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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 Three

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



Gary VanDeaver
Chairman
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HOUSE RESEARCH ORGANIZATION

Daily Floor Report

Saturday, May 10, 2025

89th Legislature, Number 61

Part 3

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SUBJECT: Redefining “regular business day” for certain election office hours

COMMITTEE: Elections — favorable, without amendment

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

0 nays

1 absent — Wilson

WITNESSES: For — (*Registered, but did not testify:* Kathy Haigler)

Against — None

On — (*Registered, but did not testify:* Christina Adkins, Texas Secretary of State)

BACKGROUND: Regarding the requirement that each county clerk, city secretary, or secretary of the governing body of a political subdivision keep their offices open on certain regular business days, Election Code sec. 31.122(b) defines a regular business day as a day on which a school district’s main business office is regularly open for business if the political subdivision is an independent school district.

Some have suggested that specifying the definition of “regular business day” pertaining to election authorities’ offices could address inconsistencies between school districts’ and other offices’ office hours.

DIGEST: HB 640 would redefine “regular business day” under Election Code sec. 31.122(b) as a day on which the main business office of the county, city, or other political subdivision was regularly open for business.

The bill would take effect September 1, 2025.

SUBJECT: Establishing an interstate information-sharing and analysis organization

COMMITTEE: Delivery of Government Efficiency — favorable, without amendment

VOTE: 8 ayes — Capriglione, Bhojani, Alders, Cook, Curry, L. Garcia,
Rodríguez Ramos, Troxclair

2 nays — Cain, Olcott

3 absent — Bowers, Campos, Tinderholt

WITNESSES: For — (*Registered, but did not testify*: Alexa Aragonez, City of Houston;
Sarah Matz, Socure; Renzo Soto, TechNet; Rahul Sreenivasan, Texas
2036; Joel Ballew, Texas Health Resources)

Against — None

On — (*Registered, but did not testify*: Tony Sauerhoff, Texas DIR)

BACKGROUND: Some have suggested that expanding threat information sharing beyond
entities in Texas could enhance cybersecurity measures.

DIGEST: HB 876 would authorize the Department of Information Resources (DIR)
to establish an interstate information sharing and analysis organization to
provide a forum for states to share information regarding cybersecurity
threats, best practices, and remediation strategies, and make conforming
changes to relevant provisions requiring DIR to establish an intrastate
organization for this purpose.

The bill would take effect September 1, 2025.

- SUBJECT:** Requiring parental consent for student behavioral health services
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 10 ayes — Buckley, Ashby, Cunningham, Dutton, Frank, Hunter, Kerwin, Leach, Leo Wilson, Schoolcraft
- 4 nays — Bernal, Allen, Bryant, Hinojosa
- 1 absent — Talarico
- WITNESSES:** For — Samantha Elias (*Registered, but did not testify*: Kelly Rasti, Texas Association of School Boards; Cindi Castilla, Texas Eagle Forum; Charlene Reagan and Fran Rhodes, True Texas Project; Matt Long)
- Against — AD Tincopa, Girls Empowerment Network; Bryan Mares, National Association of Social Workers-Texas; Christy Shawell, Texas Counseling Association; Geoffrey Trevor Goodman; Loree LaChance; Brooke Miller (*Registered, but did not testify*: Jacquie Benestante, Autism Society of Texas; Chris Bryan, Clarity Child Guidance Center; Steven Aleman, Disability Rights Texas; Jennifer Biundo, Healthy Futures of Texas; Lyssette Galvan, NAMI Texas; Amanda Afifi, Texas Association of School Psychologists; Seth Winick, Texas Coalition for Healthy Minds; Noah Jones, Texas Counseling Association; Grace Bonilla, Texas Impact; Stefanie Page, Texas Pediatric Society; Mary Beth Kiser, Texas Psychological Association; Becca Harkleroad, Texas School Nurses Organization; Sarah Cohen; Kristen Pollock; Kayla Reese; Stephanie Thompson)
- On — Lee Spiller, Citizens Commission on Human Rights; Steve Swanson (*Registered, but did not testify*: Andrea Chevalier, Texas Council of Administrators of Special Education (TCASE); Kristin McGuire, Texas Education Agency)
- BACKGROUND:** Some have suggested that parental consent should be required before a school employee may provide certain mental or behavioral health

treatments to ensure that parents are the decision-makers regarding the education of their children.

DIGEST:

HB 497 would require a school district employee to obtain written parental consent before providing a student with behavioral or mental health services or treatment, including contraceptives and emergency contraceptives, and informational materials on family planning, human sexuality, and mental health.

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:** Requiring child-placing agencies to disclose itemized adoption costs
- COMMITTEE:** Human Services — favorable, without amendment
- VOTE:** 8 ayes — Hull, Manuel, A. Davis, Dorazio, Noble, Richardson, Schatzline, Slawson
- 1 nay — Rose
- 2 absent — C. Morales, Swanson
- WITNESSES:** For — Brady Gray and Kaden Lopez, Texas Family Project (*Registered, but did not testify*: Brandon Logan, Family Freedom Project; Sarah Crockett, Texas CASA; Michelle Evans)
- Against — None
- On — (*Registered, but did not testify*: Erica Banuelos, DFPS Resource Witness; Rachel Ashworth-Mazerolle, Health and Human Services Commission)
- BACKGROUND:** Concerns have been raised that some licensed child-placing agencies do not clearly or consistently disclose adoption-related costs, which can create confusion for families and deter them from completing the adoption process.
- DIGEST:** HB 5539 would require a licensed child-placing agency to post on its website information regarding adoption costs that includes an itemized list of each cost associated with an adoption.
- The bill would take effect September 1, 2025.

- SUBJECT:** Amending protests of appraised value of historic or archaeological sites
- 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 — Phillip Lauterbach, Cuantia Management; Mark Hutcheson, Ryan Law Firm (*Registered, but did not testify*: Jacob Smith, City of Houston; Ryan Chismark, Texas Association of Property Tax Professionals)
- Against — None
- BACKGROUND:** Concerns have been raised that historic or archaeological site appraisals do not take into account the loss of value resulting from restrictions on a property's use when it is designated as a historical or archaeological site. Some have suggested that allowing property owners to protest certain determinations relating to the appraised value of historic sites would bring appraisals more in line with actual market values.
- DIGEST:** CSHB 4809 would authorize a property owner to protest before an appraisal review board the appraised value of a structure or archaeological site subject to a historic site tax exemption separately from the appraised value of the land necessary for access to the structure or site. A property owner also could protest the allocation of the appraised value between the structure or site and the land.
- 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: Granting the adjutant general authority for procurement and construction

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

VOTE: 9 ayes — Hefner, R. Lopez, Cortez, Dorazio, Hickland, Isaac,
Louderback, McLaughlin, Pierson

0 nays

2 absent — Canales, Holt

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

Against — None

On — Brian Stevens, Texas Military Department

BACKGROUND: Some have suggested that current law requiring the comptroller review
state agency purchasing actions over \$100,000 can interfere with the
Texas Military Department's management of its facilities.

DIGEST: HB 5308 would extend the decision-making authority of the adjutant
general to procurement related to construction of Texas military forces
facilities and real property and all associated property and equipment.

The bill would take effect September 1, 2025.

- SUBJECT:** Specifying immunity provisions for charter schools
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 14 ayes — Buckley, Bernal, Allen, Ashby, Bryant, Cunningham, Dutton, Frank, Hinojosa, Hunter, Kerwin, Leach, Leo Wilson, Schoolcraft
- 0 nays
- 1 absent — Talarico
- WITNESSES:** For — Justin Wood, Schulman Lopez Hoffer & Adelstein LLP
(*Registered, but did not testify:* Amanda List, AList Consulting; Tracy Johnson, DFER TX; Theresa Rappaport, Goodwill Central Texas, The Excel Center Adult High School; Richard Webster, New Heights; Bianca Arvin-Eagle; Steven Deline)
- Against — (*Registered, but did not testify:* Kelsey Kling, Texas AFT; Carrie Griffith, Texas State Teachers Association; Veronica Fabian; Daniela Sanchez-Salinas; Ashton Skidgell)
- On — (*Registered, but did not testify:* Marian Schutte, TEA)
- BACKGROUND:** Some have suggested that legislation is needed to align all charter schools operating under state law with existing immunity protections.
- DIGEST:** HB 4687 would establish that a member of the governing body of a charter school campus or program was immune from liability and suit to the same extent as a school district trustee.
- The bill would establish that, in matters related to the operation of an adult education program under a charter school, an eligible entity was immune from liability and suit to the same extent as a school district, and its employees and volunteers were immune from liability and suit to the same extent as school district employees and volunteers. A member of an entity’s governing body would be immune from liability and suit to the same extent as a school district trustee.

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

- SUBJECT:** Establishing requirements for selling orthodontic devices
- COMMITTEE:** Public Health — favorable, without amendment
- VOTE:** 9 ayes — VanDeaver, Campos, Bucy, Cunningham, Johnson, J. Jones, Olcott, Shofner, Simmons
- 3 nays — Frank, Pierson, Schofield
- 1 absent — Collier
- WITNESSES:** For — Stephen Robirds, Texas Association of Orthodontists; Matt Roberts, Texas Dental Association (*Registered, but did not testify*: David Mintz, Texas Academy of General Dentistry; Amber Hausenfluck, Texas Academy of Pediatric Dentistry; Bruce Scott, Texas Society of Oral and Maxillofacial Surgeons; Steven Deline)
- Against — None
- BACKGROUND:** Concerns have been raised that some companies sell orthodontic devices directly to consumers without requiring an in-person dental examination, which may lead to improper treatment and dental harm.
- DIGEST:** HB 4070 would prohibit a person from selling an orthodontic device or providing a service related to the design or manufacture of an orthodontic device to a patient in Texas who had not received:
- an in-person intraoral dental examination and an examination of the patient’s head and neck;
 - a review of recently performed diagnostic imaging sufficient to detect patient conditions that could preclude or contraindicate the provision of safe orthodontic treatment, including untreated decay, periodontal disease, or pathology such as fractured or split teeth;
 - a prescription for an orthodontic device issued by the dentist who conducted the examination and reviewed the diagnostic imaging or the dentist who would monitor the patient’s orthodontic treatment, and had received referral or requested, received, and maintained clearance for orthodontic treatment from the patient’s dentist;

- counsel by an applicable dentist regarding available orthodontic treatment options and the risks associated with those treatments; and
- a review of the patient’s medical and dental health histories.

The bill would specify that the required counsel would be valid only if the patient acknowledged and verified in writing, with the patient’s signature, that the patient received the counsel. The bill would require the dentist providing the counsel to attach and maintain the patient’s written acknowledgment of counsel in the patient’s file.

A person could not sell an orthodontic device to a patient in Texas or provide a service related to the design or manufacture of an orthodontic device unless the person:

- was a dentist who had provided the above services to the patient; or
- received written or electronic confirmation from a dentist who had provided the services.

HB 4070 would require a person who sold an orthodontic device or provided a service related to the design or manufacture of an orthodontic device to maintain any documents received for those purposes for a minimum of seven years after the date of sale or provision of services.

A dentist could not require a patient to agree to use a particular type of orthodontic device as a condition of performing the applicable examination or review. The bill would require a dentist who provided such an examination or review to provide any records collected for those purposes to another dentist in accordance with state law if the other dentist requested the records and if disclosure of a dental record was authorized under provisions relating to dental privilege.

HB 4070 would define “orthodontic device” as any class II or class III medical device, as defined by the FDA under applicable federal regulations, excluding a retainer used to keep teeth in a fixed position, that was used in orthodontic treatment to move a patient’s teeth or jaw or correct a misalignment or malposition and was manufactured to address the specific orthodontic needs of an individual patient.

The bill would take effect September 1, 2025.

- SUBJECT:** Providing state support for peer recovery organizations
- COMMITTEE:** Public Health — committee substitute recommended
- VOTE:** 8 ayes — VanDeaver, Campos, Collier, Cunningham, Johnson, J. Jones, Shofner, Simmons
- 3 nays — Frank, Olcott, Pierson
- 2 absent — Bucy, Schofield
- WITNESSES:** For — Joe Powell, Association of Persons Affected by Addictions; Elizabeth Henry, Recovery People; Texas Coalition for Healthy Minds (*Registered, but did not testify*: Duane Galligher, Association of Substance Abuse Programs; Joshua Houston, Caritas of Austin; Josie Castro Garcia, Dallas County Commissioners Court; Angela Ott, Disability Rights Texas; Elisa M. Tamayo, El Paso County; Kathy Mitchell, Equity Action; Lyssette Galvan, NAMI Texas; Kelsey Bernstein, Texas Council of Community Centers; Lee Johnson, Texas Council of Community Centers; Clayton Stewart and Amanda Tollett, Texas Medical Association; Clayton Travis, Texas Pediatric Society; Julie Wheeler, Travis County Commissioners Court; Roxanne Jones, United Ways of Texas; Steven Deline; Becca Harkleroad; Tristan Stitt)
- Against — None
- On — (*Registered, but did not testify*: Rachel Gandy, Texas Juvenile Justice Department)
- BACKGROUND:** Concerns have been raised that peer recovery organizations lack statutory recognition and consistent access to funding, which can limit access to these cost-effective, evidence-based services.
- DIGEST:** CSHB 4421 would require certain state agencies to identify available resources, such as funding, training, and technical assistance, to support and sustain peer-recovery organizations in Texas. These state agencies would include:

- Health and Human Services Commission;
- Department of State Health Services;
- Department of Family and Protective Services;
- Texas Department of Housing and Community Affairs;
- Texas Department of Criminal Justice;
- Texas Juvenile Justice Department; and
- Texas Veterans Commission.

Each of these agencies would be required to submit a written report to the Legislature by August 1 of each even-numbered year detailing their available resources to support and sustain peer-recovery organizations.

The bill would define a “peer-recovery organization” as a nonprofit that was operated and governed by members of the community, with at least 51 percent of those members identifying as individuals in recovery from substance use disorders or with lived experience of mental health conditions, which delivered peer support services provided only by persons recovering from such disorders or mental health conditions who were managed by individuals with similar such experiences, and which mobilized resources from inside and outside the community to increase the prevalence and quality of recovery services.

The bill would take effect September 1, 2025.

- SUBJECT:** Allowing use of hotel occupancy tax for certain public improvements
- 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 — (*Registered, but did not testify:* Justin Bragiel, Texas Hotel & Lodging Association; Scott Joslove, Texas Hotel 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 the city of Kermit should be allowed to use hotel occupancy tax revenue for certain public improvement projects.
- DIGEST:** CSHB 4412 would authorize a municipality that was the county seat of a county that bordered New Mexico and contained a portion of a state park that was located in two counties to use revenue from the municipal hotel occupancy tax for the promotion of tourism by funding public improvement projects that directly benefited the hotel and tourism industry.
- The municipality could not use hotel occupancy tax revenue to fund more than 25 percent of the total costs of the public improvement projects or in an amount that would cause the total amount of the municipality’s hotel occupancy tax revenue to fall below a certain threshold specified by the bill.

On or after the eighth anniversary of the date the municipality first used hotel occupancy tax revenue for the public improvement projects, the municipality could not impose a hotel occupancy tax at a rate that exceeded 2 percent of the price paid for a hotel room. Applicable municipalities could not use municipal hotel occupancy tax revenue for a public improvement project after December 31, 2034.

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

- SUBJECT:** Establishing the Texas Commission on Marriage and Family
- COMMITTEE:** Judiciary & Civil Jurisprudence — favorable, without amendment
- VOTE:** 7 ayes — Leach, Dutton, Dyson, Hayes, LaHood, Landgraf, Schofield
4 nays — Johnson, Flores, J. González, Moody
- WITNESSES:** For — Andrew Brown, Texas Public Policy Foundation; Megan Benton, Texas Values Action; Carl Caton, Volunteer for the San Antonio Marriage Initiative (*Registered, but did not testify*: Sydney Baker, Buckner International; Jonathan Covey, Texas Values; Jennifer Allmon, The Texas Catholic Conference of Bishops)
Against — None
On — Kelvin Malone, Texas Family Law Foundation (*Registered, but did not testify*: Joy Borjes, Health and Human Services Commission)
- BACKGROUND:** Some have suggested that establishing a commission to study and report on strategies to promote marriage and family formation could encourage family stability in Texas.
- DIGEST:** HB 3284 would create the Texas Commission on Marriage and Family to study and develop strategies for promoting strong marriages and healthy families and to make recommendations to the Legislature to advance the goal of creating an environment favorable for marriages and raising children.
The commission would be composed of seven members, three appointed by the governor, two by the lieutenant governor, and two by the speaker of the House of Representatives. The appointing authorities would have to ensure the members had a background and expertise in marriage and family formations, including child and family counselors, child development experts, nonprofit leaders and researchers focused on marriage and parenting, and members of the clergy.

The commission would be required to:

- evaluate and identify existing state laws, rules, and policies that discourage Texans from marrying and raising children;
- assess the effectiveness of state-funded initiatives promoting marriage and programs that encourage family formation and help parents develop parenting skills;
- make recommendations to the Legislature regarding necessary changes to state laws, rules, and policies that are detrimental to the promotion of lasting marriages, family formation, and child rearing; and
- make recommendations to the Legislature regarding policies, programs, and strategies to support family formation and reduce the incidence of divorce and family dissolution.

The commission would meet at the call of the presiding officer. Meetings could be held in person, by telephone, or by other means of communication and would have to be open to the public. Members would serve without compensation.

The bill would require the Health and Human Services Commission to provide administrative support services, including meeting space and assistance drafting and compiling the report.

The bill would require the appointing authorities to appoint members of the commission no later than the 60th day after the effective date.

Not later than November 1, 2026, the commission would be required to submit to the governor, the lieutenant governor, the speaker of the House, and each member of the Legislature a written report that included a summary of its findings and legislative recommendations.

The commission would be abolished and the bill would expire December 31, 2026.

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

- SUBJECT:** Allowing referees at school events to immediately eject certain spectators
- COMMITTEE:** Public Education — committee substitute recommended
- VOTE:** 14 ayes — Buckley, Bernal, Allen, Ashby, Bryant, Cunningham, Dutton, Frank, Hinojosa, Hunter, Kerwin, Leach, Leo Wilson, Schoolcraft
- 0 nays
- 1 absent — Talarico
- WITNESSES:** For — Michael Fitch, Texas Association of Sports Officials (*Registered, but did not testify*); Tricia Cave, Association of Texas Professional Educators ATPE; Raif Calvert, TASB; Colby Nichols, Texas Association of Community Schools; Casey McCreary, Texas Association of School Administrators; Kate Kuhlmann, Texas High School Coaches Association; John Wilkerson, Texas Municipal Police Association (TMPA))
- Against — (*Registered, but did not testify*): Bianca Arvin-Eagle; Ava Baker; Steven Deline; Veronica Fabian)
- On — Jamey Harrison, UIL (*Registered, but did not testify*): Monica Martinez, Texas Education Agency; Daniela Sanchez-Salinas)
- BACKGROUND:** Education Code sec. 37.105 authorizes a school administrator, school resource officer, or school district peace officer of a school district to refuse to allow a person to enter on or to eject a person from district property if the person refuses to leave peaceably on request and the person poses a substantial risk of harm to any person, or the person behaves in a manner that is inappropriate for a school setting and:
- the administrator, resource officer, or peace officer issues a verbal warning that the person’s behavior is inappropriate and may result in refusal of entry or ejection; and
 - the person persists in the behavior.

Some have suggested that referees, judges, or other officials at school athletic events should be able to immediately eject disruptive or dangerous spectators.

DIGEST:

CSHB 3369 would establish that a person serving as a referee, judge, or other official of an extracurricular athletic activity or competition sponsored or sanctioned by a school district or the University Interscholastic League was not required to issue a verbal warning under provisions of Education Code sec. 37.105 to eject a spectator from the activity or competition.

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:** Extending coverage of certain mental health leave policies to firefighters
- COMMITTEE:** Homeland Security, Public Safety & Veterans' Affairs — committee substitute recommended
- VOTE:** 9 ayes — Hefner, R. Lopez, Cortez, Dorazio, Hickland, Isaac, Louderback, McLaughlin, Pierson
- 0 nays
- 2 absent — Canales, Holt
- WITNESSES:** For — Nicholas Weber, San Antonio Professional Firefighter Association (*Registered, but did not testify*: Elisa M. Tamayo, El Paso County; Kathy Mitchell, Equity Action; Christine Busse, NAMI Texas; Bobbie Vickery, Sheriffs' Association of Texas; Steven Deline; CJ Grisham; Thomas Parkinson)
- Against — (*Registered, but did not testify*: Clifford Sparks, City of Dallas; Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); Jonathan Blanchard, Dallas Police Department; James Kershaw, Harris County Deputies' Organization FOP #39; Ray Hunt, Houston Police Officers' Union; Bryan Flatt, Texas Municipal Police Association)
- BACKGROUND:** Concerns have been raised that suicide rates of first responders are on the rise and that firefighters lack a pathway for immediate mental health leave. Some have suggested that firefighters should be extended the same leave benefits available to peace officers and telecommunicators who experience a traumatic event.
- DIGEST:** CSHB 3420 would add firefighters who experienced a traumatic event in the scope of performing their duties to the employees who must be provided a mental health leave policy by the governmental entity that employs them. The bill would make conforming changes to relevant provisions.

The bill would take effect September 1, 2025, and would require each applicable employer to develop a mental health leave policy as revised under the bill as soon as practicable after its effective date.

- SUBJECT:** Requiring reimbursement for certain counsel expenses in noncapital cases
- COMMITTEE:** Criminal Jurisprudence — favorable, without amendment
- VOTE:** 10 ayes — Smithee, Wu, Bowers, Cook, J. Jones, Little, Louderback, Money, Moody, Rodríguez Ramos
- 1 nay — Virdell
- WITNESSES:** For — (*Registered, but did not testify:* M. Paige Williams, Dallas Criminal District Attorney John Creuzot; Thomas Parkinson)
- Against — None
- BACKGROUND:** Concerns have been raised that, due to overcrowding, some defendants are housed far from the court where their proceedings are pending, increasing the costs for court-appointed counsel. Some have suggested that current law does not adequately cover these expenses.
- DIGEST:** HB 3449 would require that counsel appointed to represent a defendant in a noncapital case, other than an attorney with a public defender’s office, be reimbursed for reasonable and necessary expenses if the defendant was confined in a correctional facility located more than 50 miles from the court in which the defendant’s proceeding is pending, including:
- travel to the correctional facility for confidential communication with the defendant and food and lodging related to that travel; and
 - any costs associated with remotely entering into a confidential communication with the defendant.
- The bill would take effect September 1, 2025, and would apply only to expenses incurred on or after that date.

- SUBJECT:** Using certain municipal tax revenue for hotel and convention projects
- 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 — Jeffery Jenkins, Taylor Economic Development Corporation
(*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:** Some have suggested that additional municipalities should be authorized to obligate certain tax revenue derived from a hotel and convention center project to support related infrastructure and debt service costs.
- DIGEST:** CSHB 4098 would authorize a municipality that was located in a county with a population of 600,000 or more that was adjacent to the county that contained the State Capitol and had a population of more than 16,000 but less than 27,000 to impose and collect certain tax revenues derived from certain municipal hotel and convention center projects and use that tax revenue to cover costs related to the project.
- The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2025.

SUBJECT: Establishing civil liability for fraudulent crowdfunding activities

COMMITTEE: Judiciary & Civil Jurisprudence — committee substitute recommended

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

0 nays

2 absent — J. González, Moody

WITNESSES: For — None

Against — None

BACKGROUND: Some have suggested that creating a civil cause of action for fraudulent crowdfunding could help deter bad actors and provide a clear legal pathway for victims to recover donations that were fraudulently collected on their behalf.

DIGEST: CSHB 4281 would establish that a person who engaged in fraudulent crowdfunding would be liable to the donee or the donee’s estate. The bill would define “fraudulent crowdfunding” as collecting donations on behalf of a donee with the intent to keep the donations instead of giving the donations to the donee on whose behalf the donations were made.

The bill would require a court to award a claimant who prevailed in an action brought under the bill 125 percent of the amount of donations the defendant collected on behalf of the claimant through the fraudulent crowdfunding, plus reasonable attorney's fees.

Nothing in the bill would prevent a claimant from pursuing a claim for exemplary damages for the defendant's fraudulent crowdfunding.

The bill would take effect September 1, 2025.

- SUBJECT:** Expanding benefits assessments for certain inmates before release
- COMMITTEE:** Corrections — favorable, without amendment
- VOTE:** 5 ayes — Harless, V. Jones, Allen, Lozano, Meza
4 nays — Harrison, Lowe, Schatzline, Wharton
- WITNESSES:** For — (*Registered, but did not testify*: Melissa Shannon, Bexar County Commissioners Court; Joshua Houston, Caritas of Austin; Adam Haynes, Conference of Urban Counties; Rick Thompson, County Judges and Commissioners Association of Texas; Katelyn Caldwell, Harris County Commissioners Court; Justin Martinez, LatinoJustice PRLDEF; Jennifer Toon, Lioness Justice Impacted Women’s Alliance; Christine Yanas, Methodist Healthcare Ministries; Lyssette Galvan, NAMI Texas; Cole Meyer, Texas Appleseed; Alycia Castillo, Texas Civil Rights Project; Will Holleman, Texas Hospital Association; Desiree Ingram, Texas Women's Healthcare Coalition)

Against — (*Registered, but did not testify*: Michelle Evans)

On — (*Registered, but did not testify*: Olivia Cosby, Health and Human Services Commission; April Zamora, Texas Department of Criminal Justice)
- BACKGROUND:** Under sec. 33.0181 of the Human Resources Code, the Health and Human Services Commission (HHSC) and the Texas Department of Criminal Justice (TDCJ) are required to enter into a memorandum of understanding (MOU) to assess the eligibility of certain inmates for benefits under the Supplemental Nutrition Assistance Program before the inmate’s discharge, release on parole, mandatory supervision, or conditional pardon.

Some have suggested that without access to affordable health care services post-release, formerly incarcerated individuals are at increased risk for hospitalization and struggle to access needed mental health

treatment, contributing to higher recidivism rates and worse community health outcomes.

DIGEST: HB 4120 would transfer Sec. 33.0181 to Subchapter C, Chapter 545, Government Code, and amend it to expand the public benefits programs included under the existing MOU between HHSC and TDCJ. In addition to the Supplemental Nutrition Assistance Program (SNAP), the MOU would include:

- Medicaid;
- the Child Health Plan Program (CHIP);
- the Healthy Texas Women program;
- the Family Planning Program;
- the Financial Assistance Program; and
- the federal Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).

If a state agency determined that a waiver or authorization from a federal agency was necessary to implement the bill, the agency would be required to request the waiver and could delay implementation until the waiver or authorization was granted.

The bill would take effect September 1, 2025.

NOTES: According to the Legislative Budget Board, the fiscal implications of the bill cannot be determined due to the unknown impact on caseloads for public benefit programs.

- SUBJECT:** Revising provider noncompete enforceability and buyout terms
- COMMITTEE:** Public Health — committee substitute recommended
- VOTE:** 11 ayes — VanDeaver, Campos, Collier, Cunningham, Frank, Johnson, J. Jones, Olcott, Pierson, Shofner, Simmons
- 0 nays
- 2 absent — Bucy, Schofield
- WITNESSES:** For — Ezequiel Silva, Texas Medical Association (*Registered, but did not testify*); Shelton Green, American Academy of Physician Associates; Samuel Sheetz, Americans for Prosperity; Travis McCormick, Make Texans Healthy Again; Tanner Aliff, Paragon Health Institute; Annie Spilman, Texans for Affordable Healthcare; Daniel Gonzalez, Texas Academy of Family Physicians; Leticia Van de Putte, Texas Academy of Physician Assistants; Carl Isett, Texas Association of Benefit Administrators; Andrea Pee, Texas Association of Nurse Anesthetists; Erin Cusak, Texas Nurse Practitioners; Jack Frazee, Texas Nurses Association; Clifford Porter, Texas Public Policy Foundation; Jorge Martinez, The Libre Initiative; Haseeb Abdullah; James Stockman
- Against — Steve Wohleb, Texas Hospital Association (*Registered, but did not testify*); Steven Deline)
- On — (*Registered, but did not testify*: Meghan Weller, HCA Healthcare)
- BACKGROUND:** Concerns have been raised that physician noncompete clauses can be overly broad and impose unreasonable geographic restrictions or costly buyout provisions that limit access to care and physician mobility.
- DIGEST:** CSHB 4504 would establish that a covenant not to compete against a health care practitioner or a physician would not be enforceable unless the covenant:
- provided for a buyout of the covenant by the health care practitioner in an amount that was not greater than the

practitioner's total annual salary and wages at the time of termination of the practitioner's contract or employment;

- expired no later than the one-year anniversary of the date the contract or employment had been terminated; and
- limited the geographical area subject to the covenant to no more than a five-mile radius from the location at which the physician primarily practiced before the contract or employment terminated, as specified in the covenant.

The bill would define "health care practitioner" as a state-licensed dentist, professional or vocational nurse, or physician assistant.

With respect to criteria for the enforceability of a covenant not to compete for a physician, the bill would require a covenant to provide for a buyout in an amount that was not greater than the physician's total annual salary and wages at the time of termination of the contract or employment, rather than a buyout provision at a reasonable price or one determined through arbitration. The bill also would require that the covenant expire no later than one year after the date of termination and limit the geographical area subject to the covenant to a five-mile radius from the location at which the physician primarily practiced before the contract or employment was terminated. The practice of medicine would not include managing or directing medical services in an administrative capacity for a medical practice or other health care provider for the purposes of these provisions.

CSHB 4504 would specify that the criteria for enforceability of a covenant not to compete provided by the bill with respect to a state-licensed dentist, professional or vocational nurse, or physician assistant were exclusive and preempted other law, including common law.

The bill would take effect September 1, 2025.

- SUBJECT:** Authorizing geothermal water conveyance projects in certain districts
- COMMITTEE:** Intergovernmental Affairs — committee substitute recommended
- VOTE:** 10 ayes — C. Bell, Zwiener, Cortez, Garcia Hernandez, Leo Wilson, Lowe, Luther, Rosenthal, Spiller, Tepper
- 0 nays
- 1 absent — Cole
- WITNESSES:** For — Duke Kerrigan, Hillwood; Christopher Gray, Texas TENS (*Registered, but did not testify*): Rick Ramirez, City of Austin; Catherine Hoang, City of Austin Council District 1; Frances Blake, Texas Association of Builders; Rick Lord, Texas Building Trades; Ben Sebree, Barry Smitherman, Texas Geothermal Energy Alliance)
- Against — None
- BACKGROUND:** Local Government Code sec. 372.003 establishes the authorized improvement projects that a governing body of a public improvement district can undertake to provide a benefit to a definable part of the municipality or county, such as the acquisition, construction, or improvement of water, wastewater, or drainage facilities.
- Some have suggested that special purpose districts should be allowed to support the development of and undertake infrastructure projects for geothermal water conveyance to promote innovative, sustainable projects and grid reliability.
- DIGEST:** CSHB 4370 would authorize certain special purpose districts to undertake projects related to geothermal water conveyance.
- Public improvement districts.** The bill would amend Local Government Code sec. 372.003 to authorize an improvement project in a public improvement district to include the acquisition, construction, or improvement of geothermal water conveyance. The payment of expenses

for this purpose could include expenses related to the operation and maintenance of a geothermal water conveyance facility or improvement. Costs of improvements could be paid or reimbursed by certain methods specified in statute if the improvements were dedicated, conveyed, leased, or otherwise provided to or for the benefit of an entity subject to the regulatory jurisdiction of the Public Utility Commission of Texas (PUC).

Municipal management districts. The bill would require that, if a municipal management district required the relocation, adjustment, raising, lowering, rerouting, or changing the grade of or altering the construction of any geothermal water conveyance, the district would be required to pay all costs and any damages suffered at the expense of the district.

Water control and improvement districts. The bill would authorize a water control and improvement district to provide for the preservation and conservation of all natural resources of the state through the use of geothermal water conveyance systems for the conservation of natural resources. A district could construct all works and improvements necessary for the construction of geothermal water conveyance systems for the conservation of natural resources.

Fresh water supply districts. The bill would authorize a fresh water supply district to purchase, construct, acquire, own, operate, repair, improve, and extend geothermal water conveyance systems in the district. The district could issue bonds payable from ad valorem taxes, revenues, or a combination thereof for such purposes.

Municipal utility districts. The bill would amend provisions related to the purpose for which a municipal utility district would have to be created to specify that the purpose of preserving of all natural resources of the state could be accomplished through the use of geothermal water conveyance systems for the preservation of natural resources. The district could issue bonds for geothermal water conveyance.

The bill would take effect September 1, 2025.

SUBJECT: Amending definition of child abuse and neglect to exclude certain refusals

COMMITTEE: Human Services — committee substitute recommended

VOTE: 7 ayes — Hull, Dorazio, Noble, Richardson, Schatzline, Slawson,
Swanson

0 nays

4 absent — Manuel, A. Davis, C. Morales, Rose

WITNESSES: For — Sharmila Kirwin; Levi Kirwin (*Registered, but did not testify*: Julia Hatcher, Texas Association of Family Defense Attorneys; Cindi Castilla, Texas Eagle Forum; Mary Elizabeth Castle and Jonathan Covey, Texas Values; Megan Benton, Texas Values Action; Jennifer Allmon, The Texas Catholic Conference of Bishops; Michelle Evans; Ashley Fordinal; Cody Taylor)

Against — Ash Hall, ACLU of Texas; Miriam Laeky, Brad Pritchett, Equality Texas; Rocio Fierro Perez, Texas Freedom Network; Erin Walter, Texas Unitarian Universalist Justice Ministry (TXUUJM); and 15 individuals (*Registered, but did not testify*: Bryan Mares, National Association of Social Workers-Texas; Lex Loro, Pride Center San Antonio; Emily Witt, Texas Freedom Network; Michelle Venegas-Matula, Texas Unitarian Universalist Justice Ministry; Sadie Hernandez, Landon Richie, and Andrea Segovia, Transgender Education Network of Texas; and 206 individuals)

BACKGROUND: The Family Code defines abuse and neglect for purposes of child abuse reports and investigations, and defines a person responsible for a child's care, custody, or welfare as including a parent, guardian, foster parent, or school personnel or volunteer at the child's school. Some have suggested that a refusal to affirm a child's preferred name, pronouns, or sexual orientation should not, on its own, be sufficient to subject an individual responsible for the child's care to child abuse or neglect investigations.

DIGEST: CSHB 1106 would amend the definition of abuse and neglect under the Family Code by specifying that the refusal by a person responsible for a child's care, custody, or welfare to affirm a child's perception of the child's gender, including a refusal to use the child's preferred name or pronouns, regardless of whether the child's name had been legally changed, or to affirm a child's expressed sexual orientation would not qualify as abuse or neglect.

The bill would take effect September 1, 2025.

- SUBJECT:** Authorizing hotel occupancy tax use for certain municipal venue projects
- COMMITTEE:** Ways & Means — committee substitute recommended
- 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 — Norma Sepulveda, City of Harlingen; Justin Bragiel, Texas Hotel & Lodging Association (*Registered, but did not testify*: 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 the city of Harlingen requires alternative methods to finance and pay debt service costs for a convention center to allow resources to be directed towards basic city services and economic development projects.
- DIGEST:** HB 2370 would authorize a municipality with a population of at least 70,000 but not more than 180,000 and that was located in a county that bordered the United Mexican States and the Gulf of Mexico to undergo the planning, development, financing of a convention center, related infrastructure, or previously approved sports and community venue project.
- The municipality could impose a hotel occupancy tax only to finance a convention center constructed before January 1, 2023, and the authority of the municipality to impose the tax would expire on the earlier of the date the debt issued for the convention center was repaid or January 1, 2054.

The bill would expire on January 1, 2054.

The bill would take effect September 1, 2025.

SUBJECT: Authorizing the County of Childress 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 — None

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 hotel occupancy tax program to Childress County, given that the City of Childress maintains such a program.

DIGEST: HB 2404 would authorize the commissioners court of a county that bordered Oklahoma and was bisected by United States Highway 62 to impose a hotel occupancy tax. This tax would not apply to a hotel located in a municipality that imposed a municipal hotel occupancy tax on the hotel.

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

- SUBJECT:** Prohibiting claim payment fees charged to health care providers
- COMMITTEE:** Insurance — committee substitute recommended
- VOTE:** 8 ayes — Dean, Vo, J. González, Goodwin, Hopper, Paul, Spiller, Wharton
- 0 nays
- 1 absent — Morgan
- WITNESSES:** For — Kari Leavell, Texas Psychological Association (*Registered, but did not testify*); Jessica Schleifer, Teaching Hospitals of Texas; Kelsey Bernstein, Texas Council of Community Centers; Ben Wright, Texas Medical Association; Ware Wendell, Texas Watch)
- Against — None
- On — Blake Hutson, Texas Association of Health Plans (*Registered, but did not testify*); Rachel Bowden, Texas Department of Insurance)
- BACKGROUND:** Concerns have been raised that managed care organizations and third-party processors can impose hidden transaction fees on health care providers when receiving insurance claim payments, which could discourage provider participation in insurance and limit access to care.
- DIGEST:** CSHB 3863 would require contracts under the Medicaid Managed Care Program to prohibit contracting Medicaid managed care organizations from requiring physicians or other health care providers to accept claim payments using methods that impose a fee on the provider to receive the payment. The bill also would prohibit health maintenance organizations and insurers offering preferred provider benefit plans from accepting claim payments using such methods.
- A nominal fee charged by a provider’s bank to receive an electronic funds transfer would not be considered a prohibited fee.

If a state agency determined that a federal waiver or authorization was necessary for implementation, the bill would permit delayed implementation of a provision and would require the agency to request the waiver or authorization.

The bill would take effect September 1, 2025.

- SUBJECT:** Increasing penalties for certain sex offender registration violations
- COMMITTEE:** Criminal Jurisprudence — favorable, without amendment
- VOTE:** 8 ayes — Smithee, Bowers, Cook, J. Jones, Little, Louderback, Money, Virdell
- 0 nays
- 3 absent — Wu, Moody, Rodríguez Ramos
- WITNESSES:** For — Lauren Lawrence, Phil Sorrells - Tarrant County Criminal District Attorney (*Registered, but did not testify*: Eric Carcerano, Chambers County District Attorney's Office; Jennifer Tharp, Comal County Criminal District Attorney; Jennifer Szimanski, Combined Law Enforcement Associations of Texas; M. Paige Williams, Dallas Criminal District Attorney John Creuzot; James Parnell, Dallas Police Association; James Kershaw, Harris County Deputies' Organization FOP #39; Ray Hunt, Houston Police Officers' Union; Rhonda Kuykendall; Matt Long; Thomas Parkinson)
- Against — None
- BACKGROUND:** Under Code of Criminal Procedure art. 62.102, a person commits a felony offense if the person fails to comply with sex offender registration requirements. The statute provides for increased penalties in certain cases, escalating the penalty to the next highest degree of felony, up to a second-degree felony, for repeat offenses or for offenses involving the fraudulent use of identifying information.
- Some have suggested that repeat violations of sex offender registration requirements can create inconsistencies in sentencing and hinder the ability to impose appropriate penalties for habitual noncompliance, particularly for individuals who repeatedly violate these requirements or attempt to evade detection through fraudulent means.

DIGEST:

HB 2407 would amend Code of Criminal Procedure art. 62.102 to increase the penalty for certain offenses involving failure to comply with sex offender registration requirements. The bill would increase the offense to the next highest category of offense if it were shown at trial that the defendant had a prior conviction under the registration requirements or if the defendant had fraudulently used identifying information to evade these requirements.

The bill would take effect September 1, 2025.

- SUBJECT:** Permitting authorities to cancel bond measure elections during disasters
- COMMITTEE:** Elections — committee substitute recommended
- VOTE:** 9 ayes — Shaheen, Bucy, Isaac, Morales Shaw, Plesa, Raymond, Swanson, Toth, Wilson
- 0 nays
- WITNESSES:** For — (*Registered, but did not testify*: Steven Deline; Kathy Haigler)
- Against — None
- On — (*Registered, but did not testify*: Laura Rogers, County and District Clerk Association; Jennifer Doinoff, Texas Association of County Election Officials; Ryan Jimenez, Texas Secretary of State)
- BACKGROUND:** If a measure to authorize the issuance of bonds is declared moot, Election Code sec. 2.081(b) requires the authority holding the election on the measure to post notice of the declaration during early voting and Election Day at each applicable polling place.
- Concerns have been raised that there are limited options for cancelling elections due to emergencies such as natural disasters, including situations when the governor issues a disaster declaration, that can affect a jurisdiction’s ability to conduct an election.
- DIGEST:** Not later than 74 days before Election Day, CSHB 2253 would permit the authority that ordered an election on a measure to authorize the issuance of bonds to cancel the election if:
- not earlier than 90 days before the election, the governor issued a disaster declaration regarding a natural disaster or other disaster threatening the health, safety, or general welfare of the authority’s residents; and
 - the governing body of the authority, after holding an open meeting, determined by majority vote that canceling the election on the

measure was necessary due to damage to the election system or to avoid harm to election workers and voters.

The governing body of an authority could hold an open meeting solely to deliberate whether to cancel an election on a measure to authorize the issuance of bonds due to the issuance of a disaster declaration. To the extent practicable under the circumstances, the governing body would be required to provide reasonable public notice of the meeting and allow members of the public and the press to observe the meeting.

The bill would amend Election Code sec. 2.018(b) to pertain to measures canceled or removed from the ballot instead of measures declared moot.

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 the delegation of county judge duties to certain counties
- COMMITTEE:** Intergovernmental Affairs — favorable, without amendment
- VOTE:** 11 ayes — C. Bell, Zwiener, Cole, Cortez, Garcia Hernandez, Leo Wilson, Lowe, Luther, Rosenthal, Spiller, Tepper
- 0 nays
- WITNESSES:** For — Zach Davidson, Hank Dugie, Galveston County (*Registered, but did not testify*); Adam Haynes, Conference of Urban Counties; Rick Thompson, County Judges and Commissioners Association of Texas)
- Against — None
- On — (*Registered, but did not testify*: Thomas Parkinson)
- BACKGROUND:** Local Government Code sec. 81.028 allows certain county judges to file an order with the commissioners court of the county delegating to another county officer or an employee of the county the ability to sign orders or other official documents associated with the county judge's office.
- Concerns have been raised that Galveston County often faces unique challenges during emergency situations, such as hurricanes, which can risk impacting critical state infrastructure and require clear governance mechanisms. Some have suggested that, in order to ensure swift and effective leadership, officials within Galveston County should be authorized to delegate certain duties of the county judge.
- DIGEST:** HB 2273 would extend provisions authorizing the delegation of duties of a county judge under Local Government Code sec. 81.028 to counties with a population of at least 350,000 and not more than 370,000 that was adjacent to the Gulf of Mexico and adjacent to a county with a population of at least 3.3 million.

The bill would take effect September 1, 2025.

SUBJECT: Amending instructional time for juvenile justice education programs

COMMITTEE: Public Education — favorable, without amendment

VOTE: 10 ayes — Buckley, Allen, Ashby, Bryant, Cunningham, Dutton, Frank, Hunter, Kerwin, Leach

1 nay — Hinojosa

4 absent — Bernal, Leo Wilson, Schoolcraft, Talarico

WITNESSES: For — (*Registered, but did not testify*: Katelyn Caldwell, Harris County Commissioners Court; Steven Deline)

Against — Maia Volk, Disability Rights Texas (*Registered, but did not testify*: Jacquie Benestante, Autism Society of Texas; Jolene Sanders, Coalition of Texans with Disabilities; Chloe Latham Sikes, IDRA; Sarah Reyes, Texas Center for Justice & Equity)

On — (*Registered, but did not testify*: Kristin McGuire, Texas Education Agency; Kaci Singer, Texas Juvenile Justice Department)

BACKGROUND: Education Code sec. 37.011(f) requires a juvenile justice alternative education program to operate at least seven hours per day and 180 days per year, except that a program may apply to the Texas Juvenile Justice Department (TJJD) for a waiver of the 180-day requirement. TJJD may not grant a waiver to a program for a number of days that exceeds the highest number of instructional days waived by the education commissioner during the same school year for a school district served by the program.

Under current law, juvenile justice alternative education programs operate on instructional days, while independent school districts operate on instructional minutes. Some have suggested that such programs should be brought in alignment with other education settings by changing the instructional time requirements from days to minutes.

DIGEST: HB 2040 would amend the instructional time requirements for a juvenile justice alternative education program under Education Code sec. 37.011(f). The bill would require a program to provide at least 43,200 minutes of instructional time per year, except that a program could apply to the Texas Juvenile Justice Department (TJJD) for a waiver of the requirement. TJJD could not grant a waiver for a number of minutes that exceeded the highest number of instructional minutes waived by the education commissioner during the same school year for a school district served by the 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: Amending procedures for accessing immunization exemption form

COMMITTEE: Public Health — favorable, without amendment

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

6 nays — Campos, Bucy, Collier, Johnson, J. Jones, Simmons

WITNESSES: For — Jackie Schlegel, Texans for Medical Freedom; Michelle Evans, Texans for Vaccine Choice; Sheila Hemphill, Texas Right To Know (*Registered, but did not testify*: Stephen Howsley, Family Freedom Project; Travis McCormick, Make Texans Healthy Again; Cindi Castilla, Texas Eagle Forum; CJ Grisham; Russell Hayter; Leslie Thomas; Mark Treat)

Against — Catherine Troisi, American Public Health Association; Margarita Gomez, Andrews County Immunization Coalition; Gordon Mattimoe, Andrews County Immunization Coalition, TACCHO; Charles Stern, Texas Medical Association Texas Pediatric Society; Laura Kincheloe and Tracey Ramsey Abbott, Texas Nurses Association; Rekha Lakshmanan, The Immunization Partnership; Patsy Schanbaum, The JAMIE Group; and 6 individuals (*Registered, but did not testify*: Jason Sabo, Children at Risk; Cole Glosser, Jolene Pohl, Coalition of Texans with Disabilities; Lynn Cowles, Every Texan; Nora Del Bosque, March Of Dimes; Christine Yanas, Methodist Healthcare Ministries; Tessa Galloso, Texans Care for Children; Daniel Gonzalez, Texas Academy of Family Physicians; Amanda Garcia, Texas AFT-AAUP; Kyle Bush, Texas Association of Manufacturers; Danielle Lobsinger Bush, Texas Healthcare and Bioscience Institute; Michelle Gallas, Dr. Jason Terk, Texas Medical Association and Texas Pediatric Society; Jennifer Easley, Texas PTA; and 21 individuals)

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

BACKGROUND: Current law allows a person to claim an exemption from a required immunization based on reasons of conscience, including a religious belief, by requesting and completing an immunization exemption affidavit form from the Department of State Health Services (DSHS). Concerns have been raised that the current procedure for obtaining an immunization exemption form is time-consuming and inconvenient, which could delay student enrollment in school.

DIGEST: HB 1586 would require DSHS to develop a blank affidavit form for a person to use in claiming an exemption from a required immunization and post the affidavit form in a printable format on its website. A person could not be required to provide any information to obtain the affidavit form.

The bill also would remove a requirement that the form contain a seal or other security device to prevent reproduction of the form.

HB 1586 would remove a requirement that DSHS maintain a record of the total number of affidavit forms sent out each year. Instead, the bill would authorize DSHS to maintain a record of the total number of times an affidavit form was accessed on its website or requested in writing. The bill would remove the requirement to report to the Legislature the number of forms sent out each year.

The bill would prohibit DSHS from maintaining a record of any personally identifying information, rather than only the names, of individuals who downloaded, accessed, requested, or submitted an affidavit form.

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 positive impact of \$355,492 to general revenue related funds through the biennium.

- SUBJECT:** Amending bonding authorization for municipal hospital authorities
- COMMITTEE:** Intergovernmental Affairs — favorable, without amendment
- VOTE:** 10 ayes — C. Bell, Zwiener, Cortez, Garcia Hernandez, Leo Wilson, Lowe, Luther, Rosenthal, Spiller, Tepper
- 0 nays
- 1 absent — Cole
- WITNESSES:** For — Kevin Reed, Decatur Hospital Authority and Tomball Hospital Authority (*Registered, but did not testify:* John Henderson, Torch; Steven Deline)
- Against — None
- BACKGROUND:** Health and Safety Code sec 262.012 provides for a municipal hospital authority’s resolution authorizing the issuance of revenue bonds or the trust indenture securing the bonds to prescribe the method of selecting a majority of the authority’s directors and their terms of office. An officer or employee of a municipality in the authority is not eligible to be a director.
- Sec. 262.0331 authorizes the board of a municipal hospital authority that does not own or operate a hospital after selling or closing a hospital to use the authority’s available assets to promote public health and general welfare initiatives, including owning, operating, or funding an indigent health care clinic, medical research facility, medical training facility, or other health care facility.
- Sec. 262.034 authorizes municipal hospital authorities that meet certain criteria to construct, own, operate, or improve specified facilities for the care of the elderly or disabled.
- Sec. 262.039 authorizes a municipal hospital authority located in a county of at least 2.4 million or a municipality of up to 15,000 that has assets exceeding the amount of any outstanding bonds and does not operate a

hospital to invest authority funds as provided by the Public Funds Investment Act and in any investment a trustee is authorized to make under the Texas Trust Code.

Sec. 262.041 authorizes a municipal health authority to issue revenue bonds to provide funds for any of its purposes, which must be payable from, and secured by a pledge of, revenues from the operation of one or more hospitals and any other revenues from owning hospital property.

Concerns have been raised that municipal hospital authorities that no longer own or operate a hospital may have limited flexibility in using their assets for public health initiatives that benefit communities.

DIGEST:

HB 3788 would amend Health and Safety Code sec. 262.041 to specify that a municipal health authority could issue bonds regardless of whether the authority owned or operated a hospital, and would expand the revenue sources from which bonds could be payable to include the investment of hospital property, any initiative to promote public health and general welfare under sec. 262.0331, and any facility for the care of the elderly and disabled under sec. 262.034. The bill also would expand the investment authority under sec. 262.039 to apply to municipal health authorities in a municipality with a population of up to 30,000.

HB 3788 would amend sec. 262.012 to add agreements securing any notes issued by the authority and other resolutions to the means whereby the board of a municipal hospital authority could prescribe a method for selecting directors. The bill also would prohibit changing the method except by a subsequent resolution adopted by the board, and add an authority employee to the list of persons ineligible to serve as a director.

HB 3788 would add an administrative office and a fitness or physical health center to the facilities a municipal hospital authority could own, operate, or fund under sec. 262.0331, and would allow an authority to issue revenue bonds and other notes to undertake any initiative authorized by the section.

HB 3788 would repeal provisions of sec. 262.034:

- limiting the authority under the section to only certain municipal hospital authorities;
- specifying that an authority was not authorized to issue revenue bonds or other notes to fund facilities or services under the section if a private provider was available and accessible in the authority's service area; and
- establishing that a facility or service under the section was considered to be a hospital project under the Hospital Project Financing Act.

The bill would take effect September 1, 2025.

- SUBJECT:** Amending certain ABV thresholds for taxes imposed on vinous liquors
- 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 — Tyler Rudd, Wine Institute (*Registered, but did not testify*: Kyle Frazier, Texas wine and grape growers association; Matthew Bentley, William Chris Vineyards; Arthur Granado; Thomas Parkinson)
- Against — (*Registered, but did not testify*: Tom Spilman, Wholesale Beer Distributors of Texas; Steven Deline)
- On — (*Registered, but did not testify*: Andrea Maceyra, TABC; Brad Reynolds, Texas comptroller of public accounts)
- BACKGROUND:** Some have suggested that raising the alcohol by volume threshold for taxing vinous liquor from 14 percent to 16 percent could align state tax policy with federal standards and prevent certain table wines from being taxed at a higher rate due to naturally occurring alcohol levels.
- DIGEST:** HB 3993 would increase the maximum alcohol by volume (ABV) for vinous liquor taxed at 20.4 cents per gallon from 14 percent to 16 percent. The bill also would raise the threshold for the tax rate of 40.8 cents per gallon to apply to vinous liquor with more than 16 percent ABV, rather than more than 14 percent.
- The bill would take effect September 1, 2025, and would not affect tax liability accruing before that effective date.
- NOTES:** According to the Legislative Budget Board, the bill would have a negative impact of \$1,780,000 to general revenue related funds through the

biennium, assuming that one-half of wine currently taxed at 40.8 cents per gallon would become taxable at 20.4 cents per gallon should the bill take effect.