HOUSE RESEARCH ORGANIZATION • TEXAS HOUSE OF REPRESENTATIVES
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HOUSE RESEARCH ORGANIZATION

daily floor report

Sunday, May 11, 2025
89th Legislature, Number 62
Part Three

One bill is on the Major State Calendar and 93 bills are on the General State Calendar for Sunday, May 11, 2025, for second reading consideration. The House stands adjourned until 10 a.m. Monday, May 12.

The list of bills included in Part Three of the *Daily Floor Report* appears on the following page.

HRO bill analyses from previous daily House calendars and the supplemental House calendar can also be found on the Dynamic Floor Report: https://hro-dfr.house.texas.gov/floor-reports

Gary VanDeaver
Chairman
89(R) - 62

HOUSE RESEARCH ORGANIZATION

Daily Floor Report

Sunday, May 11, 2025

89th Legislature, Number 62

Part 3

SUBJECT: Establishing the Texas Rare Disease Advisory Council

COMMITTEE: Public Health — favorable, without amendment

VOTE: 12 ayes — VanDeaver, Campos, Collier, Cunningham, Frank, Johnson, J. Jones, Olcott, Pierson, Schofield, Shofner, Simmons

0 nays

1 absent — Bucy

WITNESSES: For — Jordana Koch, KMT2C Foundation; Andrea Abramowitz (*Registered, but did not testify*: Elisa M. Tamayo, El Paso County; Lynn Cowles, Every Texan; Matt Dowling, Michelle Romero, Texas Medical Association; Clayton Travis, Texas Pediatric Society; Steven Deline; Becca Harkleroad)

Against — (*Registered, but did not testify*: Mark Treat)

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

BACKGROUND: Concerns have been raised that state policymakers and officials may lack awareness of the needs of the rare disease community, contributing to delays in diagnosis, misdiagnosis, limited treatment options, and high out-of-pocket costs for individuals with rare diseases.

DIGEST: HB 3554 would establish the Texas Rare Disease Advisory Council to advise the governor, state agencies, and private entities that provide health care services or other treatments to individuals diagnosed with rare diseases in Texas on strategies for improving health outcomes for those individuals. The bill would define “rare disease” as a disease, disorder, or condition that affected fewer than 200,000 individuals in the United States.

The bill would require the Department of State Health Services (DSHS) to provide to the advisory council resources, personnel, and other administrative support as necessary for the council to carry out its duties.

Advisory council members. The bill would require the council to be composed of 23 members appointed as follows:

- 11 members appointed by the governor, consisting of representatives from state agencies, a geneticist, a nurse, a hospital administrator, a pharmacist, representatives from the biotechnology and insurance industries, and a physician with experience in rare diseases;
- 6 members appointed by the lieutenant governor, consisting of a research representative, a physician, an adult diagnosed with a rare disease, caregivers of individuals with rare diseases, and a representative from a support organization;
- 6 members appointed by the speaker of the House of Representatives, consisting of a research representative, a physician, an adult with a rare disease, caregivers of individuals with rare diseases, and a representative of an organization that provided support or care for those individuals.

The bill would establish that advisory council members would serve staggered four-year terms, with the terms of one-half of the members, or as near to one-half as possible, expiring February 1 every odd-numbered year and would require a vacancy on the advisory council to be filled for the unexpired term in the same manner as the original appointment.

The bill would provide for which member terms would expire February 1, 2029, and which member terms would expire February 1, 2031.

Presiding officer. HB 3554 would require the governor to annually select a presiding officer and an assistant presiding officer from among the advisory council members.

Council meetings. The bill would require the advisory council to meet at the call of the advisory council's presiding officer and on request by a majority of the advisory council members. The bill would specify that a majority of the voting members of the advisory council would constitute a quorum. The bill would authorize a meeting to be conducted in person or

by video conference call, as determined by the advisory council's presiding officer. The bill would require the advisory council to provide notice of upcoming advisory council meetings on the DSHS website.

The council would be required to have its first meeting by January 1, 2026.

Council duties. HB 3554 would require the advisory council to:

- consult with experts on rare diseases and solicit public comment to develop policy recommendations for improving the treatment of rare diseases in Texas;
- develop strategy recommendations for academic research institutions of higher education in Texas to facilitate continued research on rare diseases;
- develop strategy recommendations for health care providers to better recognize and diagnose rare diseases to improve patient treatment; and
- make recommendations to DSHS and other state agencies on matters affecting individuals diagnosed with a rare disease, including emergency preparedness and response resources for a pandemic or natural disaster.

The bill would require the advisory council to provide DSHS with the strategy recommendations developed under the bill for publication on the DSHS website.

Annual report. The bill would require the advisory council, by September 1 of each year, to prepare and submit to the governor and commissioner of state health services a report that includes a summary of the advisory council's activities for the preceding year and recommendations for legislative or other action on rare diseases research and care. The bill would require the advisory council to publish the report on the DSHS website. Certain statutory provisions relating to the duration of state agency advisory committees would not apply to the advisory council.

The council would be required to submit its first report by September 1, 2026.

The bill 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 — (*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 authorizing Wichita County to impose a hotel occupancy tax could allow the county to enhance the visitor experience, attract tourists, and increase overnight stays.

DIGEST: CSHB 3567 would authorize the commissioners court of a county that had a population of more than 125,000, bordered the Red River, and had a county seat with a population of more than 100,000 to impose a hotel occupancy tax. The hotel occupancy tax rate in a county authorized under the bill could not exceed 2 percent of the price of paid for a room in a hotel. The bill would expire September 1, 2030.

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 certain MUD petitions to include water conservation plans

COMMITTEE: Land & Resource Management — committee substitute recommended

VOTE: 8 ayes — Gates, Lalani, Alders, Y. Davis, Hunter, R. Lopez, Morgan, Virdell

0 nays

1 absent — Hinojosa

WITNESSES: For — Vanessa Puig-Williams, Environmental Defense Fund (*Registered, but did not testify*: Joshua Sanders, City of Houston; Adam Haynes, Conference of Urban Counties; Luke Metzger, Environment Texas; Cyrus Reed, Lone Star Chapter Sierra Club; Monty Wynn, Texas Municipal League; Angel Carroll; Steven Deline)

Against — Trey Lary, Allen Boone Humphries Robinson LLP; Natalie Scott, Coats Rose PC; J.D. Hale, Texas Association of Builders

On — (*Registered, but did not testify*: Kim Nygren and Justin Taack, TCEQ; Randall Chelette, Texas On-Site Wastewater Association)

BACKGROUND: Water Code sec. 54.021 requires the Texas Natural Resource Conservation Commission to grant a petition for the creation of a municipal utility district (MUD) if the commission finds that the project is feasible and practicable and is necessary and would be a benefit to the land to be included in the district.

Some have suggested that requiring municipal utility district (MUD) developers to include water conservation plans in applications for certain MUDs could help address a disparity between home-rule municipalities that may adopt and enforce water conservation ordinances and counties that currently lack this authority, despite population growth in areas outside of cities.

DIGEST:

CSHB 2015 would require a petition requesting the creation of certain municipal utility districts (MUDs) to include a water conservation plan that met statutory requirements for water conservation plans for certain retail public utilities if the district would be located wholly or partly in a county that was wholly or partly within the boundaries of the Hill Country Priority Groundwater Management Area.

The bill would amend Water Code sec. 54.021 to specify that The Texas Natural Resources Commission was required to consider whether nor not the district and development within it would have an unreasonable effect on water conservation if the district would be located wholly or partly in a county that was wholly or partly within the boundaries of the Hill Country Priority Groundwater Management Area.

The bill would take effect September 1, 2025 and would apply only to a petition filed with the Texas Commission on Environmental Quality on or after that date.

NOTES:

An HRO bill digest of CSHB 2015 was originally published in the *Daily Floor Report* on May 6.

SUBJECT: Requiring certain filings with county clerks and elections administrators

COMMITTEE: Ways & Means — committee substitute recommended

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

0 nays

WITNESSES: For — (*Registered, but did not testify*: Don Spencer, Texas Association of Appraisal Districts; Russell Hayter)

Against — None

BACKGROUND: Some have suggested that a more consistent process is needed for appraisal district board candidates' filings of campaign treasurer appointments and applications for a place on the ballot, and that certain applications and appointments should be filed with the county clerk or elections administrator.

DIGEST: CSHB 3575 would require an individual to file a campaign treasurer appointment for the individual's own candidacy with a county elections administrator, in counties with the position, under the same conditions as an individual would file an appointment with the county clerk. The bill would add an elected position on the board of directors of an appraisal district in a county with a population of 75,000 or more to the offices for which a candidate would have to file a campaign treasurer appointment with the county clerk or elections administrator. These provisions would apply only to campaign treasurer appointments required to be filed on or after the bill's effective date.

Additionally, the bill would require an application for a place on the ballot for a position on an appraisal district board of directors to be filed with the county clerk and elections administrator, as applicable, instead of with the county judge. This provision would apply only to an application for a place on the ballot required to be filed on or after the bill's effective date.

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

SUBJECT: Expanding educational interstate compact for certain military dependents

COMMITTEE: Public Education — committee substitute recommended

VOTE: 11 ayes — Buckley, Allen, Ashby, Bryant, Cunningham, Dutton, Frank, Hinojosa, Hunter, Kerwin, Leach

0 nays

4 absent — Bernal, Leo Wilson, Schoolcraft, Talarico

WITNESSES: For — Perla Hopkins (*Registered, but did not testify*: Jolene Sanders, Coalition of Texans with Disabilities; Jennifer Easley, Texas PTA; Steven Deline; Michelle Evans)

Against — None

On — (*Registered, but did not testify*: Monica Martinez, Texas Education Agency)

BACKGROUND: Some have suggested that expanding the application of the Interstate Compact on Educational Opportunity for Military Children and making information about the compact more accessible could help the state better provide for the educational needs of military dependents.

DIGEST: CSHB 5381 would establish that provisions regarding the educational records and enrollment, placement and attendance, eligibility for enrollment, and graduation requirements of the Interstate Compact on Educational Opportunity for Military Children would apply, if the child met the compact's applicability conditions, to the children of:

- a veteran of the uniformed services who was discharged or released through retirement, for a period of four years after the date of the veteran's retirement, if the veteran returned to the veteran's home of record on military orders; and

- a member of the uniformed services who died on active duty or as a result of injuries sustained on active duty, for a period of four years after the member's death.

CSHB 5381 would require each school district and open-enrollment charter school that maintained a website to post on the district's or school's home page an easily accessible link entitled "MIC3" that led to information about the compact and the additional protections provided by the bill.

The bill also would require a school district or open-enrollment charter school that enrolled a child of a member of the uniformed services to comply with all applicable provisions related to persons not eligible for employment in public schools under applicable state law.

The bill would amend the required membership of the compact's state advisory council to require that, in addition to the existing members, the council include a classroom teacher who was or had been employed at a school operated by the U.S. Department of Defense Education Activity designated by the Texas Education Agency.

The bill would define "uniformed services" as the U.S. Army, Navy, Air Force, Space Force, Marine Corps, National Guard and Reserve, Coast Guard, the Commissioned Corps of the National Oceanic and Atmospheric Administration, or the Commissioned Corps of the U.S. Public Health Services.

The bill, which could be cited as Rocky's Law, 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: Prohibiting the sale of cell-cultured protein for human consumption

COMMITTEE: Public Health — committee substitute recommended

VOTE: 8 ayes — VanDeaver, Cunningham, Frank, Olcott, Pierson, Schofield, Shofner, Simmons

3 nays — Campos, Bucy, J. Jones

2 absent — Collier, Johnson

WITNESSES: For — Dan Gattis, Carl Ray Polk, Jr, Texas & Southwestern Cattle Raisers Association (*Registered, but did not testify*: Cooper Little, Independent Cattlemen's Association of Texas; Travis McCormick, Make Texans Healthy Again; Craig Cowden, Joe Leathers, Currie Smith, Dale Smith, Texas & Southwestern Cattle Raisers Association; J Pete Laney, Texas Association of Dairymen; Cindi Castilla, Texas Eagle Forum, President; Annabelle Sebesta, Texas Poultry Federation; Joe Morris, Texas Sheep and Goat Raisers Association; Justin Dreibelbis, Texas Wildlife Association; Ed Johnson)

Against — Doug Grant, Atlantic Fish Co; The Association of Meat, Poultry, and Seafood Innovation; Katie Kam, BioBQ; Barry Carpenter, Upside Foods; Uma Valeti, Upside Foods (*Registered, but did not testify*: Didier Toubia, Aleph Farms; Suzi Gerber, Association for Meat, Poultry, and Seafood Innovation; Dr. Rodolfo Faudoa, CellCrine; Autumn Lauener)

On — Sofia Stifflemire, Department of State Health Services

BACKGROUND: Health and Safety Code sec. 431.0805 (2) defines "cell-cultured protein" under the Texas Food, Drug, and Cosmetic Act, for the purposes of the subchapter related to food as a food product derived from harvesting animal cells and artificially replicating those cells in a growth medium to produce tissue.

Concerns have been raised that cell-cultured protein may pose safety risks for consumers, as its creation process involves direct interaction with microplastics that can cause disruptions in the human cell membrane.

DIGEST:

CSHB 1431 would prohibit and make unlawful under the Texas Food, Drug, and Cosmetic Act and the Texas Meat and Poultry Inspection Act the offering for sale or selling of cell-cultured protein for human consumption. The bill would require a food to be deemed adulterated if it contained, in whole or in part, cell-cultured protein.

CSHB 1431 would apply to the entire Texas Food, Drug, and Cosmetic Act, and would replace references to "cell-cultured product" with references to "cell-cultured protein" in the definitions of "egg," "egg product," "fish," "meat," "meat food product," "poultry," and "poultry product" under the Texas Food, Drug, and Cosmetic Act and for purposes of labeling such a protein under the Texas Meat and Poultry Inspection Act.

The bill would authorize a violation of such a prohibition under the Texas Food, Drug, and Cosmetic Act to be enforced in the same manner as a violation of other prohibitions under that statute. For the purposes of the Texas Meat and Poultry Inspection Act, to the extent of a conflict between the prohibition and another state law, the bill would control.

The bill would take effect September 1, 2025, and would expire September 1, 2027.

SUBJECT: Authorizing property owners near a right-of-way to plant vegetation

COMMITTEE: Transportation — committee substitute recommended

VOTE: 9 ayes — Craddick, M. Perez, Curry, Hefner, LaHood, Little, C. Morales, Patterson, Paul

0 nays

4 absent — Canales, Gámez, Harris Davila, E. Morales

WITNESSES: For — Tim Anderson, Outdoor Adv Assn of Texas (*Registered, but did not testify*: Jeff Bonham, CenterPoint Energy; Katelyn Caldwell, Harris County Commissioners Court; Jeff Burdett, NFIB; Jeri Brooks, Pappas, Four Families; Kyle Jackson, Texas Apartment Association; Justin Bragiel, Texas Hotel & Lodging Association; Curtis Smith, Texas Nursery & Landscape Association; Madison Gessner, Texas Restaurant Association; Steven Deline)

Against — (*Registered, but did not testify*: Jason Wills, Scenic Texas)

On — (*Registered, but did not testify*: Jessica Butler, Texas Department of Transportation)

BACKGROUND: Concerns have been raised that those with land adjacent to a right-of-way for a road often have concerns regarding the aesthetic impact of existing vegetation or the obstruction of their property's visibility due to overgrown plant life, and that many retail businesses dependent on roadway visibility are obscured.

DIGEST: CSHB 3514 would require the Texas Department of Transportation (TxDOT) by rule to develop and implement a program to allow an owner of real property abutting or adjoining property acquired by TxDOT for the right-of-way of a road in the state highway system to:

- plant vegetation or replace existing vegetation in the right-of-way if the owner determined that the new vegetation would enhance the aesthetic appeal of the property; or
- replace existing vegetation in the right-of-way if the vegetation to be replaced would reduce the property's visibility.

The program could authorize a property owner to plant or replace existing vegetation only in the right-of-way, including the outer separation, located within 500 feet of the property. The bill would establish that an owner who planted or replaced vegetation in the right-of-way would be responsible for all costs associated with the planting or replacement of vegetation, could use only vegetation adapted to local conditions, and would be required to contract with a landscaping professional approved by TxDOT to plant or replace the vegetation, and could not interfere with any public utility infrastructure located in the right-of-way.

CSHB 3514 would prohibit the rules adopted by TxDOT from impairing or relinquishing the state's right to use the right-of-way when needed to construct or reconstruct the road for which it was acquired. The bill would establish that use by the owner of adjoining or abutting real property would not be abandonment of the right-of-way by TxDOT.

Additionally, the bill would not require a utility that performed work in the right-of-way to replace vegetation or provide compensation to an owner of real property for replacing vegetation if vegetation removal was necessary to perform the work.

The bill would take effect September 1, 2025.

SUBJECT: Establishing licensing procedures for state correctional officers

COMMITTEE: Corrections — committee substitute recommended

VOTE: 7 ayes — Harless, V. Jones, Allen, Lowe, Meza, Schatzline, Wharton

1 nay — Harrison

1 absent — Lozano

WITNESSES: For — (*Registered, but did not testify*: James Parnell, Dallas Police Association; James Kershaw, Harris County Deputies' Organization FOP #39; Marshall Kenderdine, Texas Correctional Employees Council; John Sierega, TMPA; Charlie Malouff, TX C.U.R.E., Inc.; Steven Deline)

Against — None

On — (*Registered, but did not testify*: Greg Stevens, Texas Commission on Law Enforcement; Bryan Collier, Texas Department of Criminal Justice)

BACKGROUND: Some have suggested that while state correctional officers are responsible for inmate supervision and facility security, they lack a standardized professional licensing process similar to that of other law enforcement personnel.

DIGEST: CSHB 4614 would require the Texas Commission on Law Enforcement (TCOLE) to issue a state correctional officer license to a person who:

- submitted an application;
- completed the required training;
- passed the required examination; and
- met any other applicable requirements and the rules prescribed by the commission to qualify as a state correctional officer.

To be eligible for a state correctional officer license, a person would have to:

- have completed no less than 240 hours of training as determined by TCOLE;
- be at least 18 years old; and
- have a high school diploma or high school equivalency certificate.

The bill also would require TCOLE to issue a state correctional officer license to a person who held a permanent appointment as a state correctional officer with the Texas Department of Criminal Justice (TDCJ) if the person applied for the license before September 1, 2027, and held that position on the date of the application. These individuals would not be required to meet the training, age, educational, or other eligibility requirements for a state correctional officer license as a condition of continued employment in that position. The commission and TDCJ would be authorized to enter into a memorandum of understanding to facilitate this process. This provision would expire September 1, 2028.

The bill also would make conforming changes throughout the Occupations Code to incorporate this new licensing structure for state correctional officers, including updates to sections related to commission rulemaking, reporting standards, record and audit requirements, training programs, risk assessments and inspections, and licensure requirements.

CSHB 4614 would require TCOLE to adopt the necessary rules, standards, and procedures to implement these changes by March 1, 2027.

The bill would take effect September 1, 2026, except for certain licensing provisions, which would take effect September 1, 2027.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of $2,177,802 to general revenue related funds through the biennium.

SUBJECT: Providing election of remedies in suits against certain veterinarians

COMMITTEE: Judiciary & Civil Jurisprudence — favorable, without amendment

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

2 nays — J. González, Hayes

WITNESSES: For — Heather Kutyba (*Registered, but did not testify*: Joshua Sanders, City of Houston; Nadia Islam, City of San Antonio)

Against — None

BACKGROUND: Concerns have been raised that there is currently no legal pathway to hold accountable government-employed veterinarians who fail to provide adequate care to their clients.

DIGEST: Under HB 4546, if a plaintiff filed a tort claim against both a governmental unit and a veterinarian who was an employee of that unit, the court would have to require the plaintiff to promptly amend the plaintiff's pleadings to dismiss either the governmental unit or the employee. If a plaintiff failed to amend the pleadings, the court would be required to dismiss the suit.

If a plaintiff filed a suit against a veterinarian employed by a governmental unit based on veterinary services the veterinarian provided within the veterinarian's general scope of employment, the court would have to require the plaintiff to promptly amend the pleadings to elect whether the suit was against the employee in the employee's official capacity or individual capacity and to dismiss a suit if a plaintiff failed to amend the pleadings.

The bill would take effect September 1, 2025.

SUBJECT: Authorizing tax revenue in US 75 counties for hotel, convention projects

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 — Bernie Parker, Anna Economic Development Corporation (*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, and Elliott Reed, Texas Comptroller of Public Accounts)

BACKGROUND: Some have suggested that Anna, a municipality in Colin County, requires alternative methods to finance headquarter hotel facilities designed to support convention centers.

DIGEST: HB 4683 would authorize a municipality a population between 15,000 and 30,000, that was bisected by United States Highway 75, and that was wholly located in a county with a population of 750,000 or more, in which all or part of the municipality with a population of one million or more was located, and that was adjacent to a country with a population of two million or more, to impose and collect certain tax revenues derived from municipal hotel and convention center projects and use that tax revenue for 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: Amending powers of Westwood Magnolia Parkway Improvement District

COMMITTEE: Intergovernmental Affairs — favorable, without amendment

VOTE: 9 ayes — C. Bell, Zwiener, Cole, Cortez, Garcia Hernandez, Luther, Rosenthal, Spiller, Tepper

2 nays — Leo Wilson, Lowe

WITNESSES: For — (*Registered, but did not testify*: Daniel Scruggs, Rob Eissler, Westwood Magnolia Parkway Improvement District (WMPID))

Against — Ned Muñoz, Texas Cable Association (*Registered, but did not testify*: Billy Hill III, CenterPoint Energy; Velma Cruz, Comcast; Scott Hutchinson, Entergy Texas; Shelly Botkin, Texas Broadband Association)

BACKGROUND: Concerns have been raised that the Westwood Magnolia Parkway Improvement District lacks certain statutory authority related to local improvement projects.

DIGEST: HB 5681 would grant the Westwood Magnolia Parkway Improvement District the authority to require utilities to pay their own relocation costs under certain conditions and enter into interlocal agreements for county assistance districts.

Required utility payment of relocation costs. HB 5681 would require a utility that owned, operated, or maintained a facility for the transportation, distribution, or delivery of utility service to relocate, adjust, or remove the facility at the utility's expense if the relocation, adjustment, or removal was required to accommodate a project undertaken by the Westwood Magnolia Parkway Improvement District for the construction, expansion, maintenance, or improvement of certain public improvements in the public right-of-way of a district or county road.

The district would be required to provide to the utility 30 days' written notice of such a relocation, adjustment, or removal. The notice would

have to specify the project scope, right-of-way limits, and expected timeline.

If a utility did not relocate, adjust, or remove a facility in accordance with the notice, the district could undertake the relocation, adjustment, or removal. The bill would require the utility to reimburse the district for the reasonable and actual costs incurred by the district in performing the work. If the utility did not reimburse the costs before the 60th day after the district submitted a written request for payment, the utility would be required to pay interest on the amount due at the rate specified in statute, as if the amount were overdue under a contract with a governmental entity.

The bill would not limit the authority of the district and a utility to enter into an agreement for cost-sharing, alternative funding, or another arrangement related to the relocation of a facility. The relocation payment requirement under the bill also would not apply to a utility facility located outside a public right-of-way unless otherwise agreed to by the district and utility. Notwithstanding any laws or agreements to the contrary, the requirement would apply unless an express provision in a contract between the district and the utility assigned financial responsibility for relocation costs to the district.

Interlocal agreements for county assistance districts. The bill would allow the district and a local government to enter into an interlocal agreement to provide for the administration and operation of a county assistance district located in a county in which any part of the district was located for which the commissioners court of the county served as the governing body.

The bill would take effect September 1, 2025.

SUBJECT: Creating the La Cima Municipal Management District No. 1

COMMITTEE: Intergovernmental Affairs — favorable, without amendment

VOTE: 9 ayes — C. Bell, Zwiener, Cortez, C. Garcia Hernandez, Leo Wilson, Luther, Rosenthal, Spiller, Tepper

1 nay — Lowe

1 absent — Cole

WITNESSES: For — Eric Willis, Natural Development LLC (*Registered, but did not testify*: Andy Barrett, Natural Development LLC; Steven Deline)

Against — None

BACKGROUND: Some have suggested that an area located within Hays County would benefit from the creation of a management district.

DIGEST: HB 5673 would create La Cima Municipal Management District No. 1. The stated purpose of the district would be to serve a public use and benefit, including by:

- promoting employment, commerce, transportation, housing, tourism, recreation, the arts, entertainment, economic development, and public welfare;
- enhancing the health, safety, and general welfare of residents, employers, employees, visitors, consumers, and the public;
- providing needed funding to preserve and improve the district's economic vitality;
- supporting pedestrian access, landscaping, and other enhancements to restore and maintain scenic beauty; and
- providing for water, wastewater, drainage, road, and recreational facilities in the district.

The district would be created to supplement and not to supplant municipal services provided in the district. The district would not act as the agent or

instrumentality of any private interest. All or any part of the district would be eligible to be included in a tax increment reinvestment zone or a tax abatement reinvestment zone.

Board of directors. The district would be governed by a board of five elected directors serving staggered four-year terms, with elections conducted in accordance with election provisions in the Water Code. Directors would be entitled to receive fees of office and reimbursement for certain expenses.

The initial board would consist of five named individuals, with terms for positions one through three expiring June 1, 2027, and positions four and five expiring June 1, 2029.

Powers and duties. The district would have the powers and duties necessary to accomplish the purposes for which it was created. The district could provide, design, construct, acquire, improve, relocate, operate, maintain, or finance improvement projects or services, and contract with governmental or private entities to carry out these actions.

The board could authorize the creation of a nonprofit corporation to assist in implementing projects or providing services, with the nonprofit having powers akin to a local government corporation. The district could contract with qualified parties, including the city, to provide law enforcement services for a fee. It also could join and pay dues to charitable or nonprofit organizations that perform services or activities consistent with district purposes.

The district could create economic development programs and exercise economic development powers provided to municipalities. The district could acquire, lease as lessor or lessee, construct, develop, own, operate, and maintain parking facilities.

The board would establish procedures for disbursement or transfer of district funds. The district could be divided into two or more new districts if it had no outstanding bonded debt and was not imposing property taxes, with the board authorized to adopt an order dividing the district and appointing initial directors for each new district. Municipal consent to the

creation of the district would extend to any new districts created by division.

The district would not be permitted to exercise the power of eminent domain.

Assessments. The board could not finance a service or improvement project with assessments unless a written petition requesting that service or improvement had been filed with the board that had been signed by the owners of a majority of the assessed value of real property in the district.

The board by resolution could impose and collect an assessment for any authorized purpose in all or any part of the district. An assessment, penalties and interest on an assessment, an expense of collection, and reasonable attorney's fees incurred by the district would be:

- a first and prior lien against the property assessed;
- superior to any other lien or claim other than a lien or claim for county, school district, or municipal ad valorem taxes; and
- the personal liability of and a charge against the owners of the property even if the owners were not named in the assessment proceedings.

The lien would be effective from the date of the resolution imposing the assessment until the date the assessment was paid. The board could enforce the lien in the same manner that the board could enforce an ad valorem tax lien against real property.

Taxes and bonds. The district would be required to hold an election to obtain voter approval before the district could impose a property tax. If authorized, the district could impose an operation and maintenance tax on taxable property in the district for any district purpose. The board would be required to determine the operation and maintenance tax rate, which could not exceed the rate approved at the election.

The district could borrow money on terms determined by the board and issue bonds, notes, or other obligations to pay for any authorized district purpose. The district could issue obligations payable from assessments, if

the improvements financed would be conveyed to or operated and maintained by a municipality or other retail utility provider under an agreement with the district.

The district could issue, without an election, bonds secured by revenue other than property taxes or contract payments under certain conditions

If authorized at an election, the district could issue bonds payable from property taxes. The board could not issue bonds until each municipality in the district had consented to the creation of the district and to the inclusion of land in the district.

Dissolution. The board would be required to dissolve the district on written petition filed by the owners of:

- at least two-thirds of the assessed value of the property that was subject to assessment or taxation by the district; or
- at least two-thirds of the surface area of the district, excluding roads, streets, highways, utility rights-of-way, other public areas, and other property exempt from assessment by the district according to the most recent certified county property tax rolls.

The board could dissolve the district at any time by majority vote, under certain conditions regarding outstanding debt and operations.

Implementation. The bill would specify the territory included in the district.

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 special district for brain and memory health care

COMMITTEE: Intergovernmental Affairs — favorable, without amendment

VOTE: 9 ayes — C. Bell, Zwiener, Cole, Cortez, C. Garcia Hernandez, Leo Wilson, Rosenthal, Spiller, Tepper

2 nays — Lowe, Luther

WITNESSES: For — None

Against — None

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

BACKGROUND: Concerns have been raised about the increasing prevalence of brain and memory-related conditions that require specialized, continuous care and the accessibility of care for associated health conditions. Some have suggested that the Wood County Central Hospital District should be authorized to provide such services to its residents.

DIGEST: HB 5663 would authorize the board of directors of the Wood County Central Hospital District to create a special district to provide brain and memory health care services to residents of the hospital district.

The bill would authorize the hospital district board of directors to adopt an order creating a special district. The order would have to contain specific provisions and define the boundaries of the special district to be coextensive with the boundaries of the hospital district as those boundaries existed on the date the order was adopted.

The bill would authorize the district to provide brain and memory health care services, including by contract, and would specify that the district's provision of brain and memory health care services did not prohibit another political subdivision of the state from providing, or taxing to provide for, brain and memory health care services inside the boundaries of the district as provided by state law.

Board structure. The special district board would consist of seven special district directors appointed by the hospital district board to serve staggered two-year terms. The bill would require the special district board to select a president from among the special district directors. The president would have to be a resident of the hospital district and could not be an employee of the special district or the hospital district.

HB 5663 would require a special district board to appoint and determine the compensation of a special district administrator, who would serve at the will of the board.

Hospital district contract. The bill would require the special district and hospital district to enter into a contract under which the special district would provide brain and memory health care services to the residents of the hospital district. The contract would have to contain certain provisions, including the financial contributions to be made by each party to the contract to fund the special district, and if applicable, the land, buildings, improvements, equipment, and other assets owned by a party to the contract that the special district would be required to manage and operate.

The Interlocal Cooperation Act would not apply to contracts made between special districts and hospital districts under the bill.

Collaborations. After a special district was created, the bill would authorize the hospital district to transfer to the special district the management and operation of any real property, improvements, and equipment located wholly in the hospital district owned by the hospital district and used to provide brain and memory health care services, as specified in the contract. The bill would authorize the hospital district to transfer to the special district the operating funds and reserves for such expenses and funds that were budgeted by the hospital district for the provision of relevant services to residents of the hospital district.

The bill would authorize the special district to have certain powers when necessary for the provision of services to hospital district residents, including the power to acquire and hold title to, construct, operate,

manage, and maintain real property, including improvements to real property.

The bill also would allow for a special district to collaborate with a nonprofit entity to provide brain and memory health care services to residents of the hospital district and to adopt rules to govern the operation of the special district and the duties, functions, and responsibilities of the staff and employees of the special district.

Finances. HB 5633 would require a hospital district to provide funding for the operation of the special district as specified under the bill and would prohibit the district from imposing a tax or issuing bonds or other obligations.

The special district administrator would have to prepare an annual budget for approval by both the special district board and the hospital district board, which would need to include a complete financial statement.

The bill would require the special district board to hold a public hearing on the proposed annual budget, which any resident of the hospital district could attend and participate in. The budget would only be effective after it was approved by both boards.

The bill also would require the special district board to have an independent audit made of the special district's financial condition for each fiscal year.

Dissolution. The bill would authorize the hospital district board to by order to dissolve the special district, which would continue to control and administer any property, debts, and assets of the special district only until all funds were disposed of and all debts were transferred as provided by the bill or paid or settled.

Other provisions. Brain and memory health care services provided by the district, or by a brain and memory health care services district created by the board, including property used to provide those services, would be considered a hospital project under relevant provisions of the Health and Safety Code.

The bill would take effect September 1, 2025.

SUBJECT: Authorizing legislators to require TCEQ to hold certain public meetings

COMMITTEE: Environmental Regulation — committee substitute recommended

VOTE: 9 ayes — Landgraf, Ordaz, Anchía, K. Bell, Bumgarner, Morales Shaw, Oliverson, Reynolds, Toth

0 nays

WITNESSES: For — Ed Johnson, Giddings Economic Development Corporation; Frank Malinak, Lee County; Eric Hjorth (*Registered, but did not testify*: Alexa Aragonez, City of Houston; Tom Glass, Lee County Conservatives; Cyrus Reed, Lone Star Chapter Sierra Club; Adrian Shelley, Public Citizen; Annie Bolognino; Lee Gabel)

Against — Grant Williamson, Austin Wood Recycling; Steven Akers, Back to nature; Manuel Rodriguez, Living Earth and Texas Nursery & Landscape Association (*Registered, but did not testify*: Kenneth Flippin, Texas chapter US Green Building Council; Lora Hinchcliff, Texas Composting Council; Curtis Smith, Texas Nursery and Landscape Association; Steven Deline)

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

BACKGROUND: Some have suggested that requiring the Texas Commission on Environmental Quality to hold a public meeting under certain conditions in the county where a composting facility was proposed could ensure community members have an opportunity to voice concerns, particularly when proposed facilities are located near critical water sources.

DIGEST: CSHB 4271 would require the executive director of the Texas Commission on Environmental Quality (TCEQ) to hold a public meeting in the county in which a composting facility was proposed to be located and for which a permit, registration, or notification was required by TCEQ rule on the request of a member of the Legislature whose district included the site at which the facility was proposed to be located.

The bill would take effect September 1, 2025.

SUBJECT: Requiring the redaction of certain officers' personal information

COMMITTEE: Intergovernmental Affairs — favorable, without amendment

VOTE: 10 ayes — C. Bell, Zwiener, Cortez, Garcia Hernandez, Cassandra, Leo Wilson, Lowe, Luther, Rosenthal, Spiller, Tepper

0 nays

1 absent — Cole

WITNESSES: For — Devyn Vyner (*Registered, but did not testify*: Michael Bullock, Austin Police Association; Nadia Islam, City of San Antonio; Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); Adam Haynes, Conference of Urban Counties; James Parnell, Dallas Police Association; Clark Miller, Harris County Deputies' Organization; Ray Hunt, Houston Police Officers' Union; Brian Hawthorne, Sheriffs' Association of Texas; Scott Rubin, Texas Police Chiefs Association; John Sierega, TMPA)

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

On — Aaron Day, Texas Land Title Association

BACKGROUND: Some have suggested that peace officers should be allowed to request the redaction of certain personal information from public records in order to protect themselves from individuals who may exploit such information.

DIGEST: HB 4530 would include a peace officer and special investigator among persons for whom a county clerk, on receipt of a written request from the person, was required to omit and redact the person's social security number, driver's license number, and address from a real property record instrument that was available in a public online database.

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 notice to be sent via email in certain family law cases

COMMITTEE: Judiciary & Civil Jurisprudence — committee substitute recommended

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

0 nays

WITNESSES: For — (*Registered, but did not testify*: Amy Bresnen, Texas Family Law Foundation; Steven Deline)

Against — None

On — Matthew Block, Office of the Attorney General, Child Support Division

BACKGROUND: Some have suggested that amending certain processes in suits affecting the parent-child relationship, including allowing documents to be sent to an email address of a party, would help litigants to provide notice and service of process when a party's information is subject to nondisclosure in court proceedings.

DIGEST: Under CSHB 4035, if a court in a suit affecting the parent-child relationship rendered an order prohibiting disclosure of a party's information due to risk of harassment or family violence, the court would have to require that the party provide, for inclusion in the final order, an email address at which the party could receive notice and service of process of subsequent motions, petitions, or other legal pleadings using the electronic filing system and other legal documents or required notices.

The court could not require the party to provide the email address if it found that doing so was likely to endanger the safety of the party.

CSHB 4035 would allow a court to consider due process requirements for notice and service of process to be met in a child support modification

action if written notice was delivered to the most recent residence address, email address, or address of employment of a party.

The bill would authorize the clerk of a court to send orders, notices, and other documents relating to a final order to the email address of a party using the electronic filing system.

If a court rendered a judgment for attorney's fees and court costs in a suit affecting the parent-child relationship, the court would be required to render the judgment separate from any judgment confirming an amount of child support arrearages.

The bill would apply to a suit affecting the parent-child relationship that was pending in a trial court on the effective date or that was filed on or after the effective date of the bill.

The bill would take effect September 1, 2025.

SUBJECT: Establishing waiting list priority for child-care workers' children

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

VOTE: 11 ayes — Button, Talarico, K. Bell, Bhojani, Harris Davila, Longoria, Lujan, Luther, Meza, Ordaz, Richardson

0 nays

WITNESSES: For — Wendy Uptain, Early Matters Texas; Megan Mauro, Texas Association of Business; Latoya Mayberry, Toya's Precious Jewels (*Registered, but did not testify*: John Litzler, Baptist General Convention of Texas Christian Life Commission; Kim Kofron, Children at Risk; Rebekah Chenelle, Dallas Regional Chamber; Amanda Posson, Every Texan; Santiago Franco, Harris County Commissioners Court; Matthew Bentley, KinderCare Learning Companies; Christine Yanas, Methodist Healthcare Ministries; Bryan Mares, National Association of Social Workers-Texas; David Feigen, Texans Care for Children; Madison Gessner, Texas Restaurant Association; Greg Hartman, Texas State Alliance of YMCAs; Kerrie Judice, TexProtects; Stephanie O'Banion, United Ways of Texas)

Against — None

On — Reagan Miller, Texas Workforce Commission

BACKGROUND: Concerns have been raised that many child-care workers struggle to access affordable care for their own children, which contributes to high turnover in the industry and reduces the stability of child-care services statewide.

DIGEST: CSHB 3807 would require the Texas Workforce Commission (TWC) to establish a priority position on its child-care services waiting lists for children of eligible child-care workers. Children placed in a priority position under the bill would remain subject to annual redetermination of eligibility for child-care services in accordance with TWC rules.

The bill would define “child-care worker” as an individual employed at a licensed child-care facility for at least 25 hours per week, excluding owners or directors of these facilities, unless their child was enrolled in a program not directly supervised by them.

The bill would take effect September 1, 2025.

SUBJECT: Amending provisions relating to preauthorization requirements

COMMITTEE: Insurance — committee substitute recommended

VOTE: 7 ayes — Dean, Vo, J. González, Goodwin, Paul, Spiller, Wharton

1 nay — Hopper

1 absent — Morgan

WITNESSES: For — Dr. Debra Patt, Texas Medical Association; Patrick Graves (*Registered, but did not testify*: Heather Vasek, DHR Health; Christine Busse, NAMI Texas; Daniel Gonzalez, Texas Academy of Family Physicians; Eric Woomer, Texas Ambulatory Surgery Center Society, Texas Dermatological Society, Texas Allergy, Asthsma and Immunology Society, Federation of Texas Psychiatry; Lauren Fleming, Texas Coalition for Patients; McCann Turner, Texas Health Resources (THR); Will Holleman, Texas Hospital Association; Bobby Hillert, Texas Orthopedic Association; Steve Durham, Texas Osteopathic Medical Association; Clayton Travis, Texas Pediatric Society; Sara Allen, Texas Radiological Society, Texas Society of Pathologists, The Texas College of Emergency Physicians)

Against — Eric Gratias, EviCore by Evernorth; Jamie Dudensing, Texas Association of Health Plans (*Registered, but did not testify*: Cameron Duncan, Blue Cross and Blue Shield of Texas; Kandice Sanaie, Cigna; Pasha Moore, PCMA; Faith Villarreal, Texas Association of Business)

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

BACKGROUND: Some have suggested that revising provisions related to the service review process for physician exemptions from prior authorization requirements could help address concerns that the evaluation window for which services can be reviewed is too short and may prevent providers from reaching the authorization approval rate threshold for which they can qualify for an exemption.

DIGEST:

CSHB 3812 would amend provisions relating to health care provider preauthorization requirements.

Exemption from preauthorization requirements. CSHB 3812 would extend the evaluation period during which an HMO or insurer was required to evaluate whether a physician or provider qualified for an exemption from preauthorization requirements from once every six months to once every year. The bill also would add to the conditions for exemption from preauthorization requirements to provide that the physician or provider had to have provided the particular health care service at least five times during the evaluation period.

If there were fewer than five claims for a particular health care service submitted by the physician or provider during the most recent evaluation period, the HMO or insurer would be required to review all the claims for that service submitted by the physician or provider during the most recent evaluation period.

In conducting an evaluation for an exemption, an HMO or insurer, or its affiliate, would have to include all preauthorization requests submitted by a physician or provider, considering all health insurance policies and health benefit plans issued or administered by the health maintenance organization or insurer.

For the purposes of the bill, a person would be considered an "affiliate" of another if the person directly or indirectly through one or more intermediaries controls, is controlled by, or is under common control with the other person.

The bill would specify that a physician or provider's right to review an adverse determination regarding a preauthorization exemption would include the right to review an HMO's or insurer's denial of an exemption.

Report to TDI. Each HMO and insurer would be required to submit to the Texas Department of Insurance (TDI) an annual written report for each health care service subject to a preauthorization requirement exemption on the:

- exemptions granted by the HMO or insurer for the service;
- determinations by the HMO or insurer to rescind or deny an exemption for the service, including the number of exemptions denied or rescinded by the HMO or insurer; and
- independent reviews of determinations conducted by an independent review organization, including the number of determinations made by the HMO or insurer for which a physician or provider requested an independent review and the outcome of each independent review.

The report would be considered public information subject to disclosure under the Public Information Act. TDI would be required to ensure that the report did not contain any identifying information before disclosing the report.

Utilization reviews. The bill would prohibit a physician under whose direction a utilization review agent conducted a utilization review from holding a license to practice administrative medicine.

The prohibition of HMOs or insurers from conducting a retrospective review of a health care service would be replaced with a prohibition from conducting a utilization review or requiring another review similar to preauthorization of a health care service.

A preauthorization exemption before the bill's effective date could not be rescinded before the first anniversary of the last day of the most recent evaluation period for the exemption.

The bill would take effect September 1, 2025, and would apply only to utilization review conducted on or after that date.

SUBJECT: Amending provisions on transactions of copper and brass materials

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

VOTE: 8 ayes — Hefner, R. Lopez, Dorazio, Hickland, Isaac, Louderback, McLaughlin, Pierson

0 nays

3 absent — Canales, Cortez, Holt

WITNESSES: For — David Tate, AT&T Texas; Benjamin Wright, Fort Worth Police Department; Jimmy Hasslocher, Operation Game Thief, Bexar Metro 9-1-1 Network; Brian Hawthorne, Sheriffs' Association of Texas, Chambers County Sheriff's Office; Todd Baxter, Texas Cable Association (*Registered, but did not testify*: Mark Bell, Association of Electric Companies of Texas; Christina Gonzalez, CenterPoint Energy; Eric Carcerano, Chambers County District Attorney's Office; Julia Zinsmeister, Charter Communications; T. J. Patterson, City of Fort Worth; Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); Velma Cruz, Comcast; Zanir Ali, CPS Energy; James Songer, Dallas Police Department; Rebekah Chenelle, Dallas Regional Chamber; Joe Morris, Larry Young, Game Warden Peace Officers Association; Robin Foster, Harris County Deputies' Organization FOP Lodge 39; Nathan Carroll, Houston Police Department; Ray Hunt, Houston Police Officers' Union; Jay O, Irving - Las Colinas Chamber of Commerce; Carlos Ortiz, Adrian Martinez, San Antonio Police officers Association; Michael Ruggieri, Southwestern Elec. Power Co. (SWEPCO); Lauren Fairbanks, Texas 9-1-1 Alliance; Frances Blake, Texas Association of Builders; Shelly Botkin, Texas Broadband Association; Scott Rubin, Texas Police Chiefs Association; Tracy Morehead, Texas Rural Broadband Association; Bryan Flatt, TMPA; Steven Deline)

Against — None

On — Mel Wright, Recycling Council of Texas (*Registered, but did not testify*: Randy Cubriel, Nucor)

BACKGROUND:

Occupations Code sec. 1956.001 governs metal recycling entities. Sec. 1956.001(4)(A) defines "copper or brass material" to mean a power inverter or insulated or noninsulated copper wire or cable that contains copper or an alloy of copper or zinc and is of the type used by a public utility or common carrier, a telecommunications provider, a cable service provider, or a video service provider. Under sec. 1956.001(4)(B), "copper or brass material" can also mean a copper or brass item of a type commonly used in construction or by a public utility, a telecommunications provider, a cable service provider, or a video service provider. Sec. 1956.001(C) establishes that the definition also includes copper pipe or tubing.

Concerns have been raised that the increasing price of copper has caused the frequency of copper theft and fiber vandalism on telecommunication lines to increase exponentially, which risks disrupting the flow of communications and connections to critical infrastructure across the state.

DIGEST:

CSHB 3552 would increase the penalty for offenses involving copper and brass and establish limitations on and reporting requirements for transactions related to copper and brass material.

Criminal penalties. CSHB 3552 would revise the definition of "critical infrastructure facility" in the Government Code to include a telecommunications central switching office or any structure used as part of a system to provide cable or video services or Internet access services. The bill also would apply this definition of critical infrastructure facility to provisions of Penal Code related to theft and criminal mischief and specify that the term would include any component of a system on which a 9-1-1 service depended to properly function, or that enabled interoperable communications between emergency services personnel, as during an emergency or disaster.

The bill would increase the penalty of criminal mischief to a third-degree felony (two to 10 years in prison and an optional fine of up to $10,000) if the actor committed the offense by intentionally damaging or destroying a

copper or brass component of a critical infrastructure facility or equipment or communication wires appurtenant to or connected to the facility or on which the facility depended on to properly function, regardless of whether the equipment or communication wires were enclosed by a fence or other barrier, and this damage or destruction caused, wholly or partly, the impairment or interruption of the facility or the equipment or communication wires.

For an offense of theft, an offense that qualified as a state-jail felony, second-degree felony, or third-degree felony would be elevated to the next higher category if it was shown at trial that the property stolen was copper or brass and the theft occurred at a critical infrastructure facility or involved equipment or communication wires essential to the facility and its function, regardless of whether the equipment or communication wires were enclosed by a fence or other barrier.

Unauthorized possession of certain copper or brass material. Under the bill, a person would commit an offense if the person intentionally or knowingly possessed certain copper or brass material, and was not a person who was authorized to possess the copper or brass material. For the purposes of the offense, "copper or brass material" would have the meaning assigned under Occupations Code sec. 1956.001(4)(A) or (4)(B), which the bill would amend by adding a bus bar to the definition under sec. 1956.001(4)(A).

The bill would specify persons who would be authorized to possess copper or brass material, including a public utility or common carrier, a telecommunications provider, and a cable service provider. Authorization would not apply to persons who knew that the copper or brass material was unlawfully obtained.

Unauthorized possession of copper or brass material would be a state-jail felony (180 days to two years in a state jail and an optional fine of up to $10,000). The offense would be a third-degree felony (two to 10 years in prison and an optional fine of up to $10,000) if it was shown on trial that the copper or brass material was unlawfully obtained from a critical infrastructure facility, the person had been previously convicted of an offense under the bill, the person had been previously convicted of

criminal mischief, criminal conspiracy, theft or organized crime with respect to copper or brass material, or the person possessed a firearm in the commission of the offense.

The bill would amend and reenact Penal Code provisions regarding organized criminal activity and would specify that a person would commit an offense if, with the intent to establish, maintain, or participate in a combination or in the profits of a combination or as a member of a criminal street gang or foreign terrorist organization, the person committed or conspired to commit unauthorized possession of copper and brass material that was punishable as a state-jail felony.

Training on identifying certain regulated material. CSHB 3552 would require the Texas Department of Public Safety (DPS) to develop and make available to metal recycling entities educational and training materials to aid the entities in identifying copper or brass material, including copper or brass material that could be stolen property.

The educational and training materials would have to be developed in coordination with:

- the advisory committee established for advising DPS on metal recycling regulation;
- trade associations representing metal recycling entities;
- representatives of the communications industries that deployed materials composed of copper or brass material;
- representatives of law enforcement agencies and the offices of prosecuting attorneys; and
- other interested stakeholders.

The representatives of the communications industries that deployed materials composed of copper or brass would be required to provide copper and brass material examples to DPS.

Study. The bill would require DPS to conduct a study at least once every three years on:

- the effect that the implementation of regulation on transactions involving certain copper or brass material and similar laws had on the incidents of theft of regulated material, particularly copper or brass material; and
- the manner and extent to which metal recycling entities were coordinating and cooperating with law enforcement agencies and prosecutors to assist in preventing and prosecuting that theft.

DPS would be required to make the report available on its publicly accessible website.

Transactions involving copper and brass material. A metal recycling entity would not be authorized to purchase or otherwise acquire copper or brass material from a person authorized to possess copper and brass material unless the person selling the copper or brass material to the metal recycling entity acquired it in the ordinary course of the person's business and any individual acting on behalf of the person selling copper had apparent authority to enter into the transaction.

These provisions would apply to the purchase or acquisition of copper or brass material from a public utility, a telecommunications provider, a cable service provider, a video service provider, or a manufacturing, industrial, commercial, retail, or other seller that sells regulated material in the ordinary course of the seller's business.

For the purposes of these provisions, "copper and brass material" would not include material described by Occupations Code sec. 1956.001(4)(B) or (C), or common household insulated or noninsulated copper wire or cable.

The bill would require a metal recycling entity to maintain an accurate record of each transaction in which the entity purchased or otherwise acquired copper or brass material from an authorized person. A record would have to contain:

- a description of the weight of copper or brass material purchased or otherwise acquired made in accordance with the custom of the trade for the material that was the subject of the transaction;

- the business name of the person from whom the copper or brass material was purchased or otherwise acquired;
- if the copper or brass material included insulated communications wire that had been burned wholly or partly to remove the insulation, documentation acceptable under the rules adopted that stated that the material was salvaged from a fire; and
- the date of the transaction.

CSHB 3552 would require a metal recycling entity to preserve each such record until the second anniversary of the date the record was made in an easily retrievable format available for inspection within 72 hours after the time of purchase or acquisition.

The Public Safety Commission would be required to prescribe the method by which a metal recycling entity must document in a record required under the bill the type of seller from which the entity purchased or acquired copper or brass material. The commission would also have to establish the type of documentation that a person who sold insulated communications wires would have to provide to a metal recycling entity to establish that the wire was salvaged from a fire.

A metal recycling entity would commit a class A misdemeanor (up to one year in jail and/or a maximum fine of $4,000) offense under the bill if the entity intentionally or knowingly failed to maintain a record required when purchasing or otherwise acquiring certain copper or brass material.

On request, a metal recycling entity would be required to permit a peace officer or a DPS representative of a county, municipality, or other political subdivision that issued a metal recycling license or permit to, during the entity's usual business hours, enter the premises of the entity and inspect a record required to be maintained under the bill.

The bill would prohibit a Texas county, municipality, or political subdivision from restricting the purchase, acquisition, sale, transfer, or possession of copper or brass material by a person described by the bill or from altering or adding to the recordkeeping requirements. This would not affect the authority of these entities to issue a metal recycling permit or license or inspect a record required by the bill and would not change the

municipal ordinance in effect on March 1, 2025, requiring metal recycling entity to submit applicable records to a searchable online database used by law enforcement to identify and locate damaged or stolen property and any individuals who could be associated with the property.

The bill would authorize the Public Safety Commission to impose an administrative penalty on a metal recycling entity that violated the purchasing limitations due to the entity's failure to exercise due diligence in purchasing or acquiring copper or brass material or violated the record requirements. This administrative penalty could not exceed $10,000.

Implementation. The bill would require that the Public Safety Commission adopt rules to implement the changes under the bill by January 1, 2026. DPS would be required to complete the initial study on the effects of regulations on incidents of theft of regulated material by September 1, 2028.

CSHB 3552 would take effect immediately if finally passed by a two-thirds record vote of all the members elected to each house. Otherwise, the bill would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, the fiscal implications of the bill cannot be determined due to the lack of data to estimate the prevalence of conduct outlined in the bill's provisions that would be applicable to existing offenses or would constitute the conduct of newly created offenses.

SUBJECT: Expanding pharmacist authority for vaccine administration

COMMITTEE: Public Health — committee substitute recommended

VOTE: 8 ayes — VanDeaver, Campos, Collier, Cunningham, Frank, Johnson, J. Jones, Simmons

3 nays — Olcott, Pierson, Shofner

2 absent — Bucy, Schofield

WITNESSES: For — Aimee Lusson, Texas Federation of Drug Stores and Walgreens; Dr. Jason Terk, Texas Medical Association and Texas Pediatric Society; Rannon Ching, Texas Pharmacy Association (*Registered, but did not testify*: Charles Cascio, AARP Texas; Brady Shimek, Brookshire Brothers Pharmacy; Jason Sabo, Children at Risk; Christine Yanas, Methodist Healthcare Ministries; Shannon Meroney, National Association of Benefits and Insurance Professionals Texas (NABIP-TX); Ross Giesinger, National Association of Chain Drug Stores; Jarod Watson, Pharmacist at Kroger; Annie Spilman, Texans for Affordable Healthcare; Emily Brizzolara-Dove, Texas 2036; Faith Villarreal, Texas Association of Business; Craig Holzheauser, Texas Association of City and County Health Officials; Jason Baxter, Texas Association of Health Plans; Janis Carter, Texas Federation of Drug Stores; Danielle Lobsinger Bush, Texas Healthcare and Bioscience Institute; Clayton Stewart, Texas Medical Association; Jack Frazee, Texas Nurses Association; Duane Galligher, Texas Pharmacy Association; Jerry Valdez, Texas Pharmacy Business Council/American Pharmacies; David Estrada, Texas Retailers Association; Becca Harkleroad, Texas School Nurses Organization; Terri Burke, The Immunization Partnership; Jeff Loesch, The Kroger Company; Morris Wilkes, United Supermarkets; Nicole Kralj, Walgreens; Tracy Attebury; Casey Nicholas; Thomas Parkinson)

Against — Michelle Evans, Texans for Vaccine Choice (*Registered, but did not testify*: Steven Deline)

BACKGROUND:

Occupations Code sec. 554.004 requires the Texas State Board of Pharmacy (TSBP) to specify the conditions under which a pharmacist may administer medication, including an immunization or vaccine. These conditions must ensure that certain statutory requirements are met.

Occupations Code sec. 554.052 (c-1) authorizes a pharmacist to administer an influenza vaccine to a patient over seven years of age without an established physician-patient relationship.

Concerns have been raised that recent changes in federal law have rendered Texas pharmacists unable to administer certain immunizations without a standing order or protocol from a physician, thereby limiting access to vaccines for patients, particularly in rural areas.

DIGEST:

CSHB 3540 would amend Occupations Code sec. 554.052 (c-1) to authorize a pharmacist to order or administer an immunization or vaccination to a patient who was at least three years of age for influenza or SARS-CoV-2. For patients five years of age or older, a pharmacist could order or administer an immunization or vaccination that was:

- authorized or approved by the U.S. Food and Drug Administration or listed in the routine immunization schedule recommended by the Advisory Committee on Immunization Practices and published by the Centers for Disease Control and Prevention; and
- ordered or administered in accordance with Advisory Committee on Immunization Practices vaccine-specific recommendations.

CSHB 3540 also would revise Occupations Code sec. 554.004 to establish that the conditions specified by the Texas State Board of Pharmacy (TSBP) for ordering or administering an immunization or vaccination must ensure that:

- the pharmacist possessed the necessary skill, education, and certification as specified by the board to order or administer the immunization or vaccination;
- not later than the third business day after administering an immunization or vaccination, the pharmacist had notified the licensed health care provider responsible for the patient's care that the immunization or vaccination was administered; and

- the authority of a pharmacist to administer an immunization or vaccine could be delegated to a certified pharmacy technician who possessed the necessary skill, education, and certification as specified by the board to administer the immunization or vaccination.

A pharmacist would satisfy the notification requirement if the immunization or vaccination was recorded in the state-maintained immunization registry. Additionally, a pharmacist would be required to inform both the child receiving the immunization or vaccination and the accompanying adult caregiver of the importance of an annual well-child visit with a pediatrician or other licensed primary healthcare provider.

The bill would make conforming changes to Occupations Code provisions related to pharmacists and immunizations and vaccinations.

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 certain tax revenue use for projects in certain counties

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 — Yajaira Flores, City of McAllen (*Registered, but did not testify*: Justin Bragiel, Texas Hotel & Lodging Association; Ron Hinkle, Texas Travel Alliance; Steven Deline)

Against — None

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

BACKGROUND: Some have suggested that the City of McAllen requires alternative methods to finance new parking facilities near its convention and performing arts centers.

DIGEST: HB 3715 would authorize a municipality that was located in a county adjacent to the Texas-Mexico border with a population of at least 500,000 that did not have a city located within it that had a population of at least 500,000, and the municipality was the largest in the county, to impose and collect certain tax revenues derived from certain municipal hotel and convention center projects and pledge and commit that tax revenue for 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: Amending provisions on tax certificates for transfer of certain property

COMMITTEE: Ways & Means — favorable, without amendment

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

0 nays

WITNESSES: For — Kevin Kieschnick, Nueces County Tax Assessor Collector (*Registered, but did not testify*: Melissa Shannon, Bexar County Commissioners Court; Santiago Franco, Harris County Commissioners Court; Peter Slover, Linebarger, Goggan, Blair & Sampson, LLC; Abby Powell, Texas Land Title Association)

Against — (*Registered, but did not testify*: Adam Cahn)

BACKGROUND: Tax Code sec. 31.08 (a) requires a tax collector, at the request of any person, to issue a certificate showing the amount of delinquent taxes, penalties, interest, and any known costs and expenses due the unit on a property according to the unit's current tax records. If the tax collector collects taxes for more than one taxing unit, the certificate must show the amount of delinquent taxes, penalties, interest, and any known costs and expenses due on the property to each taxing unit for which the collector collects the taxes.

Tax Code sec. 31.08 (b) and (c) establishes that if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties, or interest are due a taxing on the property or that fails to include property because of its omission from an appraisal roll, the unit's tax lien on the property is extinguished and the purchaser of the property is absolved of liability to the unit for delinquent taxes, penalties, or interest on the property or for taxes based on omitted property. The person who was liable for the tax for the year the tax was imposed or the property was omitted remains personally liable for the tax and for any penalties or interest. A tax certificate issued through fraud or collusion is void.

Concerns have been raised that protections under these provisions of the Tax Code do not extend to property owners who purchased property from a previous owner who erroneously received a homestead tax exemption. Some have suggested that protections should be extended to purchasers who relied on certificates that incorrectly indicated no taxes were due because of a later-canceled homestead exemption.

DIGEST:

HB 3170 would amend Tax Code sec. 31.08(b) to extinguish the tax lien securing the payment of any delinquent taxes, penalties, or interest that were subsequently determined to be due the taxing unit on the property because a residence homestead exemption was erroneously allowed for the property and was subsequently canceled.

The bill would establish that the subsequent cancelation of a tax certificate that accompanied a transfer of property and erroneously indicated that no delinquent taxes, penalties, or interest were due a taxing unit on the property because a residence homestead exemption had been erroneously allowed for the property would not extinguish the tax lien securing the payment of any delinquent taxes, penalties, or interest that were subsequently determined to be due the taxing unit on the property if the chief appraiser or the collector for a taxing unit determined that the transfer of the property occurred between:

- two individuals who are related within the first degree by consanguinity or affinity;
- an employer and an employee;
- a parent company and a subsidiary of that parent company; or
- a trust and a beneficiary of that trust.

The bill would take effect September 1, 2025, and would apply only to a tax certificate issued on or after the effective date of the bill.

SUBJECT: Revising grand jury procedures and discovery requirements

COMMITTEE: Criminal Jurisprudence — favorable, without amendment

VOTE: 10 ayes — Smithee, Wu, Bowers, Cook, J. Jones, Little, Louderback, Money, Rodríguez Ramos, Virdell

1 nay — Moody

WITNESSES: For — Michael Bullock, Austin Police Association; Ross Jackson, Texas Public Policy Foundation; David Botsford; Kyle Carruth; Lisa Moffatt (*Registered, but did not testify*: Nick Hudson, American Civil Liberties Union of Texas; Amanda Marzullo, Austin Community Law Center; Jennifer Szimanski, Combined Law Enforcement Associations of Texas; Justin Keener, Doug Deason; Richard Hayes, Gun Owners of America; Allen Place, Texas Criminal Defense Lawyers Association; Doug OConnell)

Against — Philip Mack Furlow, 106th Judicial District Attorney; Will Ramsay, 8th Judicial District Attorney's Office; Eric Carcerano, Chambers County District Attorney's Office; Jack Roady, Galveston County Criminal District Attorney (*Registered, but did not testify*: Perry Thomas, 33rd Judicial District Attorney; M. Paige Williams, Dallas Criminal District Attorney John Creuzot)

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

BACKGROUND: Some have suggested that the current grand jury process in Texas may lack sufficient due process protections for individuals under investigation, including a lack of access to prosecutorial records.

DIGEST: HB 3664 would make several changes to the grand jury process, including training requirements, limitations on investigations, and confidentiality protections.

Grand juror training. The bill would require each prospective grand juror who was presented to serve to complete a training course administered by the Office of Court Administration (OCA) before being accepted and impaneled. The training course would be required to include instruction on the purpose and rules of grand jury service, the grand juror selection process, and grand jury procedures and deliberations. The course could be offered online, and the OCA would be required to adopt rules necessary to implement these requirements as soon as practicable after the bill's effective date.

Limitations on grand jury investigations. A grand jury could not investigate and vote to indict a person that had previously been investigated for the same offense for which a previous grand jury found no bill of indictment, unless an attorney representing the state presented material evidence that was not known to the state before or during the previous grand jury investigation.

Recording and disclosure of grand jury proceedings. The bill would require that all statements made by the grand jury or the attorney representing the state, as well as the examination and testimony of a witness, be recorded, rather than only the examination of an accused or suspected person before the grand jury and that person’s testimony. Deliberations of the grand jury could not be recorded.

The bill also would remove certain provisions that allowed a defendant to petition a court to order the disclosure of information made secret by grand jury confidentiality provisions, including recordings or transcriptions of a person’s testimony.

Production and inspection of records. The bill would require the attorney representing the state, upon request, to produce and permit the inspection and, where applicable, electronic duplication, copying, or photographing of certain records in the possession, custody, or control of the state or any person under contract with the state that were not otherwise privileged and were material to the grand jury investigation. This requirement would not authorize the disclosure of the work product of the attorney representing the state, the work product of the state’s investigators, including an investigator’s notes or reports, or written

communications between the state and its agents, representatives, or employees. The attorney representing the state also would be required to electronically record or otherwise document any document, item, or other information provided to the accused or suspected person under this article.

For a pro se accused or suspected person, the attorney representing the state would be required to permit inspection or review of the specified documents, but would not be required to allow electronic duplication. If only a portion of a document, item, or information was subject to disclosure, the attorney representing the state would be permitted to withhold or redact the non-disclosable portions but would be required to inform the accused or suspected person that portions had been withheld or redacted.

The bill would prohibit the removal of documents, items, or information from the possession of the state during inspection and would restrict the sharing of records obtained through this process to only those directly involved in the defense, unless a court ordered otherwise or the documents had already been publicly disclosed. The bill would not prohibit the attorney representing the state from providing additional discovery beyond what was required by this article.

The bill also would require the attorney representing the state to disclose exculpatory, impeachment, or mitigating information in possession or control of the state that tended to negate the guilt of the accused or suspected person or would have reduced the potential punishment for the offense being investigated.

HB 3664 would provide that a person who improperly disclosed information obtained under this article could be punished for contempt in the same manner as a person who violated statutory provisions relating to prohibited disclosure.

Examination of witnesses. The bill would require that a person subpoenaed to appear as a witness before a grand jury be given a reasonable opportunity to retain counsel and to consult with counsel before the person's appearance. The bill also would require a witness appearing before a grand jury to be orally given a specific warning before

being questioned, including that the witness was under oath, that false statements could lead to perjury charges, and that the witness had the right to refuse to answer any question that may be self-incriminating.

Effective date. The bill would take effect September 1, 2025, and would apply only to grand jury proceedings that begin on or after that date.

SUBJECT: Establishing the Task Force on Modernizing Manufacturing

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

VOTE: 8 ayes — Button, K. Bell, Bhojani, Harris Davila, Longoria, Lujan, Meza, Ordaz

2 nays — Luther, Richardson

1 absent — Talarico

WITNESSES: For — Yadir Chapa Cantu, Schneider Electric (*Registered, but did not testify*: Jeri Brooks, Daikin Comfort Technologies North America; Rebekah Chenelle, Dallas Regional Chamber; Leticia Van de Putte, San Antonio Chamber of Commerce; Robert Nathan, Schneider Electric; Matthew Boms, Texas Advanced Energy Business Alliance; Wroe Jackson, Texas Association of Manufacturers; Shelia Franklin, TRUE TEXAS PROJECT)

Against — None

On — Mary York, The Texas Workforce Commission

BACKGROUND: Some have suggested that Texas should evaluate how automation and digital technologies are impacting manufacturing.

DIGEST: CSHB 4196 would establish the Task Force on Modernizing Manufacturing within the Texas Economic Development and Tourism Office (EDT) to study the modernization of manufacturing in Texas.

The task force would be required to:

- study the current state of manufacturing, focusing on the adoption of automation and digital technologies;
- identify barriers to adopting such technologies;

- develop policy and program recommendations, including incentives for the adoption of automation and digital technologies; and
- evaluate the potential economic effect of modernization of manufacturing, including job creation, retention, productivity, and competitiveness.

The task force would be composed of fifteen members. The executive director of EDT, or a designee, would serve as presiding officer. The governor would appoint the remaining members based on recommendations from the executive director or designee. Appointees would be required to include representatives from small, mid-sized, and large manufacturers with an established presence in Texas, experts in automation and digital technologies related to manufacturing, representatives from the Texas Workforce Commission, Texas Education Agency, and Texas Higher Education Coordinating Board, representatives from organized labor in manufacturing, and one additional representative for EDT.

EDT would be required to provide staff and facilities to assist the task force.

The task force would be required to submit a report with its findings and recommendations to the governor, lieutenant governor, speaker of the House, and relevant legislative committees by October 1, 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: Amending reporting and auditing rules for digital asset service providers

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

VOTE: 7 ayes — Lambert, Plesa, Bryant, L. Garcia, Hayes, Holt, Vo

0 nays

2 absent — Bumgarner, Schoolcraft

WITNESSES: For — Jeffrey Johanns (*Registered, but did not testify*: Mark Vane, HB Strategies; Kenneth Besserman, Texas Society of CPAs)

Against — None

On — Marcus Adams, Texas Department of Banking; Jessi Goostree

BACKGROUND: Concerns have been raised that the rapid growth of the digital asset industry has outpaced the development of comprehensive regulatory frameworks, raising questions about consumer protection, financial stability, and the potential for illicit activity. Some have suggested streamlining the regulation of digital asset service providers to promote market integrity and ensure the responsible delivery of client services.

DIGEST: HB 4233 would repeal the requirement that digital service providers create a plan to allow auditors to access and view, at any time, a pseudonymized version of the information made available to each digital asset customer.

The bill also would repeal a requirement for a provider who applied for a new money transmission license to submit to the Texas Department of Banking (TDB) within 90 days of the end of the provider's fiscal year a report that included:

- an attestation by the provider of outstanding liabilities to customers;

- evidence of customer assets held by the provider;
- a copy of the provider's plan to allow an auditor to access and view certain information and each customer to receive an accounting of outstanding liabilities owed to them and their assets held in custody by the provider; and
- an attestation by an auditor that the information in the report was true and accurate.

HB 4233 would repeal provisions requiring an auditor to be an independent certified public accountant licensed in the United States and apply attestation standards adopted by the American Institute of Certified Public Accountants.

The bill also would repeal the provider's ability to meet certain auditing and reporting requirements by filing certain audits with TDB.

The bill would take effect September 1, 2025.

SUBJECT: Naming the Capt. Kevin Williams and FF Austin Cheek Memorial HWY

COMMITTEE: Transportation — favorable, without amendment

VOTE: 12 ayes — Craddick, M. Perez, Canales, Curry, Gámez, Harris Davila, Hefner, LaHood, Little, E. Morales, Patterson, Paul

0 nays

1 absent — C. Morales

WITNESSES: For — (*Registered, but did not testify*: Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); Joe Morris and Larry Young, Game Warden Peace Officers Association; Ray Hunt, Houston Police Officers' Union; J Pete Laney, State Firefighters & Fire Marshals Association; John Wilkerson, Texas Municipal Police Association (TMPA); Steven Deline)

Against — None

BACKGROUND: Some have suggested that the service and legacies of Captain Kevin Williams and Firefighter Austin Cheek of the Noonday Volunteer Fire Department, who lost their lives responding to a house fire in Smith County, should be formally honored by naming the portion of Farm-to-Market Road 2493 where the tragedy occurred after these fallen first responders.

DIGEST: HB 4173 would designate the portion of Farm-to-Market Road 2493 in Smith County between its intersections with Church Street in Flint and County Road 150 as the Captain Kevin Williams and Firefighter Austin Cheek Memorial Highway.

Subject to provision in the Transportation Code requiring a grant or donation of funds to cover the cost of the maker, the bill would require the Texas Department of Transportation to design and construct markers to indicate the designation with any other appropriate information and to

erect a marker at each end of the highway and the appropriate intermediate sites along the highway.

The bill would take effect September 1, 2025.

SUBJECT: Raising the expenditure amount that requires competitive bidding

COMMITTEE: Intergovernmental Affairs — committee substitute recommended

VOTE: 9 ayes — C. Bell, Zwiener, Cole, Cortez, Garcia Hernandez, Leo Wilson, Rosenthal, Spiller, Tepper

2 nays — Lowe, Luther

WITNESSES: For — Rick Thompson, County Judges and Commissioners Association of Texas; Blaire Parker, San Antonio Water System (SAWS) (*Registered, but did not testify*: Priscilla Camacho, Alamo Colleges District; Joe Morris, Brownwood Area Chamber of Commerce; Rick Ramirez, City of Austin; Louie Sanchez, City of Denton; T. J. Patterson, City of Fort Worth; Ariel Traub, City of Garland, Texas; Joshua Sanders, City of Houston; Angela Hale, City of McKinney; Nadia Islam, City of San Antonio; Spencer Gutierrez, City of Sugar Land, Texas; Adam Haynes, Conference of Urban Counties; Kirk Frye, County Judges and Commissioners Association; Josie Castro Garcia, Dallas County; Elisa M. Tamayo, El Paso County; Katelyn Caldwell, Harris County Commissioners Court; Eduardo Miranda, Metropolitan Transit Authority of Harris County; Clay Avery, SAFE-D, the Texas State Association of Fire and Emergency Districts; Thomas Wilson, Smith County; Ron Cunningham, Texas County Judges and Commissioners; Amy Beneski, Texas Association of School Administrators; Kelsey Bernstein, Texas Council of Community Centers; Will Holleman, Texas Hospital Association; David Fuentes, Texas Judges and Commissioners Association; Monty Wynn, Texas Municipal League; John Carlton, Texas State Association of Fire and Emergency Districts; Julie Wheeler, Travis County Commissioners Court; Jeffrey Blankenship; Jonathan Roach)

Against — (*Registered, but did not testify*: Scott Miller, City of Buda)

BACKGROUND: Concerns have been raised that due to inflation and risings costs of goods and services, the current threshold amount that requires a competitive bidding process for purchases by certain governmental entities is outdated, resulting in inefficient procurement for small-scale purchases.

DIGEST:

CSHB 1998 would raise certain expenditure thresholds requiring a competitive bidding process for contracting by certain governmental entities, including school districts, emergency services districts, municipalities, counties, hospital districts or authorities, housing authorities, and certain other agencies or instrumentalities of governmental entities, from $50,000 to $100,000.

The bill would take effect September 1, 2025, and would apply only to a purchase made on or after that date.

SUBJECT: Prohibiting TCEQ from issuing certain direct discharge permits

COMMITTEE: Environmental Regulation — committee substitute recommended

VOTE: 9 ayes — Landgraf, Ordaz, Anchía, K. Bell, Bumgarner, Morales Shaw, Oliverson, Reynolds, Toth

0 nays

WITNESSES: For — John Shepperd, Devils River Conservancy; Marie Camino, The Nature Conservancy in Texas (*Registered, but did not testify*: Leticia Van de Putte, City of Del Rio; Carrie Simmons, Devils River Foundation; Elisa M. Tamayo, El Paso County; Luke Metzger, Environment Texas; Rachel Hanes, Greater Edwards Aquifer Alliance; Cyrus Reed, Lone Star Chapter Sierra Club; Tom Entsminger, National Wildlife Federation; Susan Nold, The Nature Conservancy in Texas; Julie Nahrgang, Water Environment Association of Texas; Steven Deline; Susan Stewart; Sierra Vernon)

Against — None

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

BACKGROUND: Some have suggested that prohibiting new wastewater discharge permits in the Devils River Basin could help protect the region's water quality and prevent environmental degradation in this ecologically sensitive area amid growing concerns from landowners and local stakeholders about potential pollution from future developments.

DIGEST: CSHB 3333 would prohibit the Texas Commission on Environmental Quality (TCEQ) from issuing a new permit authorizing the direct discharge from a domestic, industrial, or commercial wastewater treatment facility of any waste, effluent, or pollutants into a stream segment, stream assessment unit, or drainage area to which the bill applied.

The bill would not affect TCEQ’s authority to issue an individual permit for a municipal separate storm sewer system or a general permit for stormwater and associated non-stormwater discharges.

CSHB 3333 would define the following terms:

- "assessment unit" by reference to its meaning assigned by the TCEQ's Surface Water Quality Monitoring Program as it existed on September 1, 2025;
- "classified segment" as any portion of Devils River located in Val Verde County and identified in specified appendices of certain rules relating to surface water quality standards as the rules existed on September 1, 2025;
- "drainage area" as any unclassified water body that drains to a stream segment or a stream assessment unit to which the bill applied;
- "stream assessment unit" as an assessment unit for a stream, creek, or river, or a portion of a stream, creek, or river, that was located within a classified segment that was not a stream segment to which the bill applied;
- "stream segment" as a stream, creek, or river, or a portion of a stream, creek, or river, that was a classified segment; and
- "unclassified water body" as a water body other than a classified segment or an assessment unit located within a classified segment.

The bill would take effect September 1, 2025, and would apply only to an application for a permit that was submitted to TCEQ on or after the effective date.

SUBJECT: Designating the Sergeant Mark Butler Memorial Highway

COMMITTEE: Transportation — favorable, without amendment

VOTE: 12 ayes — Craddick, M. Perez, Canales, Curry, Gámez, Harris Davila, Hefner, LaHood, Little, E. Morales, Patterson, Paul

0 nays

1 absent — C. Morales

WITNESSES: For — (*Registered, but did not testify*: Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); Joe Morris and Larry Young, Game Warden Peace Officers Association; Ray Hunt, Houston Police Officers' Union; John Wilkerson, Texas Municipal Police Association (TMPA); Steven Deline)

Against — None

BACKGROUND: Some have suggested that the life and legacy of Sergeant Mark Butler of the Navasota Police Department, who tragically lost his life in the line of duty protecting motorists on State Highway 6, should be formally honored to memorialize his service to the community and the country.

DIGEST: HB 3510 would designate the portion of State Highway 6 in Brazos County between the southern municipal limits of College Station and the northern municipal limits of Navasota as the Sergeant Mark Butler Memorial Highway. This designation would be in addition to any other designation.

Subject to provisions in the Transportation Code requiring a grant or donation of funds to cover the cost of the maker, the bill would require the Texas Department of Transportation to design and construct markers to indicate the designation with any other appropriate information and to erect markers at each end of the highway and the appropriate intermediate sites along the highway.

The bill would take effect September 1, 2025.

SUBJECT: Expanding certain counties' authority to impose hotel occupancy tax

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 — Ben Zeller, Victoria County (*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 authorizing certain counties that border the Gulf of Mexico to impose a hotel occupancy tax on a hotel within the city limits of a municipality contained within that county.

DIGEST: HB 4222 would authorize a county that bordered the Gulf of Mexico, had a population greater than 90,0000, was adjacent to a bay connected to the Gulf of Mexico, and contained a portion of the Guadalupe River to impose a hotel occupancy tax rate that did not exceed 7 percent of the price paid for a room in a hotel. The tax rate could not exceed 2 percent if the hotel was located in a municipality that imposed an applicable municipal hotel tax or in the extraterritorial jurisdiction of a municipality that imposed a municipal tax applicable to the hotel.

The county could use the tax revenue to make repairs and improvements to the county airport or provide reimbursements for airport repairs and improvements. The county could not use the tax revenue for airport repairs, improvements, or related reimbursements:

- in a total amount that would exceed the amount of hotel revenue in the county that would be likely to be reasonably attributed to guests traveling through the airport during the 20-year period beginning on the date the county first used tax revenue for that purpose; or
- after the 20th anniversary of the date the county first used the revenue for that purpose.

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

SUBJECT: Amending registry requirements for DFPS child abuse, neglect findings

COMMITTEE: Human Services — committee substitute recommended

VOTE: 11 ayes — Hull, Manuel, A. Davis, Dorazio, C. Morales, Noble, Richardson, Rose, Schatzline, Slawson, Swanson

0 nays

WITNESSES: For — Brandon Logan, Family Freedom Project; Judy Powell, Parent Guidance Center; Julia Hatcher, Texas Association of Family Defense Attorneys; Andrew Brown, Texas Public Policy Foundation (*Registered, but did not testify*: Thomas Parkinson)

Against — None

On — (*Registered, but did not testify*: Lisa Kanne, Department of Family Protective Services)

BACKGROUND: Concerns have been raised that individuals are placed on the child abuse and neglect registry when a "reason to believe" finding is made before a formal determination occurs, and may remain on the registry indefinitely unless they undergo a lengthy and costly appeal process.

DIGEST: CSHB 2070 would prohibit the Department of Family and Protective Services (DFPS) from adding the name of an individual found by DFPS to have abused or neglected a child to the central child abuse or neglect registry unless:

- a court of competent jurisdiction entered a final order in a civil, criminal, or juvenile proceeding in which the court found the individual to have abused or neglected the child; or
- the individual was found to have abused or neglected a child in a child-care facility, family home, or a public or private school, engaged in reportable conduct that required the individual's inclusion in the interagency reportable conduct search engine results, or was found to have abused or neglected a child while the child was in the conservatorship of DFPS.

The bill would take effect September 1, 2025.

SUBJECT: Amending procedures regarding visits by a parolee to a hospital

COMMITTEE: Corrections — committee substitute recommended

VOTE: 7 ayes — Harless, V. Jones, Harrison, Lowe, Lozano, Meza, Schatzline

0 nays

2 absent — Allen, Wharton

WITNESSES: For — James Songer, Dallas Police Department; Jim Scoggin, Methodist Health System; John Hawkins, Texas Hospital Association; Stephen Love (*Registered, but did not testify*: James Parnell, Dallas Police Association; James Kershaw, Harris County Deputies' Organization FOP #39; Christopher Lee, North Texas Commission; Nzingha Williams-Eugene, Teaching Hospitals of Texas; Marcus Mitias, Texas Health Resources; John Sierega, TMPA; Steven Deline)

Against — (*Registered, but did not testify*: Nick Hudson, American Civil Liberties Union of Texas; Justin Martinez, LatinoJustice PRLDEF; Jennifer Toon, Lioness Justice Impacted Women's Alliance; Cole Meyer, Texas Appleseed; Daniel Woodward, Texas Civil Rights Project; Helen Gaebler, Texas Defender Service)

On — (*Registered, but did not testify*: Tim McDonnell, Board of Pardons and Paroles; Rene Hinojosa, Texas Department of Criminal Justice)

BACKGROUND: Concerns have been raised that hospitals are not being notified when a violent offender on parole visits their premises. Some have suggested that amending parole processes could help hospitals to take the necessary measures to protect patients and staff before visits by such individuals.

DIGEST: In regards to a parole panel that required a releasee serving a sentence for certain violent criminal offenses to submit to electronic monitoring as a condition of release on parole or to mandatory supervision, CSHB 2854 would require the parole panel to, as an additional condition of release, prohibit the releasee from visiting a general hospital for a purpose other

than to receive medical treatment, including emergency medical care, unless the parole officer supervising the release approved the releasee's request to visit the hospital prior to the visit.

A releasee's request to visit a general hospital would be required to specify the date and time of the intended visit and the reason for the visit. A parole officer who approved the visit would be required to promptly notify the chief law enforcement officer for the general hospital, or a local law enforcement agency if the general hospital did not employ any peace officers, of the date and time of the releasee's intended visit.

Except in cases of gross negligence, recklessness, or intentional misconduct, a general hospital would not be liable to a patient or another person for damages resulting from a visit by a releasee described by the bill. This provision could not be construed to limit a claim arising under laws related to medical liability.

The bill would apply only to a person who was released on parole or to mandatory supervision on or after the effective date.

The bill would take effect September 1, 2025.

SUBJECT: Allowing adoption of water conservation programs in certain counties

COMMITTEE: Natural Resources — committee substitute recommended

VOTE: 9 ayes — Harris, Martinez, Ashby, Buckley, Fairly, Gámez, Romero, Villalobos, Zwiener

1 nay — C. Bell

2 absent — Barry, J. Garcia, M. González

WITNESSES: None (*Committee substitute considered in a public hearing on May 7*)

BACKGROUND: Some have suggested that allowing certain counties to adopt water conservation programs, as municipalities are authorized to do, could help address the need for greater water conservation amid urban growth happening outside of major cities.

DIGEST: CSHB 2347 would authorize the county commissioners court to adopt a water conservation program by order if the county had a population greater than 230,000, was wholly or partly located within the Hill Country Priority Groundwater Management Area, and was adjacent to a county with a population greater than one million.

A water conservation program adopted under the bill could establish for the unincorporated area of the county, including the extraterritorial jurisdiction of a municipality, water conservation standards applicable to a development, redevelopment, or subdivision of a tract of land that began after August 31, 2025. These standards would not apply to an agricultural operation.

To the extent of a conflict between a county order adopted under the bill and a permit, rule, ordinance, or other measure issued by a governmental entity that regulated the same conduct:

- if the governmental entity was a municipality, the municipal measure would prevail; or

- if the governmental entity was a political subdivision other than a municipality, the more stringent regulation would prevail.

The bill and any water conservation programs adopted under it would expire September 1, 2031.

The bill would take effect September 1, 2025.

NOTES:

An HRO bill digest of CSHB 2347 was originally published in the *Daily Floor Report* on May 2.