sale to a person concerning property purchased for other than personal, family, or household purposes.

It would remove certain exemptions from the Service Contract Regulatory Act, including:

- a performance guarantee that was offered by the manufacturer or seller of an appliance or other system or component of a residential property;
- a guarantee or warranty that was designed to guarantee or warrant the repair or service of an appliance, system, or component of a residential property and was issued by a person who sold, serviced, repaired, or replaced the appliance, system, or component at the time or before the guarantee or warranty was issued; and
- a service or maintenance agreement or a warranty that met certain criteria.

**Provider, administrator, and seller powers and duties.** The bill would include any requirement of the Service Contract Regulatory Act or of Occupations Code provisions governing Texas Department of Licensing and Regulation (TDLR) among the requirements from which a provider, seller, administrator, or other person who marketed, sold, issued, or offered to sell service contracts would not be exempt.

The bill would require an administrator, in addition to a provider, to make records regarding service contract transactions available on request of the executive director of TDLR.

The bill would include service contract administrators, in addition to providers, in provisions on duties and responsibilities related to service contract sellers. A seller that violated the Service Contract Regulatory Act would be liable for administrative or civil penalties under the act and certain TDLR provisions.

The bill would exempt residential service contracts in which a provider agreed to provide incidental payment of indemnity under limited circumstances from requirements related to the minimum amount of a provider's security deposit to be held in trust with the TDLR director.

The bill would require a residential service contract provider or administrator, as applicable, to exercise reasonable care to ensure that any repairs provided to the service contract holder were performed by persons licensed to perform the type of work, if the work required a license. The provider or administrator also would have to ensure that under normal circumstances, within 48 hours after the contract holder requested services, the provider or administrator initiated the performance of services or furnished the contract holder a documented explanation for failure to provide the requested service.

A residential service contract provider or administrator would be presumed to have exercised reasonable care with respect to air conditioning or electrical work if the provider or administrator noted on any work order or in the claim file the name and license number of the air conditioning and refrigeration or electrical contractor under whose supervision the work would be performed, or if the provider or administrator:

- selected the service provider from a regularly updated roster of licensed service providers that was maintained by the provider or administrator and included the license numbers of the service providers; and
- made the roster available to TDLR for inspection on request.

The bill would require a provider to include in their records a copy of any claim-related correspondence with the service contract holder and documentation of any reason for the denial of a claim.

The bill would specify that a provider, administrator, seller, or other representative of the provider was prohibited from, in the provider's service contracts or literature or in any oral, in addition to written, communication with a consumer concerning a proposed or executed service contract:

- intentionally, knowingly, or recklessly making, permitting, or causing to be made any false, deceptive, or misleading statement; or
- deliberately omitting a material statement if the omission would mislead a reasonable consumer.

The bill would repeal certain provisions relating to financial security transitions for a service contract provider that maintained a funded reserve account.

The bill would take effect September 1, 2025.

SUBJECT: Making registered professional appraisers eligible to serve as arbitrators

COMMITTEE: Ways & Means — favorable, without amendment

VOTE: 12 ayes — Meyer, Martinez Fischer, Bernal, Button, Capriglione, Gervin-Hawkins, Hickland, Muñoz, Noble, V. Perez, Turner, Vasut

0 nays

1 absent — Troxclair

WITNESSES: For — (*Registered, but did not testify*: Julia Parenteau, Texas Realtors)

Against — None

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

BACKGROUND: Some have suggested that making registered professional appraisers eligible to serve as arbitrators in binding arbitration of appraisal review board orders could help address concerns about the need for qualified arbitrators with appraisal expertise.

DIGEST: HB 4864 would include a registered professional appraiser among those who qualified to serve as an arbitrator in an appeal of an appraisal review board order through binding arbitration if the registered professional appraiser met certain training and licensing requirements.

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 TWDB to conduct a water resources study for a certain region

COMMITTEE: Natural Resources — committee substitute recommended

VOTE: 12 ayes — Harris, Martinez, Ashby, Barry, C. Bell, Buckley, Fairly, Gámez, J. Garcia, Romero, Villalobos, Zwiener

0 nays

1 absent — M. González

WITNESSES: For — (*Registered, but did not testify*: Buddy Garcia, Brownsville Public Utilities Board; Kenneth Flippin, Chispa Texas; Christine Yanas, Methodist Healthcare Ministries; Perry Fowler, Texas Water Infrastructure Network)

Against — None

On — Natalie Ballew, Texas Water Development Board

BACKGROUND: Some have suggested that the state should conduct a study related to water resources in certain South Texas counties to address issues related to water scarcity and sustainability.

DIGEST: CSHB 5219 would require the Texas Water Development Board (TWDB) to conduct a study that evaluated and analyzed the water resources in the counties located in Regional Water Planning Area M. The study would have to:

- compile and evaluate current data on groundwater conditions, including groundwater levels, aquifer characteristics, and groundwater use and production;
- fully assess the effects of current and projected groundwater production on groundwater conditions;
- establish a framework for analyzing state agency data to enable policymakers and agency leadership to make informed, real-

time decisions regarding water resource management, financial allocations, and contracting;

- develop predictive models that could be used to enhance the allocation of state resources, forecast water supply trends, and guide policy decisions that support water sustainability;
- identify ways to prevent and mitigate potential fraudulent transactions or inefficiencies in financial and contractual processes associated with water infrastructure, permitting, and management;
- assess the effectiveness of state and federal funding mechanisms in addressing water management challenges through advanced data analytics;
- review the performance of existing state-funded water management and conservation programs to determine cost-effectiveness, efficiency, and impact; and
- develop standardized, user-friendly reporting mechanisms that incorporated clear visual representations and interactive tools to improve public access to and comprehension of water resource data and agency policies.

By September 1, 2026, TWDB would be required to complete the study and prepare and submit a report of the findings to each standing committee of the Legislature with primary jurisdiction over water development. TWDB would have to make copies of the report available to the public.

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.

NOTES: According to the Legislative Budget Board, the bill would have a negative impact of $14,181,952 to general revenue related funds through the biennium.

SUBJECT: Requiring TEA to make standardized test results available online

COMMITTEE: Public Education — favorable, without amendment

VOTE: 15 ayes — Buckley, Bernal, Allen, Ashby, Bryant, Cunningham, Dutton, Frank, Hinojosa, Hunter, Kerwin, Leach, Leo Wilson, Schoolcraft, Talarico

0 nays

WITNESSES: For — Brent Beasley (*Registered, but did not testify*: Garry Jones, DFER Texas; Amy Beneski, Texas Association of School Administrators; Raif Calvert, Kelly Rasti, Texas Association of School Boards; Andrea Chevalier, Texas Council of Administrators of Special Education (TCASE); Carrie Griffith, Texas State Teachers Association)

Against — None

On — (*Registered, but did not testify*: Jose Rios, Texas Education Agency)

BACKGROUND: Concerns have been raised that parents and guardians may have difficulty obtaining their children's State of Texas Assessments of Academic Readiness (STAAR) results. Some have suggested that alleviating these difficulties could help ensure that parents can address issues quickly to prevent student learning loss.

DIGEST: HB 5263 would require the Texas Education Agency (TEA) to make available to a parent the results of their child's state assessment test by no more than one click from a website maintained by TEA. Student identifying information needed to access the information would have to meet TEA security protocols, be unique to the student, and be in control of a parent or guardian without the need to secure additional information from any third party.

The bill would take effect September 1, 2025.

SUBJECT: Amending provisions on the Joint Admission Medical Program

COMMITTEE: Higher Education — committee substitute recommended

VOTE: 11 ayes — Wilson, Howard, A. Davis, Lalani, Lambert, V. Perez, Shaheen, Shofner, Tinderholt, VanDeaver, Ward Johnson

0 nays

WITNESSES: For - (*Registered, but did not testify*: Amanda Tollett, Texas Medical Association; Steven Deline)

Against - None

On - (*Registered, but did not testify*: Judianne Kellaway, Long School of Medicine at UT San Antonio; Sarah Keyton and Elizabeth Mayer, Texas Higher Education Coordinating Board)

BACKGROUND: Education Code ch. 51, subch. V establishes the Joint Admission Medical Program (JAMP) to be administered by the Joint Admission Medical Program Council to:

- provide services to support and encourage highly qualified, economically disadvantaged students pursuing a medical education;
- award undergraduate and graduate scholarships and summer stipends to those students; and
- guarantee the admission of those students to at least one participating medical school.

The JAMP Council is required to select one of its members to serve as council chair for a term of two years. The council must deliver a report on the program to the governor, the lieutenant governor, and the speaker of the House by December 31 of each even-numbered year. Among other information, the report is required to contain detailed information regarding any problems the council identifies in implementing the

program with recommended solutions and the expenditure of any money received for the program, including legislative appropriations.

Some have suggested that there is a need to update the Joint Admission Medical Program's governing statutes to provide for additional oversight.

DIGEST:

CSHB 5154 would amend and establish provisions regarding the Joint Admission Medical Program (JAMP).

**Program objectives.** The bill would amend the objectives of JAMP. In addition to awarding undergraduate and graduate scholarships and summer stipends to applicable students, the program would be required to:

- provide services, including mentoring, academic support, and counseling and relief, to support and encourage highly qualified, economically disadvantaged students pursuing a medical education to complete a medical degree and meet state workforce needs;
- guarantee and facilitate the admission of those students to at least one participating medical school;
- align statewide educational and workforce goals to increase medical jobs and stop workforce shortages; and
- promote the accessibility and equality of medical education by addressing statewide barriers to entry and participation for economically disadvantaged communities.

**Council.** The bill would specify that the selected chair of the JAMP Council would be required to:

- facilitate council meetings;
- ensure compliance with program goals; and
- represent the council in interactions with relevant stakeholders, including the Texas Medical and Dental Schools Application Service and legislative committees.

The council would have to establish clear policies to ensure effective communication among council members, including:

- procedures for convening regular meetings to review program implementation and evaluate outcomes;
- protocols for disseminating an agenda or report before a meeting;
- mechanisms for soliciting feedback from council members to promote transparency and collaboration; and
- procedures for promoting public meetings to students.

The bill would require the council to provide notice of each council meeting. A notice would have to be posted in a place readily accessible and available to the general public at all time for at least 72 hours before the meeting and include sufficient detail regarding the meeting's agenda to inform participants and the general public of the topics to be discussed or decided.

The bill would require the council to pursue opportunities to increase scholarship money allocated to participating students to at least 30 percent of the total amount appropriated for purposes of the program without impeding the implementation of other program functions and goals, including:

- coordinating efforts with the Texas Higher Education Coordinating Board to request additional legislative appropriations;
- soliciting gifts, grants, and donations; and
- collaborating with private foundations, corporations, and entities to secure supplemental funding.

**Report.** The bill would amend the requirements for the council report to require detailed information regarding:

- any problems the council identified in implementing the program, including external or internal challenges, deficiencies, or obstacles, with recommended solutions for the problems, including recommendations for legislative action to streamline and enhance the implementation of the program;
- an accounting of all money received under the bill, including legislative appropriations and private funding sources, breakdowns of disbursements, the specific purposes for which money was used,

and a statement of the ending balance and any unobligated and unexpended money remaining for the fiscal year;
- the total number of students admitted to the program;
- the number of students, disaggregated by year of enrollment, who, while enrolled in a degree program at a postsecondary educational institution, were dismissed or withdrawn from the program by the council, were placed on probation by the council, or voluntarily withdrew from the program;
- enrollment, withdrawal, and disciplinary data for such students for each academic year of a degree program;
- expenditures for graduate scholarships awarded to participating medical students;
- an estimate of the total amount of program funding required for the next fiscal biennium to maintain enrollment and operations and increase the graduate scholarship amount for medical school scholarship recipients;
- the amount of gifts, grants, and donations; and
- any notes, agendas, minutes, and reports made in regard to council meetings.

All such reported data would have to be disaggregated by the type of institution and academic year and reported in a manner that ensured compliance with federal law.

**Online feedback portal.** The council would be required to develop and maintain a secure online portal to allow students in the program to submit anonymous or identified recommendations and complaints regarding the program. The portal would have to:

- ensure anonymity for all submissions submitted anonymously, using encryption and other privacy safeguards to protect the identity of the student making the submission;
- be accessible through different platforms; and
- use an intuitive and user-friendly interface to encourage participation and ease of use.

The council would have to review complaints or recommendations submitted through the portal on a regular basis to identify potential areas

for improvement. A complaint or recommendation submitted through the portal would have to be shared with the Texas Medical and Dental Schools Application Service and other relevant stakeholders, as authorized by law. A complaint or recommendation would be required to be compiled into a report to be included in the council's report, posted on the council's website, and submitted to participating students and relevant standing committees. The council would have to establish procedures to ensure that complaints and recommendations submitted through the portal were addressed in a timely and transparent manner, including by developing:

- a tracking system to monitor the resolution of complaints and recommendations;
- a mechanism to categorize submissions by topic and urgency to prioritize responses effectively; and
- a process for notifying a student of actions taken in response to the student's complaint or recommendation, excluding information that would violate a student's expectation of privacy.

The bill would require the council to promote the portal to participating students, including by providing information during student orientation, via email, and through the program's website.

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 about $1.3 million to general revenue related funds through the biennium.

SUBJECT: Prohibiting regulation of homeschool programs

COMMITTEE: Public Education — favorable, without amendment

VOTE: 9 ayes — Buckley, Ashby, Cunningham, Dutton, Frank, Hinojosa, Hunter, Kerwin, Leach

2 nays — Allen, Bryant

4 absent — Bernal, Leo Wilson, Schoolcraft, Talarico

WITNESSES: For — Jeremy Newman, Texas Home School Coalition (*Registered, but did not testify*: Cindi Castilla, Texas Eagle Forum; Anita Scott, Benjamin McKay, Texas Home School Coalition; Jennifer Allmon, The Texas Catholic Conference of Bishops; Cooper Chapel; Michelle Evans; Isabella Ruffo)

Against — (*Registered, but did not testify*: Tricia Cave, ATPE; Osman Moradel, Texas AFT; Quinn McCall, Texas Classroom Teachers Association; Carrie Griffith, Texas State Teachers Association; Steven Deline; Idona Griffith)

On — (*Registered, but did not testify*: Marian Schutte, TEA)

BACKGROUND: Concerns have been raised about potential overreach by executive agencies on homeschools in the state.

DIGEST: HB 2674 would prohibit the Texas Education Agency, the State Board of Education, or any educational institution from making any rule that had the effect of increasing the regulation of a homeschool program.

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: Requiring parole guidelines for offenses committed by minors

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 — Angela Montijo (*Registered, but did not testify*: Nick Hudson, American Civil Liberties Union of Texas; Xochitl Acheson, Lone Star Justice Alliance; Nicole Malone, National Association of Social Workers-Texas Chapter; Sarah Reyes, Texas Center for Justice & Equity; Veronikah Warms, Texas Civil Rights Project; Angel Carroll; Steven Deline)

Against — None

On — (*Registered, but did not testify*: Lou Serrano, Texas Juvenile Justice Department)

BACKGROUND: Government Code ch. 508 provides for a uniform parole review process for all inmates, regardless of their age at the time of the offense.

Some have suggested that individuals who committed offenses as minors should have parole decisions made using guidelines that account for their diminished culpability and greater capacity for change.

DIGEST: CSHB 5525 would amend relevant provisions of Government Code ch. 508 to require the Texas Board of Pardons and Paroles, in consultation with the Texas Juvenile Justice Department, to develop and implement a version of the existing parole guidelines specifically for inmates who were younger than 18 years of age at the time of the offense, prioritizing rehabilitation, educational attainment, mental health treatment, and reintegration support.

The bill also would require the board to establish specific procedures for considering these inmates for parole, which would have to:

- require parole panels to use the guidelines developed for these inmates and prohibit the use of existing parole guidelines in these cases;
- require parole panels to consider factors including the inmate's age at the time of the offense, demonstrated rehabilitation progress, educational and vocational achievements, psychological and behavioral evaluations, and input from relevant professionals, family members, and victims, if appropriate;
- include a comprehensive reintegration plan for each inmate; and
- include the additional parole considerations required by the bill.

The bill would require parole panels, when assessing whether to release an inmate for parole who committed an offense before the age of 18, to assess the growth and maturity of an inmate, considering the following factors:

- the diminished culpability of persons younger than 18, as compared to adults;
- the hallmark features of youth; and
- the greater capacity of persons younger than 18 for change, as compared to adults.

The bill would require the board to adopt a policy establishing factors for parole consideration of offenses committed when younger than 18 years old to ensure that the inmate was provided a meaningful opportunity to obtain release. The policy would have to consider the inmate's age at the time of the offense as a mitigating factor in favor of parole and permit individuals with certain knowledge of the inmate to submit statements for consideration.

The board would be required to submit an annual report to the governor, lieutenant governor, and members of the Legislature containing data on parole decisions for these inmates, including the number considered and released, reintegration success rates, and recidivism rates, along with

recommendations for improving the parole guidelines required by the bill. The board would be required to use data compiled by the Legislative Budget Board (LBB) to the extent possible in creating the report and collaborate with the LBB to ensure the accuracy and consistency of the data. The board also would be required to publish the report on its website.

As soon as practicable after the effective date of the bill, TJJD would be required to develop and provide training to parole board members and commissioners on best practices for parole consideration of these inmates, and the board would be required to reconsider for release on parole any inmate denied parole before the implementation of the guidelines and procedures under the bill.

The board would be required to implement the guidelines and procedures required by the bill by September 1, 2026.

The bill would take effect September 1, 2025.

NOTES:

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

SUBJECT: Authorizing Texas Energy Fund grants 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 — Cyrus Reed, Lone Star Chapter Sierra Club; Kenneth Flippin, Texas Chapter US Green Building Council (*Registered, but did not testify*: Luke Metzger, Environment Texas; Jonathan Amthor, Texas Advanced Energy Business Alliance; Rebecca Edwards, Texas Impact; 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 using 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: CSHB 5623 would authorize the Public Utility Commission (PUC) to use money in the Texas Energy Fund without further appropriation to provide grants for energy efficiency projects that benefitted retail electric customers, including residential weatherization, demand reduction, or energy loss prevention projects. PUC would have to establish by rule eligibility criteria for such grants. Grants could be provided to a retail electric customer or a nonprofit corporation.

CSHB 5623 would take effect January 1, 2026, but only if the proposed constitutional amendment, CSHJR 218, was approved by voters. If that amendment was not approved by voters, the bill would have no effect.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of $4,919,486 to general revenue related funds through the biennium.

CSHB 5623 is the enabling legislation for CSHJR 218, which is also on the General State calendar for second reading today.

SUBJECT: Creating a Rural Workforce Training Grant Program

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

VOTE: 7 ayes — Button, K. Bell, Bhojani, Harris Davila, Lujan, Luther, Richardson

0 nays

4 absent — Talarico, Longoria, Meza, Ordaz

WITNESSES: For — Betty Voights, Career Tracks Smithville; Grace Atkins, Texas 2036 (*Registered, but did not testify*: Mark Borskey, Association of Equipment Manufacturers; James Caruthers, Coalition for the Homeless; Christine Yanas, Methodist Healthcare Ministries; Bryan Mares, National Association of Social Workers-Texas; Matt Creel, Opportunity Austin; Megan Mauro, Texas Association of Business; Lori Henning, Texas Association of Goodwills; Mike Meroney, Texas Association of Manufacturers; Matt Abel, Texas Economic Development Council; Drew Fuller, Texas Farm Bureau; Will Holleman, Texas Hospital Association; Seth Juergens, Texas Realtors; Jo Cassandra Cuevas, UA Local 286 Plumbers & Pipefitters; Ashley Harris, United Ways of Texas)

Against — None

On — (*Registered, but did not testify*: Mary York, Texas Workforce Commission)

BACKGROUND: Concerns have been raised that many rural communities in Texas face population loss due to limited access to workforce opportunities, education, and competitive wages. Some have suggested that providing support for local job training could help reverse these trends.

DIGEST: HB 2545 would create the Rural Workforce Training Grant Program to be administered by the Texas Workforce Commission (TWC) to support job-

specific training and related services in counties with populations under 200,000.

The commission would award grants to public, private, or nonprofit entities that provide on-the-job training, apprenticeships, workforce education courses, and other workforce development activities. Entities would include business associations, political subdivisions, local workforce development boards, and educational institutions.

Grant funds could be used for training materials, instructor fees, wraparound expenses, facility fees, administrative costs, and expenses related to outreach, mentoring, or recruiting.

The commission would have to require grant recipients to submit periodic reports detailing how grant funds were used and the outcomes for program participants. TWC would be required to submit an annual report by December 1 each year to the governor, lieutenant governor, speaker of the House of Representatives, and relevant legislative committees outlining the distribution of grants and the program's effectiveness.

The commission would be permitted to solicit and accept gifts, grants, and donations from public and private sources, and would be required to adopt rules to administer the program.

The bill would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of $467,784 to general revenue related funds through the biennium.

SUBJECT: Requiring reporting on uncompensated care to patients not lawfully present

COMMITTEE: Public Health — committee substitute recommended

VOTE: 7 ayes — VanDeaver, Cunningham, Frank, Olcott, Pierson, Schofield, Shofner

5 nays — Campos, Bucy, Johnson, J. Jones, Simmons

1 absent — Collier

WITNESSES: For - (*Registered, but did not testify*: Cindi Castilla, Texas Eagle Forum; Patricia Aronin)

Against — Trudy Taylor Smith, Children's Defense Fund-Texas; Lynn Cowles, Every Texan; Daniel Woodward, Texas Civil Rights Project; David Chincanchan, Workers Defense Action Fund; Priscilla Lugo (*Registered, but did not testify*: Caro Achar, ACLU of Texas; Steven Deline; Laurie Heffron)

On — Victoria Grady, HHSC; Heather De La Garza-Barone, Texas Hospital Association (*Registered, but did not testify*: Krystal Gomez, Texas Immigration Law Council & Texas Chapter of American Immigration Lawyers Association)

BACKGROUND: Concerns have been raised that the state does not have a way to accurately assess the financial cost of providing uncompensated care in hospitals to people who are not lawfully present in the United States.

DIGEST: CSHB 2587 would require the Health and Human Services Commission (HHSC) to submit, no later than November 1 of each year, a written report to the governor and the Legislature on the financial impact on Texas hospitals of providing healthcare services to patients who were not lawfully present at the time of service for the preceding state fiscal year. HHSC would be required to submit the initial report by December 1, 2026.

The bill would define "person not lawfully present" as a person who is not:

- a citizen or national of the United States; or
- an alien lawfully admitted for permanent residence under the federal Immigration and Nationality Act or authorized to be employed by that act or the U.S. attorney general.

The HHSC executive commissioner would have to require each hospital that provided acute care services and was enrolled as a Medicaid or CHIP provider to include on its patient intake form:

- a question regarding the patient's citizenship or immigration status to determine if the patient was a person not lawfully present; and
- a statement that the patient's response to the question would not affect any health care service provided to the patient, as required by federal law.

The executive commissioner also would have to require hospitals to submit a quarterly written report to HHSC on:

- the number of emergency room visits and inpatient discharges the hospital provided during the preceding quarter for patients not lawfully present at the time of service; and
- the financial impact on the hospital during the preceding quarter for patients not lawfully present at the time of service.

The bill would require HHSC to ensure reports did not include any personal identifying information.

The bill would establish that, as required by federal law, a patient's response to the question on the intake form could not affect the health care services provided to the patient.

The bill would take effect September 1, 2025.

SUBJECT: Prohibiting certain local regulations on nighttime sound levels

COMMITTEE: State Affairs — committee substitute recommended

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

3 nays — Hernandez, Y. Davis, Turner

2 absent — Anchía, Smithee

WITNESSES: For — Taylor Calvin, Sysco; Emily Williams Knight, Texas Restaurant Association; John Esparza, Texas Trucking Association (*Registered, but did not testify*: Lauren Fairbanks, Aramark; Ross Giesinger, Chick-fil-A, Inc.; Laura Alexander, Greater Houston Partnership; Anne Mazuca, Starbucks)

Against — (*Registered, but did not testify*: Jon Weist, City of Irving)

On - (*Registered, but did not testify*: Adam Buuck, Department of State Health Services)

BACKGROUND: Concerns have been raised that local authorities' regulation of the sound levels of late-night and overnight deliveries to food service establishments across the state can lead to uncertainty for these establishments.

DIGEST: CSHB 2625 would prohibit the Department of State Health Services, a county, a municipality, or a public health district from requiring a food service establishment to obtain a sound regulation permit, charging a sound regulation fee to an establishment, or otherwise prohibiting sound-related activity at an establishment for sound arising from the delivery of food, nonalcoholic beverages, food service supplies, or ice to the establishment, if the establishment accepted delivery of those items for one hour or less between 10 p.m. and 5 a.m. This prohibition would apply only if the sound level from the deliveries did not exceed 65 dBA when measured from the residential property closest in proximity to the

establishment, excluding traffic and other background noise that could be reasonably excluded.

The bill would take effect September 1, 2025.

SUBJECT: Establishing certain grants and programs for the border region

COMMITTEE: State Affairs — favorable, without amendment

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

2 nays — Hull, Smithee

WITNESSES: For — (*Registered, but did not testify*: Tristan Stitt, Austin Justice Coalition; Amanda Saldana, Cameron County; Kathy Mitchell, Equity Action; Daniel Woodward, Texas Civil Rights Project; Steven Deline)

Against — None

BACKGROUND: Concerns have been raised that despite the importance of the border region to Texas' growth and prosperity, many border communities continue to face critical challenges, including a need for greater investment in infrastructure, economic development, and education, as well as increased demands on the judicial system and law enforcement.

DIGEST: HB 5520 would require the establishment of grant programs, financial assistance, a Texas Border Policy Center, and economic development initiatives related to border security.

**DPS border liaison.** HB 5520 would require the Department of Public Safety (DPS) to designate an employee to act as the liaison between DPS and each sector for border operations established by the United States Customs and Border Protection. DPS would be required to avoid duplicative efforts, improve efficacy of deployed resources, and ensure efficient allocation of resources along the Texas-Mexico border. The bill would require DPS to pursue evidence-based border security strategies and efforts and balance the priorities of enhancing the state's security, providing humanitarian assistance, and ensuring robust trade across the border.

The bill would authorize DPS to purchase for use at or near the border equipment that increased the efficacy and efficiency of inspecting vehicles entering the state from Mexico.

**Border court grant program.** HB 5520 would require the Office of Court Administration (OCA) to establish and administer a grant program to support court operations in the border region. The bill would specify authorized uses for the grant program, including salaries and benefits for judges and court staff, travel costs and other expenses, equipment costs, and expenses related to indigent defense or the costs to operate a public defender's office.

In adopting rules for the grant program, OCA would be required to conduct a study, to be updated annually, to identify offenses for which prosecutions had increased due to Operation Lone Star and solicit information to identify regional courts in need of financial assistance. The rules would have to include administrative provisions for grants awarded, methods for tracking grant effectiveness, and procedures for reporting caseload data at least annually.

**Financial assistance for border infrastructure and services.** HB 5520 would require the trusteed programs within the Office of the Governor to make appropriated funds available to state agencies and local governments for the purposes of:

- construction and maintenance of facilities related to prosecuting and adjudicating offenses committed in the border region;
- payment of law enforcement salaries, benefits, and operational expenses;
- purchase or maintenance of equipment for providing public health and safety services in the border region;
- construction and maintenance of border security infrastructure, including technology designed or adapted to surveil or impede the movement of persons or objects across the Texas-Mexico border;
- construction of improvements in the immediate vicinity of a port of entry to enhance vehicle inspection capabilities and assist actions against smuggling; and

- construction or improvement of roadways, sea ports, airports, and similar transportation facilities in the border region.

**Border institution grant program.** HB 5520 would require the Texas Higher Education Coordinating Board (THECB) to establish a border institution grant program to award financial assistance to higher education institutions located in the border region that administered innovative programs designed to increase the number of professionals in fields related to border security or affected by ongoing criminal activity and public health threats to the border region and designed to conduct research in those areas of study.

In adopting rules for the program, THECB would have to solicit information necessary to identify innovative programs anticipated to produce the best outcomes and serve the greatest need. The rules would have to include administrative provisions and methods for tracking the effectiveness of grants that considered relevant information regarding the career paths of professionals in border-related fields during the four-year period following graduation and evaluated whether and for how long those professionals practiced in those fields in Texas. In awarding grants, THECB would be required to prioritize applicants that proposed to:

- enhance or leverage existing degree programs that graduated such professionals;
- establish or maintain a program that served a rural or underserved area;
- partner with another higher education institution to develop a joint program;
- establish or maintain a program that incentivized border-related professionals to serve in their field or a related field for at least three consecutive years following graduation; and
- establish or maintain a degree or certificate program to educate professionals in specialties that face significant workforce shortages.

**Texas Center for Border Policy.** HB 5520 would require the board of regents of The University of Texas System (UT), by September 1, 2026,

to establish and maintain The Texas Center for Border Policy as a joint partnership of The University of Texas at El Paso (UTEP) and The University of Texas Rio Grande Valley (UTRGV). The bill would specify that the organization, control, and management of the center would be vested in the board, which would be authorized to employ personnel for the center as necessary. The board could make joint appointments of personnel to the center and to either or both UTEP and UTRGV.

UTEP and UTRGV would be required to encourage public and private entities to participate in or support the center's operation and jointly could enter into an agreement with any entity for that purpose. An agreement could allow the center to provide information, services, or other assistance to an entity in exchange for participation or support.

Subject to the availability of funds, the center would be required to:

- perform a comprehensive initial assessment of the state's border policies;
- develop appropriate performance metrics for the efficacy and efficiency of those policies,
- conduct research on improving those policies;
- develop recommendations for enhancing the state's security and opportunities for economic growth through border policies;
- develop and maintain a website that provided information on the center's activities; and
- cooperate fully with similar programs operated by other institutions of higher education.

**Economic development initiative.** HB 5520 would require the Texas Economic Development and Tourism Office (EDT), in consultation with border region stakeholders, to develop and execute a campaign to attract domestic and foreign entities to headquarter in or expand operations to the border region, support and promote border region tourism, and support institutions and initiatives in the region that created an environment conducive to starting or operating a company whose primary business was providing homeland security technology or services.

In developing and executing the campaign, the office would be required to identify and research particular companies and types of companies with a high potential for commercial success if the companies were to operate in the border region. For each company identified, the office would have to develop and execute a campaign to attract the company to locate its headquarters or expand operations in the border region. The office also would be required to create programs to support the formation of new companies of that type in the border region, including direct financial incentives.

**General provisions**. An entity that received a grant or funds under HB 5520 would have to submit reports to the awarding or funding governmental entity regarding the use of the grant money or funds.

OCA, the Office of the Governor, and THECB would be authorized, and EDT would be required, to seek and apply for any available federal funds and solicit gifts, grants, and donations from other public or private sources to fulfill their respective purposes under the bill. These entities also would be authorized to use up to 5 percent of general revenue appropriated for the bill's purposes for associated administrative costs. The UT System board of regents also could solicit gifts, grants, and donations to aid in the establishment, maintenance, and operation of the Texas Center for Border Policy under 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.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of $3,914,380 to general revenue related funds through the biennium.

SUBJECT: Allowing automotive parts recyclers to purchase non-titled motor vehicles

COMMITTEE: Homeland Security, Public Safety & Veterans' Affairs — favorable, without amendment

VOTE: 10 ayes — Hefner, R. Lopez, Canales, Dorazio, Hickland, Holt, Isaac, Louderback, McLaughlin, Pierson

0 nays

1 absent — Cortez

WITNESSES: For — Tchad Taormina, Texas Automotive Recyclers Association; Earl Cooke, Texas Independent Automobile Dealers Association (*Registered, but did not testify*: Mark Vane, LKQ Corporation)

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

On — (*Registered, but did not testify*: Annette Quintero, Texas Department of Motor Vehicles)

BACKGROUND: Concerns have been raised that an illegal marketplace exists for non-titled vehicles that can not be purchased for scrap by automotive parts recyclers who are only authorized by law to dismantle licensed motor vehicles. Some have suggested authorizing recyclers to purchase non-titled vehicles for scrap could prevent vehicles from ending up at illegal chop shops and being used in the commission of crimes.

DIGEST: HB 5436 would authorize a used automotive parts recycler to purchase a motor vehicle without obtaining a title to the vehicle if:

- the vehicle was at least 13 years old and was purchased solely for parts, dismantling, or scrap;
- the vehicle had not been registered for at least seven years;
- the recycler complied with certain provisions of the bill regarding requirements to provide certain information and verify whether the vehicle was subject to security interests or liens

- the recycler did not dismantle, crush, or shred the vehicle before the close of business on the third business day after the recycler submitted the required information, if the vehicle was not subject to a recorded security or lien or was subject only to recorded security interest or liens for which a release was provided or that was recorded on the certificate of title more than six years before the date of purchase; or
- the recycler did not dismantle, crush, or shred the vehicle before the date stated in the written statement required under the bill if the recycler determined that the vehicle was subject to a recorded security interest or lien, other than a security interest or lien described above.

**Required information and procedures.** A used automotive parts recycler who purchased a motor vehicle under the bill would be required to compile information in the manner prescribed by the Texas Department of Motor Vehicles (TxDMV), including:

- the name, address, and National Motor Vehicle Title Information System identification number of the recycler;
- the name, initials, or other identification of the individual recording this information;
- the date of the transaction;
- a description of the vehicle, including the make and model to the extent practicable;
- the vehicle identification number;
- the license plate number of any vehicle transporting the vehicle being sold;
- the amount of consideration given for the vehicle;
- a written statement signed by the seller or an agent acting on behalf of the seller certifying that the seller or agent had the lawful right to sell the vehicle and acknowledging that a person who falsified information contained in the statement was subject to criminal penalties and restitution for losses incurred as a result of a sale based on falsified information;
- the name and address of the seller and the seller's agent, if applicable;

- a photocopy or electronic scan of the seller or the seller's agent's valid driver's license or any other photographic identification card issued by a state or federal agency; and
- proof demonstrating that the recycler has reported the vehicle to TxDMV as required.

A used automotive parts recycler who purchased a vehicle under the bill would be required to submit to TxDMV and to the National Motor Vehicle Title Information System information necessary to satisfy any applicable reporting requirement to the National Motor Vehicle Title Information System. The information would have to be submitted within 24 hours, not counting weekends or official state holidays, after the close of business on the day the vehicle was received. TxDMV could report this information to the National Motor Vehicle Title Information System on the recycler's behalf.

Within 48 hours after receiving vehicle information from a used automotive parts recycler, TxDMV would be required to notify the recycler whether the vehicle was reported stolen. If the vehicle had been reported stolen, the recycler would have to notify the appropriate local law enforcement agency of the vehicle's current location and provide the agency identifying information of the person who sold the vehicle to the recycler.

On receipt of motor vehicle information required by the bill, TxDMV would have to add a notation to the motor vehicle record indicating that the vehicle had been dismantled, scrapped, or destroyed and cancel the title of the vehicle.

Within 48 hours after purchasing a motor vehicle, a used automotive parts recycler would have to verify whether the vehicle was subject to any recorded security interest or lien. If such a recorded security interest or lien, other than a recorded security interests or liens for which a release was provided or that were recorded on the certificate of title more than six years before the date of purchase, the recycler would have to notify the county assessor-collector of the county in which the recycler was located of the recycler's purchase of the vehicle. The bill would establish certain requirements for such notice.

Within five days after the recycler provided notice to a county assessor-collector, the county assessor-collector would be required to notify the lienholder and the last registered owner of the vehicle, if the recycler did not purchase the vehicle from the last registered owner, of the recycler's purchase of the motor vehicle. This notice would have to include the contact information of the recycler and a copy of the written statement required by the bill.

Within 14 days after the county assessor-collector provided notice to a lienholder or a last registered owner, the lienholder or last registered owner could retrieve the vehicle from the recycler at no cost.

All records required to be maintained under the bill would be subject to open inspection by DPS or a law enforcement officer. A contract with a U.S. Department of Justice-approved third-party data collector could be used to satisfy TxDMV responsibilities and the recycler's reporting responsibilities under the bill.

The bill would preempt all requirements in statute that were inconsistent with its provisions related to the purchase and dismantling, crushing, or shredding of a motor vehicle without obtaining the title to the vehicle.

**Liability and offenses.** A person who purchased a stolen vehicle under the bill would not be criminally or civilly liable unless the person had knowledge that the vehicle was stolen or failed to comply with the information recording and reporting requirements. The court would be required to order the person who sold the stolen vehicle to pay restitution, including attorney fees, to the owner or lien holder of the vehicle or to a used automotive parts recycler for damages or losses.

A person would commit a class C misdemeanor (maximum fine of $500) if the person knowingly failed to obtain or falsified information or statements required by the bill, sold a vehicle that was the subject of a security interest or lien other than a security interest or lien exempted under the bill, or otherwise violated the bill. The bill would amend other provisions related to repeat motor vehicle offenses to include this offense.

Money generated from penalties collected for the offense under the bill above could be used only for enforcement, investigation, prosecution, and training activities related to motor vehicle-related offenses.

HB 5436 would take effect September 1, 2025.

SUBJECT: Authorizing certain counties to impose a hotel occupancy tax

COMMITTEE: Ways & Means — committee substitute recommended

VOTE: 12 ayes — Meyer, Martinez Fischer, Bernal, Button, Capriglione, Gervin-Hawkins, Hickland, Muñoz, Noble, V. Perez, Turner, Vasut

0 nays

1 absent — Troxclair

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

Against — Allen Kight, Camp Allen

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

BACKGROUND: Some have suggested that authorizing Grimes County to impose a hotel occupancy tax could help the county generate revenue to support local tourism infrastructure, particularly given that the county is home to the Texas Renaissance Festival.

DIGEST: CSHB 4926 would authorize the commissioners court of a county with a population of less than 100,000 that bordered the Navasota River and in which an annual renaissance festival was held to impose a hotel occupancy tax at a rate provided by the bill's provisions.

The hotel occupancy tax rate in the county authorized under the bill could not exceed seven percent of the price paid for a room in a hotel. The tax rate could not exceed two percent of the price paid for a room in a hotel if the hotel was located in a municipality that imposed a municipal hotel occupancy tax applicable to the hotel or in the extraterritorial jurisdiction of such a municipality.

In addition to the purposes of a hotel occupancy tax under relevant law, the revenue from a tax imposed under the bill could be used for:

- the construction, enlarging, improvement, maintenance, repairing, and operation of a civic center with an arena used for rodeos, livestock shows, or agricultural expositions to enhance hotel activity and encourage tourism;
- advertising and conducting solicitations and promotional programs to attract tourists or convention delegates to the county; and
- encouraging, promoting, and improving historical preservation and restoration efforts.

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 school districts to adopt a custodial workload policy

COMMITTEE: Public Education — favorable, without amendment

VOTE: 12 ayes — Buckley, Bernal, Allen, Ashby, Bryant, Cunningham, Dutton, Frank, Hinojosa, Hunter, Kerwin, Leach

1 nay — Schoolcraft

1 absent — Talarico

1 present not voting — Leo Wilson

WITNESSES: For — Nikki Cowart (*Registered, but did not testify*: Tricia Cave, Association of Texas Professional Educators (ATPE); Jessica Rutherford, ATPE; Amanda Posson, Every Texan (CPPP); Kelsey Kling, Texas AFT; Quinn McCall, Texas Classroom Teachers Association; Carrie Griffith, Texas State Teachers Association; and 14 individuals)

Against — None

On — (*Registered, but did not testify*: Steve Lecholop, Texas Education Agency; Daniela Sanchez-Salinas)

BACKGROUND: Concerns have been raised that shortages among custodial staff in public schools have contributed to declining cleanliness and safety.

DIGEST: HB 1573 would require the board of trustees of each school district to adopt a policy establishing workload benchmarks for custodians responsible for maintaining district facilities. The policy would have to define benchmarks for the amount of square footage a properly equipped custodian could be assigned to maintain during an eight-hour shift.

The benchmarks would have to be categorized by elementary, middle, and high school campuses, as well as other district facilities. The bill also would require each school district to post the adopted policy on its website.

The bill would 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: Permitting hotel occupancy tax revenue use in certain municipalities

COMMITTEE: Ways & Means — favorable, without amendment

VOTE: 12 ayes — Meyer, Martinez Fischer, Bernal, Button, Capriglione, Gervin-Hawkins, Hickland, Muñoz, Noble, V. Perez, Turner, Vasut

0 nays

1 absent — Troxclair

WITNESSES: For — Justin Till, City of Monahans (*Registered, but did not testify*: Rex Thee, City of Monahans; Teresa Burnett, Monahans Chamber of Commerce; 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: Some have suggested that allowing the City of Monahans to use hotel occupancy tax revenue for the construction and operation of a recreational facility or arena could support the city's growing hospitality sector, particularly given its high hotel occupancy rates driven by oil and gas activity.

DIGEST: HB 5165 would authorize a municipality that was the county seat of a county with a population of more than 10,000 that contained a state park featuring sandhills to use revenue collected from a municipal hotel occupancy tax to construct, enlarge, equip, improve, maintain, repair, and operate a recreational facility or an arena used for rodeos, livestock shows, and agricultural expositions to substantially enhance hotel activity and encourage tourism.

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: Extending MERP eligibility to South by Southwest

COMMITTEE: Culture, Recreation & Tourism — favorable, without amendment

VOTE: 8 ayes — Metcalf, Flores, Cole, DeAyala, Kerwin, Orr, Vasut, Ward Johnson

0 nays

1 absent — Martinez Fischer

WITNESSES: For — Jeremy Martin, Austin Chamber of Commerce; Hugh Forrest and Ben Loftsgaarden, South By Southwest (SXSW) (*Registered, but did not testify*: Travis Krogman, Austin Chamber of Commerce; Anna Panossian, Circuit of the Americas; Larry Gonzales, Dell Technologies; Denise Davis, Greater Austin Chamber of Commerce; Matt Creel and Stacy Schmitt, Opportunity Austin; Justin Bragiel, Texas Hotel & Lodging Association; Ron Hinkle, Texas Travel Alliance)

Against — None

On — (*Registered, but did not testify*: Terry Zrubek, Office of the Governor, Economic Development and Tourism Office)

BACKGROUND: Concerns have been raised that the Austin Convention Center will not be available to host certain SXSW events for at least three years, which is anticipated to increase the conference's costs.

DIGEST: HB 4811 would make the South by Southwest (SXSW) Conference and Festivals eligible for funding under the Major Events Reimbursement Program (MERP) and would designate SXSW as a site selection organization. The bill would exempt the SXSW Conference and Festivals from the requirement that program funding for an event be contingent on a site selection organization choosing a Texas location after competitively considering one or more out-of-state sites.

HB 4811 would establish that, if an endorsing municipality or county requested the Texas Economic Development and Tourism Office to determine an incremental increase in certain tax receipts for the SXSW Conference and Festivals, the remaining provisions of MERP would apply to that event as if it satisfied the site selection eligibility requirement.

The bill would take effect September 1, 2025.

SUBJECT: Prohibiting disclosure of judicial officers' identifying information

COMMITTEE: Judiciary & Civil Jurisprudence — committee substitute recommended

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

0 nays

1 absent — Schofield

WITNESSES: For — Julie Kocurek; Jan Soifer (*Registered, but did not testify*: Nadia Islam, City of San Antonio; Adam Haynes, Conference of Urban Counties; J.R. Woolley, Justices of the Peace and Constables Association; Guy Herman, Statutory Probate Judges of Texas; Lee Parsley, Texans for Lawsuit Reform; Deanna L. Kuykendall, Texas Municipal Courts Association; Monty Wynn, Texas Municipal League; Cicely Kay, Travis County Commissioners Court; Steven Deline; Thomas Parkinson)

Against — None

On — (*Registered, but did not testify*: Louis Tomasetti, Office of Court Administration)

BACKGROUND: Concerns have been raised that the nonconsensual sharing of personal identifying information by data brokers could pose security risks for judicial branch officers and court support staff. Some have suggested that state law should be enacted to limit the release of these individuals' personal identifying information and to remove this information from public websites.

DIGEST: CSHB 5081 would establish certain prohibitions on the sale and transfer of the personal information of judicial branch personnel, establish a system for such individuals to request the removal of personal information posted online, and create relevant civil and criminal penalties.

**Definitions.** The bill would define an "at-risk individual" as a judge, a court clerk, or an employee of a state court, a court clerk, the Office of Court Administration (OCA) of the Texas Judicial System, or another agency in the judicial branch of state government.

The bill would define "covered information" as:

- a home address, including primary and secondary residences;
- a home or personal telephone number, including a cell number;
- an email address;
- a social security or driver's license number;
- bank account, credit card, or debit card information;
- a license plate number or other unique identifier of a vehicle owned, leased, or regularly used;
- the identity of a child younger than 18 years of age;
- a person's date of birth;
- information regarding current or future school or daycare attendance, including the name or address of the school or daycare, schedules of attendance, or routes taken to or from those places;
- employment information, including the name or address of the employer, employment schedules, or routes taken to or from the employer's location; and
- photographs or videos that revealed the information listed.

The definition of "covered information" would not include state agency employment information.

The bill would establish that "data broker" had the meaning assigned by the Business and Commerce Code, and would exclude from the definition certain commercial entities whose businesses pertained to:

- reporting, news-gathering, speaking, or engaging in other activities intended to inform the public on matters of public interest or concern;
- 411 directory assistance or directory information services;
- internally using personal information by providing it to businesses under common ownership or affiliated by corporate control, or

selling or providing data for a transaction or service requested by or concerning an individual whose information was transferred;
- providing public health and safety alerts; or
- collecting and selling or licensing covered information incidental to conducting any of these activities.

The bill also would exclude from the definition of "data broker" consumer reporting agencies, financial institutions subject to certain federal regulations, or covered entities for purposes of federal privacy regulations.

**Prohibitions and required conduct.** A data broker would be prohibited from knowingly selling, licensing, trading for consideration, transferring, or purchasing covered information of an at-risk individual or the individual's immediate family member, including a foster child, ward, legal dependent, or individual residing in the same household.

The bill would prohibit a person from publicly posting or displaying on a website covered information of an at-risk person or their immediate family member if the at-risk individual, or the OCA acting on the individual's behalf, submitted a written request to the person not to disclose or acquire the covered information that was the subject of the request.

This prohibition would not apply to covered information that was:

- relevant to and displayed as part of a news story, commentary, editorial, or other speech on a matter of public concern;
- voluntarily posted by the at-risk individual; or
- received from a governmental entity or an employee or agent of that entity.

Within 72 hours of receiving a written request, a person, including a data broker, would have to remove from the website the information identified in the request, ensure that it was not made available on another public website controlled by the person, and identify any other instances of the information to be removed. The bill also would require the person who received the request to assist the sender in locating the covered

information that could be posted on any publicly accessible website or subsidiary website controlled by the person. These provisions would not apply to covered information available on a publicly accessible website on or after the bill's effective date, regardless of when the information was originally posted.

The bill would prohibit a person who received a written request to remove covered information from transferring the information to any other person through any medium unless the information was voluntarily posted online by the individual or family member or the transfer was relevant to and displayed as part of a news article or other speech on a matter of public concern, made at the request of the individual, or necessary to produce a request to the person from the at-risk individual.

**OCA procedures.** If funds were appropriated specifically for that purpose, CSHB 5081 would require the judicial security division of OCA to develop a process for a judge to file a written request with OCA director to notify a data broker or other person of a written request submitted by the judge to remove covered information posted or displayed by the person on a public website. The bill would authorize OCA to use other funds to implement the bill if funds were not appropriated, and OCA could develop or procure a statewide technology system to automate the notification process.

**Violations.** If covered information of an at-risk individual or the individual's family member was made public as a result of a violation of the bill, the affected individual or that individual's designee could bring an action in a court seeking injunctive or declaratory relief.

If the plaintiff prevailed in the action, the court, in addition to issuing an order for relief, could impose a fine of $500 for each day the covered information remained public after the date the order was issued and, if the defendant was not a state agency, award to the at-risk individual exemplary damages, court costs, and reasonable attorney's fees.

A person would commit an offense if, without first obtaining consent, the person intentionally posted covered information of an at-risk individual or that individual's immediate family member on a public website with the

intent to cause or threaten to cause harm to or harassment to the at-risk person or their family, if harm and harassment was a probable consequence of posting the information.

The bill would establish as prima facie evidence of intent to cause or threaten to cause harm or harassment if the person received a written request not to disclose the covered information for safety reasons and either failed to remove the covered information from a website within 48 hours or reposted the covered information before the fourth anniversary of the date the business received the request.

An offense under the bill would be a class B misdemeanor (up to 180 days in jail and/or a maximum fine of $2,000). The offense would be a class A misdemeanor (up to one year in jail and/or a maximum fine of $4,000) if it resulted in the bodily injury of the at-risk individual whose covered information was publicly posted or an immediate family member of that individual.

The bill would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, the fiscal implications of the bill cannot be determined because the cost of a system for an at-risk individual to request the removal of covered information published online is unknown.

SUBJECT: Using hotel occupancy tax for venue projects in small municipalities

COMMITTEE: Ways & Means — committee substitute recommended

VOTE: 12 ayes — Meyer, Martinez Fischer, Bernal, Button, Capriglione, Gervin-Hawkins, Hickland, Muñoz, Noble, V. Perez, Turner, Vasut

0 nays

1 absent — Troxclair

WITNESSES: For — Ricardo Guerra and Fred Sandoval, City of San Benito (*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: Concerns have been raised that certain small municipalities near the Texas-Mexico border and the Gulf of Mexico face unique challenges in funding and maintaining cultural and multiuse centers. Some have proposed authorizing smaller districts to use hotel occupancy tax revenue to support these operations.

DIGEST: CSHB 4755 would authorize a municipality that had a population of not more than 25,000, that contained a cultural heritage museum, and that was located in a county that bordered the United Mexican States and the Gulf of Mexico to impose a hotel occupancy tax only to finance a convention center constructed before January 1, 2025. The municipality's authority to impose the tax would expire on the earlier of the date the debt issued for the convention center was repaid or January 1, 2056.

The bill would take effect September 1, 2025, and its provisions would expire January 1, 2056.

SUBJECT: Authorizing certain counties to impose a hotel occupancy tax

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

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

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 granting Mason County the authority to impose a hotel occupancy tax would help promote tourism and local attractions in those counties.

DIGEST: HB 3179 would authorize the commissioners court of a county in which the confluence of the Llano River and the James River was located to impose a hotel occupancy tax. The tax would not apply to a hotel located in a municipality that imposed a municipal hotel occupancy tax.

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 governing board members access to certain public information

COMMITTEE: Delivery of Government Efficiency — favorable, without amendment

VOTE: 11 ayes — Capriglione, Bhojani, Alders, Bowers, Cain, Campos, Cook, Curry, L. Garcia, Rodríguez Ramos, Troxclair

0 nays

2 absent — Olcott, Tinderholt

WITNESSES: For — James Quintero, Texas Public Policy Foundation (*Registered, but did not testify*: Steven Deline; Thomas Parkinson)

Against — None

BACKGROUND: Concerns have been raised that under the Public Information Law, members of governing boards may not be able to access certain information necessary for making informed decisions, especially when the information is deemed confidential.

DIGEST: HB 4310 would authorize a member of the governing board of a governmental body or nongovernmental entity to inspect and duplicate public information maintained by the body or entity if the member was acting in an official capacity. For the bill's purposes, a nongovernmental entity would mean an entity that executed a contract with a governmental body that had a stated expenditure of at least $1 million in public funds for the purchase of goods or services or resulted in such an expenditure in a fiscal year.

Public information requested under the bill would have to be provided to the member promptly and without charge. If requested by the member, confidential public information requested under the bill would have to be redacted without charge.

A governmental body or a nongovernmental entity that had been requested to provide information under the bill could request the member

of a governing board who was receiving confidential public information to sign a confidentiality agreement requiring that:

- the information not be disclosed;
- the information be labeled as confidential;
- the information be kept securely; or
- the number of copies made of the information or the notes taken from the information that implicated the confidential nature of the information be controlled, with all copies or notes that were not destroyed or returned remaining confidential and subject to the agreement.

HB 4310 would specify that a governmental body or nongovernmental entity, by providing public information under the bill that was confidential or otherwise excepted from required disclosure under law, did not waive or affect the confidentiality of the information for purposes of state or federal law or waive the right to assert exceptions to required disclosure of the information in the future.

A member of a governing board who had received a request to sign a confidentiality agreement under the bill could seek a decision about whether the information covered by the confidentiality agreement was confidential under law. A confidentiality agreement would be void to the extent that the agreement covered information determined by the attorney general or a court not to be confidential under law.

The attorney general would have to:

- establish procedures and deadlines for receiving information necessary to decide the matter and briefs from the member of a governing board, the governmental body or nongovernmental entity, and any other interested person;
- promptly render a decision requested under the bill by the 45th business day after receiving the request; and
- issue a written decision and provide a copy to the member, the governmental body or nongovernmental entity, and any interested

person who submitted necessary information or a brief to the attorney general about the matter.

The member or the governmental body or nongovernmental entity could appeal the decision to a Travis County district court. Any other person could appeal a decision to a Travis County district court if the person claimed a proprietary interest in the information affected by the decision or a privacy interest in the information that a confidentiality law or judicial decision was designed to protect.

If a governmental body or nongovernmental entity failed or refused to comply with an applicable requirement of HB 4310, a member of a governing board who made a request under the bill could file a motion, petition, or other appropriate pleading in a district court having jurisdiction for a writ of mandamus to compel the body or entity to comply with the requirement. The pleading could be brought:

- in Travis County for a state agency;
- in a county in which the governmental body was located for other governmental bodies
- in the county where the entity's principal office in this state was located for a nongovernmental entity.

If the member prevailed, the court could award reasonable attorney's fees, expenses, and court costs.

The bill would take effect September 1, 2025.

SUBJECT: Amending procedures for the Central Adoption Registry

COMMITTEE: Human Services — favorable, without amendment

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

0 nays

1 absent — C. Morales,

WITNESSES: For — (*Registered, but did not testify*: Brandon Logan, Family Freedom Project; Shelia Franklin, Julie McCarty, Fran Rhodes, David Rogers, True Texas Project; Mark Treat; Brita Treat)

Against — None

On — Tara Das, Department of State Health Services

BACKGROUND: Family Code sec. 162.403 requires the vital statistics unit of the Department of State Health Services (DSHS) to establish and maintain a mutual consent voluntary adoption registry through which adoptees, birth parents, and biological siblings can voluntarily locate each other. DSHS fulfilled this requirement by establishing the Central Adoption Registry (CAR).

Some have suggested that updates to CAR are needed to address concerns over instances where birth parents and adoptees listed on the registry were not matched but were able to find each other in different ways.

DIGEST: HB 4611 would make several changes to CAR regarding registration, fee waivers, and the duties of the registry's administrator.

**Registration.** HB 4611 would allow the administrator of CAR to accept an electronically signed online application from a registration applicant, rather than only a written one. The bill also would allow an administrator to accept an application for registration if, instead of paying the required registration fees, an applicant submitted an application for a fee waiver.

The bill would require the administrator to ensure that an applicant could submit the application, proof of identity, and any applicable fees or fee waiver application through an online submission portal.

The bill also would require an application to include the applicant's email address and an explanation of the process for applying for the fee waivers.

**Fee waivers.** HB 4611 would require the administrator to waive an applicant's fees if the applicant was or ever had been in the conservatorship of DFPS or in foster care in another state. The bill would require the process for applying for fee waivers due to financial inability or if the applicant was or had ever been in such conservatorship or foster care to be displayed prominently on the DSHS website, the website of each administrator, each online application submission portal, and in a written application for registration.

**Duty to contact.** HB 4611 would require the administrator to attempt to contact by email a registrant who had provided an email address if a match had been made, but a name or address discrepancy was preventing the administrator from confirming the match.

**Repeals.** HB 4611 would repeal Family Code sec. 162.413, which requires a registration applicant to participate in counseling for not less than one hour with a social worker or mental health professional with expertise in postadoption counseling after the administrator has accepted the application for registration and before the release of confidential information. The bill would make conforming changes to relevant provisions.

The bill would take effect September 1, 2025.

NOTES: According to the Legislative Budget Board, the bill would have a negative impact of $8.6 million to general revenue related funds through the biennium.

SUBJECT: Authorizing a minor parent to consent to certain medical treatment

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 — Katherine Strandberg, Every Body Texas; Judith Sanders (*Registered, but did not testify*: Katelyn Caldwell, Harris County Commissioners Court; Jennifer Biundo, Healthy Futures of Texas; Christine Yanas, Methodist Healthcare Ministries; Kate Murphy, Texans Care for Children; Daniela De Luna Olivares and Preston Poole, Texas Association of Community Health Centers; Julia Hatcher, Texas Association of Family Defense Attorneys; Molly Voyles, Texas Council on Family Violence; Lauren Rose, Texas Network of Youth Services; Stefanie Page, Texas Pediatric Society; Nicole Sunstrum and Mary Beth Kiser, Texas Psychological Association; Desiree Ingram, Texas Women's Healthcare Coalition; Steven Deline)

Against — None

BACKGROUND: Concerns have been raised that minors who are parents and can consent to medical treatment for their children must still obtain parental consent for their own health care.

DIGEST: HB 2159 would authorize an unmarried minor who was the parent of a child and had custody of that child to consent to the minor's own medical, dental, psychological, or surgical treatment as well as to such treatment for the minor's child. The bill would make conforming changes.

The bill would take effect on September 1, 2025.

SUBJECT: Amending property conversion requirements for homeless individuals

COMMITTEE: Intergovernmental Affairs — favorable, without amendment

VOTE: 7 ayes — C. Bell, Garcia Hernandez, Leo Wilson, Luther, Rosenthal, Spiller, Tepper

3 nays — Zwiener, Cortez, Lowe

1 absent — Cole

WITNESSES: For — (*Registered, but did not testify*: Michelle Evans, Williamson County Republican Party)

Against — (*Registered, but did not testify*: Joshua Houston, Caritas of Austin; Clifford Sparks, City of Dallas; Nadia Islam, City of San Antonio; Eric Samuels, Texas Homeless Network)

BACKGROUND: Some have suggested that requiring certain communication between city officials, county officials, and local residents could help facilitate a regional approach to addressing homelessness.

DIGEST: HB 4626 would prohibit a municipality's governing body from approving the conversion of a property under the municipality's control to provide housing to homeless individuals unless the governing body held a public hearing not less than 90 days before the municipality began the conversion. The governing body would be required to hold the hearing at a location within a one-mile radius of the property.

Within 36 hours before a public hearing was held, a municipality's governing body would be required to provide notice of the hearing by mail to each residence and business located within a one-mile radius of the property.

If a municipality's governing body failed to comply, an individual who was entitled to notice could bring an action for injunctive relief in a

district court in the county in which the property was located to prevent the conversion of the property.

In the event of a conflict between the bill and a provision in a municipality's charter relating to the conversion or notice of the conversion of a property, the bill would control.

The bill would not apply to the conversion of a property to provide temporary shelter or housing during a natural disaster, declared state of emergency, or other life-threatening public emergency.

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 tax exemption for rainwater harvesting or graywater systems

COMMITTEE: Ways & Means — favorable, without amendment

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 — None

Against — None

BACKGROUND: Some have suggested that allowing county commissioners courts to exempt from property taxation the portion of a property's appraised value attributable to the installation of rainwater harvesting or graywater systems could promote water conservation and reduce strain on traditional water supplies, especially in drought-prone rural areas.

DIGEST: HB 3637 would authorize a county commissioners court to adopt an exemption from taxation of the portion of the appraised value of a person's property that was attributable to the installation in or on the property of a rainwater harvesting or graywater system. An exemption adopted by a commissioners court under the bill would apply to the taxation of property by each taxing unit that taxed the property.

The bill would apply only to ad valorem taxes imposed for a tax year beginning on or after the effective date of the bill.

The bill would take effect January 1, 2026, but only if the proposed constitutional amendment HJR 88 took effect. If that amendment was not approved by the voters, the bill would have no effect.

NOTES:

The Legislative Budget Board has determined that taxable property values could be reduced and the related costs to the Foundation School Fund could be increased through the operation of the school finance formulas.

HB 3637 is the enabling legislation for HJR 88 by Zwiener, which was placed on the daily House calendar and included in the *Daily Floor Report* on May 9.

SUBJECT: Requiring background checks for certain child-serving facility staff

COMMITTEE: Human Services — favorable, without amendment

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

0 nays

1 absent — Noble

WITNESSES: For — Mary Wells, Breaking the Chains of Human Trafficking; Jacquelyn Aluotto, No Trafficking Zone; Latresa Giddens (*Registered, but did not testify*: Nadia Islam, City of San Antonio; Adam Haynes, Conference of Urban Counties; Josie Castro Garcia, Dallas County; Elisa M. Tamayo, El Paso County; Stephanie Battaglia, Texas CASA; Brianna Waldock, TexProtects; Steven Deline)

Against — None

On — (*Registered, but did not testify*: Jillian Bonacquisti, Kristy Carr, Laura Cazabon, Emily Kopplin, Health and Human Services Commission)

BACKGROUND: Some have suggested that certain state and federal background check and employment verification requirements should be adopted for employees at certain facilities that work with youth.

DIGEST: HB 3153 would require the Health and Human Services Commission (HHSC), the Texas Juvenile Justice Department (TJJD), counties, and municipalities to ensure each applicable facility the governmental entity regulated or operated reviewed state and federal criminal history record information and conducted an employment verification for each person who could be placed in direct contact with a child receiving services at the facility and who was:

- an employee of the facility;
- a volunteer with the facility;
- an independent contractor of the facility; or

- an applicant for any of these positions.

The bill would establish that a person could be considered placed in direct contact with a child if the position potentially required the person to provide care, supervision, or guidance to a child, exercise any form of control over a child, or routinely interact with a child.

The bill would apply to a residential treatment facility or group home licensed or otherwise regulated by HHSC, a juvenile detention facility regulated by TJJD, or a shelter operated by or under the authority of a county or municipality that provided temporary living accommodations for homeless individuals.

The bill would require a facility conducting an employment verification to, at a minimum, contact the previous employers listed in the submitted application materials for each applicant. The bill also would require a facility to obtain electronic updates from the Department of Public Safety regarding arrests and convictions for each person who was and continued to be an employee, volunteer, or independent contractor or who otherwise continued to be placed in direct contact with a child at the facility.

A facility could not offer a person any position, and would be required to terminate a person's position if, based on a criminal history record information review or an employment verification of that person, the facility discovered the person:

- engaged in physical or sexual abuse of a child constituting an offense of sexual assault, aggravated sexual assault, or prohibited sexual conduct; or
- was terminated from a previous position based on allegations of engaging in conduct constituting one of those offenses.

The bill would prohibit a separation agreement for a facility employee, volunteer, or independent contractor from including a provision that prohibited disclosure to a prospective employer of an allegation of conduct constituting any of these offenses.

HB 3153 would require an applicable facility to provide training to each employee, volunteer, or independent contractor who could be placed in direct contact with a child. The training would have to include:

- recognition of the signs of physical and sexual abuse and reporting requirements for suspected physical and sexual abuse;
- the facility's policies related to reporting of physical and sexual abuse; and
- methods for maintaining professional and appropriate relationships with children.

The bill would take effect September 1, 2025.

NOTES: According to the Legislative Budget Board, the bill would have a negative impact of about $2.2 million to general revenue related funds through the biennium.

SUBJECT: Extending the entitlement period to certain tax revenue from hotel projects

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 — Baine Brooks, City of Allen; Todd Nelson, Kalahari Resorts (*Registered, but did not testify*: Justin Bragiel, Texas Hotel & Lodging Association; Ron Hinkle, Texas Travel Alliance)

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

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

BACKGROUND: Some have suggested extending the period in which certain Texas municipalities, including the City of Allen, could receive entitlements for financing headquarter hotel facilities designed to support convention centers.

DIGEST: HB 3066 would extend the period during which a municipality that had a population of 100,000 or more and was wholly located in, but was not the county seat of, a county with a population of 1 million or more, in which all or part of a municipality with a population of 1 million or more was located and that was adjacent to a county with a population of 2.5 million or more, was entitled to receive certain tax revenue associated with a qualified hotel or convention center project and certain additional tax revenue until the 20th anniversary of the qualified hotel under the entitlement opened for initial occupancy.

HB 3066 would extend, from the 20th to the 40th anniversary of the date a qualified hotel opened for initial occupancy, the deadline by which the

comptroller would have to determine the total amount of state tax revenue received by a municipality from entitlements associated with a qualified project and related qualified establishments. The bill also would adjust the measurement period for state tax revenue received by the state to a range spanning from the 20th to the 40th anniversary of the date the hotel was opened for initial occupancy.

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, passage of the bill would increase the period of time that the City of Allen would be entitled to retain certain state tax revenue associated with a qualified hotel project from 10 years to 20 years. As a result, the fiscal impact of foregone state revenue would be $108,636,000 through fiscal year 2049.

SUBJECT: Requiring annual property reappraisals in certain districts

COMMITTEE: Ways & Means — committee substitute recommended

VOTE: 10 ayes — Meyer, Martinez Fischer, Bernal, Button, Gervin-Hawkins, Muñoz, Noble, V. Perez, Troxclair, Turner

3 nays — Capriglione, Hickland, Vasut

WITNESSES: For — Darla Moss, Arlington ISD; Justin Chapa, Arlington ISD Board of Trustees; Renee Smith-Faulkner, Castleberry ISD; Ethan Klos, City of Arlington; Kevin Hennessey, City of Burleson; Christianne Simmons, City of Fort Worth; Julia Cole, Hurst Euless Bedford ISD; Michele Trongaard, Mansfield Independent School District; Jim Popp, PoppHutcheson, Ryan LLC; Carl Walker, Texas Taxpayers and Research Association; Fred Campos; Ryan Ray (*Registered, but did not testify*: Kyle Mauro, Texas Association of Property Tax Professionals; Steven Deline)

Against — None

On — Don Spencer, Texas Association of Appraisal Districts (*Registered, but did not testify*: Allison Mansfield, Texas Comptroller of Public Accounts)

BACKGROUND: Concerns have been raised that some appraisal districts have implemented policies allowing for multi-year reappraisal cycles and that such practices could create inequitable tax burdens, revenue instability for local governments, and market distortions.

DIGEST: CSHB 2786 would require the biennial reappraisal plan developed by the board of directors of an appraisal district in a county with a population of 75,000 or more to provide for the annual reappraisal of all property within the district's boundaries.

CSHB 2786 would require the plan implemented by an applicable appraisal district to provide for the reappraisal of all real and personal

property by the chief appraiser each year and would require the chief appraiser to use the most recent information obtained through certain reappraisal activities when performing a reappraisal.

The bill would take effect January 1, 2026.

SUBJECT: Requiring the recovery of certain attorneys' fees in dismissed lawsuits

COMMITTEE: Judiciary & Civil Jurisprudence — favorable, without amendment

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

0 nays

WITNESSES: For — Thomas Leatherbury (*Registered, but did not testify*: Kelley Shannon, Freedom of Information Foundation of Texas; Michael Schneider, Texas Association of Broadcasters; Donnis Baggett, Texas Press Association; Thomas Parkinson)

Against — None

BACKGROUND: Some have suggested allowing the recovery of reasonable attorney's fees in all lawsuits involving certain constitutional rights in which a motion to dismiss was granted could deter plaintiffs from bringing frivolous suits against people of lesser means who cannot afford attorneys, seek pro bono counsel, or counsel who work on a reduced, fixed-fee basis.

DIGEST: HB 2966 would establish that if a court ordered dismissal of a legal action involving the exercise of certain constitutional rights, the court would be required to award to the moving party court costs and reasonable attorney's fees for, rather than incurred in, defending against the action.

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

SUBJECT: Requiring water districts to record and post open meetings online

COMMITTEE: Natural Resources — committee substitute recommended

VOTE: 11 ayes — Harris, Martinez, Ashby, Barry, Buckley, Fairly, Gámez, J. Garcia, M. González, Romero, Villalobos

0 nays

2 absent — C. Bell, Zwiener

WITNESSES: For — Larry French, Texas Public Policy Foundation (*Registered, but did not testify*: Ryland Russell, Texas Press Association)

Against — Rick Ellis, Assocation of Water Board Directors; Mary Alice McKaughan, Texas Rural Water Association; Justin Waggoner, Touchstone District Services, LLC; Simon VanDyk (*Registered, but did not testify*: Trey Lary, Allen Boone Humphries Robinson LLP; Natalie Scott, Coats Rose PC; Diana Miller, Schwartz, Page & Harding, LLP)

On — (*Registered, but did not testify*: Adam Foster, Texas Alliance of Groundwater Districts)

BACKGROUND: Government Code sec. 551.128 requires certain governmental bodies to make video and audio recordings of each regularly scheduled open meeting and certain special-called meetings or work sessions and to make the recordings available online. Some have suggested that the governing bodies of water districts should be required to make video and audio recordings of their meetings available to align with these requirements.

DIGEST: CSHB 638 would extend the requirements for making a video and audio recording of an open meeting under Government Code sec. 551.128 to water districts, including groundwater conservation districts and navigation districts, all or part of which were located in counties with populations of 125,000 or more. These districts would be required to record certain special-called meetings or work sessions and to make

available an archived copy of the video and audio recording to the same extent as the other governmental bodies addressed in the law.

The bill would establish that a water district that was not located in a county with a population of 125,000 or more would only be required to make an audio recording of each regularly scheduled open meeting that was not a work session or a special called meeting and make available an archived copy of the audio recording of each meeting in the manner required by law.

The bill would take effect September 1, 2025.