HOUSE RESEARCH ORGANIZATION • TEXAS HOUSE OF REPRESENTATIVES
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HOUSE RESEARCH ORGANIZATION

daily floor report

Wednesday, May 14, 2025
89th Legislature, Number 65
The House convenes at 10 a.m.
Part One

One resolution is on the Constitutional Amendments Calendar and 52 bills are on the General State Calendar for second reading consideration today. The list of bill digests included in Part One of the *Daily Floor Report* appears on the following page.

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

Gary VanDeaver
Chairman
89(R) - 65

HOUSE RESEARCH ORGANIZATION

Daily Floor Report
Wednesday, May 14, 2025
89th Legislature, Number 65
Part 1

SUBJECT: Authorizing a limitation on property taxes for certain low-income persons

COMMITTEE: Ways & Means — favorable, without amendment

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

0 nays

1 absent — Gervin-Hawkins

WITNESSES: For — None

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

BACKGROUND: Concerns have been raised that certain local taxing entities do not have the ability to grant property tax freezes to senior citizens or individuals with disabilities. Some have suggested that providing such a tax limitation would help low-income seniors and people with disabilities who may have difficulty keeping up with rapidly increasing property taxes.

DIGEST: HJR 73 would amend the Texas Constitution to authorize the governing body of a political subdivision other than a school district, county, city or town, or junior college district to prohibit an increase in property taxes for the residence homestead of a person with limited financial means, who was disabled, or age 65 or older and had received a residence homestead exemption.

The property tax amount would not be subject to an increase while the property remained the residence homestead of the qualifying person or that person's spouse, if the spouse was also of limited financial means, was disabled, or age 65 or older and also received a residence homestead exemption on the homestead. Exceptions to this prohibition would be allowed for certain property improvements.

Alternatively, if the governing body of a political subdivision received a petition signed by 5 percent of registered voters, the governing body

would be required to call an election to determine by majority vote whether to establish an authorized tax limitation.

If a political subdivision established a tax limitation under the amendment's authority and a qualifying person died in the year the person received a residence homestead exemption, the total amount of property tax imposed on the homestead by the political subdivision could not be increased while the property remained the residence homestead of that person's spouse if the spouse had limited means and was age 55 or older at the time of the person's death.

The Legislature could prescribe the method for determining whether a person was of limited financial means.

Once authorized, the governing body could not repeal or rescind the tax limitation.

The Legislature would be authorized to provide for the transfer of all or a proportionate amount of tax limitation for a qualifying person who established a different residence homestead located in the same political subdivision. A political subdivision that established this tax limitation would be required to comply with a law providing for the transfer of the limitation, even if the Legislature enacted the law subsequent to the political subdivision's establishment of the limitation.

The ballot proposal would be presented to voters at an election on November 4, 2025, and would read: "The constitutional amendment to authorize a limitation on the total amount of ad valorem taxes that a political subdivision other than a school district, county, municipality, or junior college district may impose on the residence homesteads of certain low-income persons who are disabled or elderly and their surviving spouses."

NOTES:

HB 982, the enabling legislation for HJR 73, is also on the daily House calendar for second reading consideration today.

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

SUBJECT: Revising certain juvenile justice procedures, TJJD facilities provisions

COMMITTEE: Criminal Jurisprudence — committee substitute recommended

VOTE: 6 ayes — Smithee, Wu, Bowers, J. Jones, Moody, Rodríguez Ramos

4 nays — Cook, Little, Louderback, Money

1 absent — Virdell

WITNESSES: For — Charles Rotramel, Houston reVision; Elizabeth Henneke and Nydia Thomas, Lone Star Justice Alliance; Amnisty Freelan; Bill Hammond (*Registered, but did not testify*: John Litzler, Baptist General Convention of Texas Christian Life Commission; Mandi Kimball, Children at Risk; Mark Soto, Saint Hedwig Marshal's Office; Brett Merfish, Texas Appleseed; Stephanie Battaglia, Texas CASA; Alycia Castillo, Texas Civil Rights Project; Stefanie Page, Texas Pediatric Society; Nikki Pressley, Texas Public Policy Foundation; Rebecca Ramirez, The National Association of Social Workers - Texas Chapter; Lauren Rose, TNOYS; Thomas Parkinson)

Against — Brandon Caffee, Fannin County Juvenile Services & One Voice Committee; Kirk Wolfe, Wichita County Juvenile Probation Department (*Registered, but did not testify*: James Parnell, Dallas Police Association; James Kershaw, Harris County Deputies Organization #39; Alex Gans, Hempyre; Ray Hunt, Houston Police Officers' Union; John Sierega, TMPA)

On — Cyndi Wheless, Collin County; Marc Levin, Council on Criminal Justice; Rosie Medina, El Paso County Juvenile Probation Department; Joe Barton, Randall County Juvenile Probation Department; Shandra Carter and Sean Grove, Texas Juvenile Justice Department; Stephen Bishop, The Annie E.Casey Foundation (*Registered, but did not testify*: Elisa M. Tamayo, El Paso County; Daniel Guajardo, Office of Inspector General Texas Juvenile Justice Department; Kaci Singer, Texas Juvenile Justice Department)

BACKGROUND: Some have suggested that recent investigations into conditions at the Texas Juvenile Justice Department (TJJD) facilities, including concerns about the use of force and prolonged isolation, indicate a need for certain reforms to improve safety and promote rehabilitation of juveniles.

DIGEST: CSHB 31 would establish and amend various provisions related to juvenile justice procedures, placements, and requirements related to the treatment of children in juvenile justice facilities.

Community supervision. CSHB 31 would prohibit a defendant from being placed on community supervision, including deferred adjudication, if the defendant was at least 17 years old and committed a felony offense while:

- committed to the Texas Juvenile Justice Department (TJJD);
- placed in a halfway house operated by or under contract with TJJD; or
- placed in a secure correctional or detention facility.

Chemical dispensing devices. CSHB 31 would prohibit an employee, contractor, volunteer, intern, or service provider working in a juvenile facility from using a chemical dispensing device, including pepper spray or oleoresin capsicum, against a pregnant child in the facility.

Use of force audits. CSHB 31 would require TJJD to conduct an annual audit of use of force incidents in juvenile facilities to identify patterns, deficiencies, or instances of noncompliance with de-escalation protocols and the prohibition on using chemical dispensing devices on pregnant children. The administrator of each juvenile facility would be required to submit data regarding use of force incidents by a date prescribed by TJJD. TJJD would be required to deliver a report to the Legislature regarding the findings of the audit by August 31 of each year and post the findings and aggregate data on its website.

Solitary confinement. CSHB 31 would prohibit a juvenile facility from placing a child in solitary confinement unless the child posed an immediate risk of physical harm to the child or others, the placement complied with trauma-informed care principles, and less restrictive

methods had been exhausted. The confinement could not exceed the shortest period permitted by applicable state or federal law.

Facility administrators would be required to document each instance of solitary confinement, including the reason for placement, duration, and any interventions attempted before confinement, and report this information annually to TJJD. TJJD would be required to monitor and enforce compliance with these requirements by regularly auditing and reviewing juvenile facility practices related to solitary confinement.

Discretionary transfer. CSHB 31 would amend Family Code provisions allowing a juvenile court to waive jurisdiction and transfer a child to criminal court under certain circumstances. The bill would establish a presumption that it was in the best interest of the child and justice for the juvenile court to retain jurisdiction, and would place the burden on the state to overcome this presumption during a discretionary transfer hearing.

The bill also would require the juvenile court to admonish the child in open court and in the presence of the child's attorney regarding the court's consideration of whether to waive its jurisdiction and the child's right to decide whether to participate in any diagnostic studies, social evaluations, or investigations ordered by the court.

The bill also would expand the factors for a court's consideration of whether to transfer a child to criminal court, adding the substantive requirements for waiving jurisdiction, relevant information obtained in the full investigation of the child, and the benefits or harm of retaining the child in the juvenile system. It also would replace certain felony offense categories for transfer purposes with a defined list of "serious felony conduct," including violent offenses or conduct involving the use of a deadly weapon.

The court's transfer order would be required to include specific findings setting forth a rational basis for the waiver of jurisdiction, with sufficient specificity to permit meaningful review. These findings could not rely solely on the nature or seriousness of the offense and would need to address the individual circumstances of the child and the alleged conduct.

District court probation transfer. CSHB 31 would permit a juvenile court to hold a probable cause hearing if a motion alleged that a child violated probation after the child's 18th birthday but before the child's transfer to district court. If the court found probable cause that the child committed the alleged violation, the court could immediately transfer the child to district court. The bill also would provide that a district court handling a child transferred under this section could dispose of probation violations that occurred before the date the person was transferred to district court, rather than before the person's 19th birthday. Additionally, a district court exercising jurisdiction over a child transferred under this section would not have jurisdiction over an alleged violation of a condition of probation known to the juvenile court before the child was transferred to the district court.

Disposition hearings and commitments. CSHB 31 would revise requirements for dispositional hearings and provisions related to TJJD's authority to make a special commitment that allows a longer or more restrictive placement. The bill would limit special commitment findings to cases involving "serious felony conduct," narrowing the range of eligible offenses to those involving violence or the use of a deadly weapon.

CSHB 31 also would expand the conditions under which a juvenile court could make a special commitment finding to include hearings to modify a child's commitment to TJJD in addition to initial disposition hearings as provided by existing statute. Additionally, the bill would remove the option to commit a child to a post-adjudication secure correctional facility, limiting these placements to TJJD or other facilities specifically authorized under the Family Code.

When making a special commitment finding, a court could consider mitigating evidence of the child's circumstances.

SPU hearing participation. CSHB 31 would allow a prosecuting attorney serving on the Special Prosecution Unit (SPU) to participate in hearings to return a child who violated a condition of release to an institution, if requested by TJJD. The prosecuting attorney could serve in any role in these hearings with the consent of TJJD, except as the child's representative or as a hearing officer.

Tampering with electronic monitoring devices. CSHB 31 would expand the list of circumstances under which a person commits an offense for removing or disabling an electronic monitoring device to include situations where the device was required as part of probation imposed by a juvenile court, release under supervision, or placement in a halfway house operated by or under contract with TJJD.

Rules. No later than 180 days after the effective date of the bill, TJJD would be required to adopt rules necessary to implement the bill's prohibition on use of a chemical dispensing device on a pregnant child and requirement of an annual use of force audit and report on solitary confinement.

Effective date. 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 a lack of data on the number of juveniles who could be affected and the resources required to conduct the reports mandated by the bill.

SUBJECT: Revising requirements for uranium mining production area authorizations

COMMITTEE: Natural Resources — favorable, without amendment

VOTE: 10 ayes — Harris, Martinez, Ashby, C. Bell, Buckley, Gámez, J. Garcia, Romero, Villalobos, Zwiener

0 nays

3 absent — Barry, Fairly, M. González

WITNESSES: For — Hugo Berlanga, Encore; Peter Luthiger, EnCore Energy Corporation (*Registered, but did not testify*: Ty Embrey, Owner / Operator Members of Texas Mining & Reclamation Association's Uranium Mining Committee)

Against — None

On — (*Registered, but did not testify*: Cyrus Reed, Lone Star Chapter Sierra Club; Ashley Forbes, TCEQ)

BACKGROUND: Water Code sec. 27.0513(d) establishes that an application for an authorization of the construction or operation of two or more similar injection wells within a specified area for mining of uranium is an uncontested matter not subject to a contested case hearing or the hearing requirements of the Administrative Procedure Act, if:

- the authorization is for a production zone located within the boundary of a permit that incorporates a range table of groundwater quality restoration values used to measure groundwater restoration by the Texas Commission on Environmental Quality (TCEQ);
- the application includes groundwater quality restoration values falling at or below the upper limit of this range; and
- the authorization is for a production zone located within the boundary of a permit that incorporates groundwater baseline characteristics of the wells for the application.

Some have suggested that the process for uranium mining production area authorizations should be expedited to ensure the timely approval of permits and reduce obstacles for the development and operation of uranium mining projects.

DIGEST:

HB 279 would amend Water Code sec. 27.0513(d) to specify that an application to amend a Texas Commission on Environmental Quality (TCEQ) authorization that allowed a permit holder to conduct mining and restoration activities in production zones within the boundary established in the permit would be an uncontested matter not subject to a contested case hearing in the same manner as an application for an authorization.

The bill also would revise the criteria for such an authorization or amendment to be an uncontested matter under this section by specifying that the incorporation of the range table of groundwater quality restoration values in the production zone and the inclusion in the application of the values falling at or below the upper limit of the range was for each production zone addressed in the application.

HB 279 would take effect September 1, 2025.

SUBJECT: Prohibiting major event reimbursement funds for certain sporting events

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

VOTE: 5 ayes — Metcalf, DeAyala, Kerwin, Orr, Vasut

4 nays — Flores, Cole, Martinez Fischer, Ward Johnson

WITNESSES: For — Jade Dickens, ICONS And Save Women's Sports; Mary Elizabeth Castle and Megan Benton, Texas Values Action; Denise Seibert (*Registered, but did not testify*: Addie Crimmins, ADF Action; Ron Hinkle, Texas Travel Alliance; Mary Krenek)

Against — Ash Hall, ACLU of Texas; Landon Richie and Andrea Segovia, Transgender Education Network of Texas (*Registered, but did not testify*: Angela Hale, Dallas LGBTQ Chamber, Houston LGBTQ Chamber; San Antonio LGBTQ Chamber, and Texas Competes Action; Miriam Laeky, Equality Texas; Caitlin Flanders, Human Rights Campaign; Michelle Venegas Matula and Erin Walter, Texas Unitarian Universalist Justice Ministry; and 108 individuals)

BACKGROUND: Some have suggested that state funds for supporting major events should not be allowed to be used for professional sporting events where biological men are permitted to compete in women's sports.

DIGEST: HB 370 would make an event ineligible for funding under the Major Events Reimbursement Program if it allowed a biological male to compete in a sport designated by rule or procedure for female athletes. The bill would not prohibit biological males from acting as coaches, support staff, or other necessary personnel who would not be actively competing in such a sport.

An athlete's status as a biological male would be determined by the biological sex correctly stated on the athlete's official birth certificate, or, if an official birth certificate was unobtainable, another government record that accurately stated the athlete's biological sex. A statement of an athlete's biological sex on the athlete's official birth certificate would be

considered correctly stated only if the statement was entered at or near the time of the athlete's birth or modified to correct a scrivener or clerical error in the student's biological sex.

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

NOTES:

According to the Legislative Budget Board, the fiscal implications of the bill cannot be determined due to the unknown number of events that could be ineligible for funding.

SUBJECT: Amending requirements for online responsible pet owner course

COMMITTEE: Licensing & Administrative Procedures — favorable, without amendment

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

0 nays

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

Against — None

On — (*Registered, but did not testify*: Derek Burkhalter, TDLR)

BACKGROUND: Under Code of Criminal Procedure art. 42A.511, if a judge grants community supervision to a defendant convicted of certain offenses involving animals, the judge may require the defendant to complete an online responsible pet owner course approved and certified by the Texas Department of Licensing and Regulation or attend a responsible pet owner course sponsored by certain municipal animal shelters. These provisions also establish the responsibilities and authority of the Texas Department of Licensing and Regulation or the Texas Commission of Licensing and Regulation, as appropriate, relating to the approval, certification, and administration of the course.

Some have suggested that the educational requirements for defendants convicted of animal cruelty offenses should be enhanced to ensure that defendants are properly educated on responsible pet care.

DIGEST: HB 4768 would require an online responsible pet owner course completed by a defendant under Code of Criminal Procedure art. 42A.511 to be at least two hours long and include information regarding:

- federal and state laws that protect livestock animals, nonlivestock animals, and wildlife, including animal cruelty laws, dogfighting laws, and laws prohibiting attacks on assistance animals;

- responsible care for animals, including spaying, neutering, and tethering animals, and generally providing for the health, safety, and welfare of livestock animals, nonlivestock animals, and wildlife;
- animal bite prevention; and
- laws governing dog and cat breeders.

The bill would remove the responsibility of the Texas Department of Licensing and Regulation and the Texas Commission of Licensing and Regulation to approve, certify, and administer the online course, and would make conforming changes to relevant provisions.

The bill would take effect September 1, 2025.

SUBJECT: Requiring surgical smoke evacuation policies at health care facilities

COMMITTEE: Public Health — favorable, without amendment

VOTE: 8 ayes — VanDeaver, Campos, Bucy, Cunningham, Johnson, J. Jones, Shofner, Simmons

4 nays — Frank, Olcott, Pierson, Schofield

1 absent — Collier

WITNESSES: For — Mae De la Rosa, Texas Collaboration of periOperative Registered Nurses; JD Buchert, Texas Collaboration of periOperative Registered Nurses & Association of periOperative Registered Nurses (*Registered, but did not testify*: Charlie Gagen, American Lung Association; Stephen Howsley, Association of periOperative Registered Nurses; Travis McCormick, Make Texans Healthy Again; Jack Frazee, Nursing Legislative Agenda Coalition and Texas Nurses Association; Andrea Pee, Texas Association of Nurse Anesthetists; Jack Frazee)

Against — (*Registered, but did not testify*: Fran Rhodes, True Texas Project)

BACKGROUND: Concerns have been raised that exposure to surgical smoke poses serious health risks to health care workers and patients.

DIGEST: HB 513 would require hospitals and ambulatory surgical centers to adopt and implement, no later than January 1, 2026, a policy to mitigate an individual's exposure to surgical smoke through the use of a surgical smoke evacuation system during each planned surgical procedure performed in an operating room that was likely to generate surgical smoke. The bill would authorize a health care facility to use any surgical smoke evacuation system that protected patients and health care providers, based on the types of surgical techniques and procedures performed at the facility.

The bill would define "surgical smoke" to mean the gaseous by-product, including surgical plume, smoke plume, bio-aerosols, laser-generated

airborne contaminants, or lung-damaging dust, produced by an energy-generating device used in connection with a surgical procedure.

A “surgical smoke evacuation system” would mean equipment that may be used to capture, filter, and remove surgical smoke before the surgical smoke makes contact with the eyes or respiratory tract of an individual, including a patient or health care provider, occupying a room where a surgical procedure is performed. The term would include equipment integrated with or separated from the energy-generating device.

The bill would take effect September 1, 2025.

SUBJECT: Waiving insurance requirements for certain small construction projects

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

VOTE: 7 ayes — Button, K. Bell, Harris Davila, Longoria, Lujan, Luther, Ordaz

1 nay — Talarico

3 absent — Bhojani, Meza, Richardson

WITNESSES: For — Ray Tipton, City of Brownwood (*Registered, but did not testify*: Joe Morris, Brownwood Area Chamber of Commerce; CJ Tredway, IEC of Texas)

Against — (*Registered, but did not testify*: Joshua Sanders, City of Houston; Amanda Posson, Every Texan (formerly CPPP); Ana Gonzalez, Texas AFL-CIO; Maggie Disanza, TSEU)

On — (*Registered, but did not testify*: Nick Canaday, TDI, Division of Workers' Compensation)

BACKGROUND: Concerns have been raised that current workers' compensation and bonding requirements can increase costs and limit small contractor participation in small-scale municipal construction projects.

DIGEST: CSHB 875 would establish that for certain municipal construction projects for which all work was to be completed at one location within 12 months, a municipality was not required to ensure that the contractor was covered by workers' compensation insurance coverage or require the contractor to obtain a performance bond. The bill would apply only to municipalities with a population under 20,000 and to construction projects contracted for an amount less than 1 percent of the municipality's most recently adopted budget.

For the purposes of the bill, a municipality could not aggregate work from more than one project to determine the contracted amount of a construction project.

CSHB 875 would take effect September 1, 2025, and would apply to contracts entered into on or after the bill's effective date.

SUBJECT: Establishing limitations on property taxes for certain low-income persons

COMMITTEE: Ways & Means — favorable, without amendment

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

0 nays

1 absent — Gervin-Hawkins

WITNESSES: For — None

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

BACKGROUND: Concerns have been raised that certain local taxing entities do not have the ability to grant property tax freezes to senior citizens or citizens with disabilities. Some have suggested that providing such a tax limitation would help low-income seniors and people with disabilities who may have difficulty keeping up with rapidly increasing property taxes.

DIGEST: HB 982 would establish requirements for a qualifying taxing unit that chose to limit the total amount of taxes that could be imposed by the unit on the residence homestead of an eligible individual who was disabled or who was age 65 or older. An "eligible individual" would be defined as an individual whose household income did not exceed 200 percent of the federal poverty level. A "qualifying taxing unit" would be defined as a taxing unit other than a school district, county, municipality, or junior college district.

The bill would prohibit a qualifying taxing unit from increasing the total annual amount of property taxes on the residence homestead of an eligible individual who was disabled or over age 65 above the amount of the taxes the taxing unit imposed on the homestead in the first tax year in which the individual qualified for the limitation. The bill would include additional provisions related to imposing the tax limitation in certain circumstances.

Tax officials in a qualifying taxing unit would be required to appraise the residence homestead of an eligible individual who was disabled or over age 65 and calculate taxes on the residence homestead in the same manner as other residence homesteads. If the calculated tax exceeded the allowed limitation, the imposed tax would be the amount of the tax that was imposed on the residence homestead in the first year in which the eligible individual qualified that residence homestead for the exemption.

If an eligible individual had made improvements to the individual's homestead other than repairs and required improvements, the taxing unit could increase the value on the appraisal roll and increase taxes according to provisions specified in the bill. A replacement structure for a structure that had been rendered uninhabitable or unusable by a casualty or by wind or water damage would not be considered an improvement for purposes of tax limitation unless the square footage of the replacement structure exceeded that of the replaced structure, or the exterior of the replacement was of higher quality construction and composition than the replaced structure.

The limitation on tax increases would expire on January 1 if:

- none of the owners of the structure who qualified for the exemption had been using the structure as a residence homestead;
- none of the owners of the structure qualified for the exemption; or
- none of the owners of the structure were eligible individuals.

If an exemption had been erroneously allowed, the tax assessor for the applicable county would be required to add the amount of taxes that should have been imposed for any applicable year as back taxes.

A limitation on tax increases would not expire because the owner of an interest in the structure conveyed the interest to a qualifying trust if the owner or the owner's spouse was a trustor and would be entitled to occupy the structure.

The bill would establish the process for determining the tax amount on a different residence if an eligible individual or surviving spouse qualified a different residence in the same taxing district. The bill would require the

chief appraiser in the district where the former residence was located to provide a certificate that included the information necessary to determine whether the individual would qualify for a limitation on a subsequently qualified homestead.

The surviving spouse of an eligible individual who qualified for a limitation on tax increases could qualify for the limitation on taxes if:

- the surviving spouse was disabled or was age 55 or older when the eligible individual died and also would qualify as an eligible individual; and
- the residence homestead of the eligible individual had been the residence homestead of the surviving spouse when the eligible individual died and remained the residence of the surviving spouse.

Provisions would be included to address circumstances when the eligible individual died in the first year in which the individual qualified for the limitation, and the surviving spouse remained in the qualifying residence.

An heir property owner who qualified the heir property as the owner's residence would be considered the sole owner of the property for the purposes of these provisions.

The chief appraiser for an appraisal district in which a qualifying tax unit participated could require an individual to provide any information necessary for the appraiser to determine whether the individual was an eligible individual.

The bill would add the authorized limitation to other tax exemptions for which the stockholders of a housing corporation could request a separate appraisal of real property and improvements, and to provisions for determining the current total value of property for certain taxing units.

The bill would take effect January 1, 2026, but only if the constitutional amendment proposed by the 89th Legislature was approved by voters. If the constitutional amendment was not approved, the bill would have no effect.

NOTES: HB 982 is the enabling legislation for HJR 73, which is set for second reading consideration on the Constitutional Amendments Calendar today.

SUBJECT: Establishing a high school lifetime recreation and outdoor pursuits course

COMMITTEE: Public Education — favorable, without amendment

VOTE: 12 ayes — Buckley, Bernal, Ashby, Bryant, Cunningham, Frank, Hinojosa, Hunter, Leach, Leo Wilson, Schoolcraft, Talarico

0 nays

3 absent — Allen, Dutton, Kerwin

WITNESSES: For — Alice Linahan; Hollie Plemons (*Registered, but did not testify*: Tricia Cave, Association of Texas Professional Educators (ATPE); Mary Lowe, Families Engaged; Michael Hope, Robinson ISD; Joel Romo, Texas Association for Health, Physical Education, Recreation and Dance; Kelly Rasti, Texas Association of School Boards; Jennifer Easley, Texas PTA; Brandon Garcia, Texas Public Charter Schools Association; Mark Borskey, Texas State Rifle Association; Sarah Berel-Harrop; Mike Meroney)

Against — (*Registered, but did not testify*: Chrissy Hejny)

On — Steve Hall, Texas Parks and Wildlife (*Registered, but did not testify*: Eric Marin and Monica Martinez, Texas Education Agency (TEA); Robert Owen and Matthew Smith, Texas Parks and Wildlife)

BACKGROUND: Some have suggested that high school students who have an interest in outdoor activities, including hunting, should have the opportunity to participate in a recreation and outdoor pursuits course provided by their school.

DIGEST: HB 1085 would require the State Board of Education, in consultation with the Parks and Wildlife Department, to develop curriculum requirements for a lifetime recreation and outdoor pursuits course that included a hunter education component that a school district could offer to students to satisfy the required physical education credit.

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

SUBJECT: Requiring Medicaid reimbursement for obesity and diabetes services

COMMITTEE: Public Health — committee substitute recommended

VOTE: 7 ayes — VanDeaver, Campos, Bucy, Collier, Johnson, J. Jones, Simmons

6 nays — Cunningham, Frank, Olcott, Pierson, Schofield, Shofner

WITNESSES: For — Douglas Dunsavage, American Diabetes Association; John Hellerstedt; Leah Whigham (*Registered, but did not testify*: Charles Cascio, AARP Texas; Jacob Smith, City of Houston; Chase Bearden, Coalition of Texans with Disabilities; Michael Dole, Driscoll Health System; Elisa M. Tamayo, El Paso County; Christine Yanas, Methodist Healthcare Ministries; Nzingha Williams-Eugene, Teaching Hospitals of Texas; Helen Kent Davis, Texas Academy of Family Physicians and Texas Primary Care Consortium; Hawley Evilsizer, Texas Academy of Nutrition & Dietetics; Mckenzie Martin, Texas Association of Community Health Centers (TACHC); David Reynolds, Texas Chapter American College of Physicians; Lauren Fleming, Texas Coalition for Patients; Mackenzie Lyra, Texas Health Resources; Danielle Lobsinger Bush, Texas Healthcare and Bioscience Institute; Will Holleman, Texas Hospital Association; Amanda Tollett, Texas Medical Association; Clayton Travis, Texas Pediatric Society; Ashley Harris, United Ways of Texas)

Against — None

On — (*Registered, but did not testify*: Stacey Pietropaolo, HHSC)

BACKGROUND: Concerns have been raised that Medicaid does not reimburse for certain treatments or prevention services related to diabetes and obesity.

DIGEST: CSHB 2677 would expand Medicaid coverage for certain obesity and diabetes prevention treatments by requiring reimbursement for specified services and medications and establishing criteria for determining medical necessity.

Reimbursement for treating obesity. The bill would require the Health and Human Services Commission (HHSC) to ensure that Medicaid reimbursement was provided for health care services provided to a Medicaid recipient for the treatment of obesity, including intensive behavioral therapy, metabolic and bariatric surgery, and, subject to the medication's inclusion in or provisional availability under the vendor drug program, anti-obesity medication.

The bill would establish that intensive behavioral therapy provided under Medicaid could be provided in person, including in office or in a community-based setting, or remotely as a telehealth service or telemedicine medical service, and could include interventions certified or recognized by the Centers for Disease Control and Prevention (CDC) or recommended by current clinical standards of care.

The bill would require the executive commissioner of HHSC by rule to establish medical necessity criteria for anti-obesity medications provided under Medicaid. The bill would require the criteria to be based on the classes of obesity established by the CDC and would prohibit the criteria from being more restrictive than the indications for the medications that were approved by the U.S. Food and Drug Administration (FDA).

The bill would authorize HHSC or a Medicaid managed care organization (MCO) to apply utilization management to determine medical necessity for a health care service authorized under the bill only if the determinations of appropriateness and medical necessity were made in the same manner as those determinations for other health care services provided under Medicaid.

The bill would require the HHSC commissioner to adopt rules necessary to implement these provisions and would require the commission, as soon as practicable after the date the bill's provisions are implemented, to provide written notice to Medicaid recipients regarding the availability of obesity treatment options under Medicaid.

Reimbursement for diabetes prevention program. CSHB 2677 would require HHSC to ensure that Medicaid reimbursement was provided to a diabetes prevention program supplier for services provided to a Medicaid recipient enrolled in a diabetes prevention program if the recipient met the

program's eligibility requirements and had not previously participated in the program while a recipient.

The bill would authorize HHSC or a Medicaid MCO to use utilization management to determine medical necessity for services provided by a diabetes prevention program supplier under these provisions only if the determination of medical necessity, including a determination of the appropriateness of the services, was made in the same manner as the determination other health care services provided under Medicaid.

The bill would define "diabetes prevention program" as a program designed to prevent or delay the onset of Type 2 diabetes by providing a person enrolled in the program a series of structured behavioral health change sessions based on a curriculum approved by the CDC.

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

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

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of about $277.2 million to general revenue related funds through the biennium.

SUBJECT: Requiring social media platforms to attach, retain provenance data

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

VOTE: 9 ayes — Button, Talarico, K. Bell, Bhojani, Harris Davila, Lujan, Luther, Meza, Richardson

0 nays

2 absent — Longoria, Ordaz

WITNESSES: For — Shon Pan, Coalition For The Future (*Registered, but did not testify*: Kim Kofron, Children at Risk; Ezequiel "Zeke" Silva, Texas Medical Association; Steven Deline)

Against — (*Registered, but did not testify*: Renzo Soto, TechNet)

On — Kevin Welch, EFF-Austin

BACKGROUND: Some have suggested that requiring social media platforms to disclose provenance data identifying the origins of a file could help improve transparency around the dissemination of AI-generated content.

DIGEST: CSHB 2874, which could be cited as the Social Media Content Transparency Act, would require social media platforms to attach and retain provenance data for photos, videos, and audio files created on or using tools provided by the social media platform, including tools using generative artificial intelligence (AI). This requirement would also apply to photos, videos, or audio files posted on the platform for which the social media platform could discern the file's provenance.

The bill would define "provenance data" as metadata on a file that may be used to identify the origin of a file, whether it was created or modified using generative AI, and the file's history, including how it was transmitted or stored.

The bill would require that provenance data retained by a social media platform be attached and retained in a manner and format that complied with guidelines or specifications in line with industry-standards. The data also would have to state whether the content was created or modified using generative AI, the name of the generative AI tool, and the name of the person who provided of the tool.

Social media platforms would be required to provide or contract with a third party to provide a method for users to easily access the provenance data attached to content created or posted on the platform. Platforms would not be required to comply if they provided clear and convincing evidence to the attorney general that the social media platform lacked the technological capacity to comply with the requirements and was actively working to obtain this capacity.

The bill could not be construed to require platforms to independently verify the accuracy or authenticity of provenance data submitted by a third party. Additionally, platforms would not be held liable for inaccurate provenance data if:

- the data was provided by a third party;
- the platform did not knowingly modify the data;
- the platform relied in good faith on the data provided; and
- the platform had implemented reasonable and appropriate measures to comply with the requirements.

The bill would take effect September 1, 2025.

SUBJECT: Repealing reapplication provisions for charitable property tax exemption

COMMITTEE: Ways & Means — committee substitute recommended

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

0 nays

1 absent — Gervin-Hawkins

WITNESSES: For — James Quintero, Texas Public Policy Foundation (*Registered, but did not testify*: Andrea Sparks, Buckner International)

Against — None

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

BACKGROUND: Some have suggested that eliminating the five-year expiration and reapplication requirement for charitable organizations eligible for property tax exemptions would help reduce unnecessary administrative burdens.

DIGEST: CSHB 5478 would eliminate the requirement for local charitable organizations to reapply for a property tax exemption every five years and instead establish that the exemption would expire when the organization no longer owned the applicable property or when the comptroller determined that the organization no longer qualified for the exemption.

An organization that received an exemption would be required to notify the comptroller and chief appraiser of the appraisal district established for the county in which the exempt property was located of each of the following material changes within 30 days of its occurrence:

- if the organization sold or otherwise disposed of the tax-exempt property;
- if the Internal Revenue Service determined that the organization was no longer an exempt entity; or

- if the organization no longer qualified for an exemption under state law.

An organization that received an exemption that expired before September 1, 2025, would be entitled to an automatic reinstatement of the expired exemption for each tax year in which the exemption expired if the organization:

- still owned the tax-exempt property;
- had a valid determination letter issued by the comptroller; and
- submitted a written request to the chief appraiser that included proof that the organization was granted a tax exemption for the property previously and a copy of the determination letter issued by the comptroller.

If an organization was entitled to continue to receive an exemption, the exemption would remain effective until the organization sold or disposed of the property or the comptroller determined that the property ceased to qualify for the exemption.

An organization entitled to continue receiving an exemption would not be liable for any back property taxes accrued during the period in which the exemption had lapsed. If the organization paid taxes on the property during that period, the collector would be required to refund the amount imposed within 30 days of the collector receiving notice of the continued exemption's approval from the chief appraiser.

The bill would make conforming changes to applicable Tax Code provisions.

The bill would take effect January 1, 2026.

SUBJECT: Requiring the removal of certain speed limit restriction signs

COMMITTEE: Transportation — favorable, without amendment

VOTE: 13 ayes — Craddick, M. Perez, Canales, Curry, Gámez, Harris Davila, Hefner, LaHood, Little, C. Morales, E. Morales, Patterson, Paul

0 nays

WITNESSES: For — (*Registered, but did not testify*: Christianna Brown, Elaina Brown and Fran Rhodes, True Texas Project; Steven Deline; Leighton Eaves; Brita Treat; Mark Treat)

Against — (*Registered, but did not testify*: Monica Brown, True Texas Project)

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

BACKGROUND: Concerns have been raised that reduced speed limit signs at construction sites that are left up for extended periods when no workers are present due to the completion or suspension of a project may result in fewer drivers slowing down in an active construction or maintenance zone.

DIGEST: HB 4880 would require the Texas Department of Transportation to remove or require the removal of a sign that restricted the speed limit in a construction or maintenance work zone by the third day after the construction or maintenance work was completed or temporarily suspended.

The bill would take effect September 1, 2025.

SUBJECT: Amending HHSC compliance review process for assisted living facilities

COMMITTEE: Human Services — committee substitute recommended

VOTE: 8 ayes — Hull, Manuel, Dorazio, Noble, Richardson, Schatzline, Slawson, Swanson

2 nays — A. Davis, Rose

1 absent — C. Morales,

WITNESSES: For — Carmen Tilton, Texas Assisted Living Association (*Registered, but did not testify*: Joshua Sanders, City of Houston)

Against - None

On — (*Registered, but did not testify*: Michelle Dionne-Vahalik, Health and Human Services Commission)

BACKGROUND: Health and Safety Code sec. 247.0261(a) requires the executive commissioner of the Health and Human Services Commission (HHSC) by rule to adopt a procedure under which a person proposing to construct or modify an assisted living facility may submit building plans to the department for review for compliance with its architectural requirements before beginning construction or modification.

Concerns have been raised that the time frame for compliance review for certain assisted living facility construction projects can lead to projects being deemed ineligible for review if the project has started in any way.

DIGEST: CSHB 4798 would modify Health and Safety Code sec. 247.0261(a) to allow a person who constructs, modifies, or proposes to construct or modify an assisted living facility to submit building plans for review before completing the construction or modification rather than before beginning the construction or modification.

The bill would take effect September 1, 2025.

NOTES: According to the Legislative Budget Board, the bill would have a negative impact of about $1.14 million to general revenue related funds through the biennium.

SUBJECT: Authorizing DPS to use image verification for private identity requests

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

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

0 nays

1 absent — Cortez

WITNESSES: For — Jesse Franklin, Incode Technologies; Mireya Zapata, Lumbermen's Association of Texas (*Registered, but did not testify*: Ray Hunt, Houston Police Officers' Union; Whitney Brewster and Rob Mikell, Incode Technologies; Brian Hawthorne, Sheriffs' Association of Texas; Celeste Embrey, Texas Bankers Association)

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

On — (*Registered, but did not testify*: Adam Colby, TX Financial Crimes Intelligence Center)

BACKGROUND: Transportation Code sec. 521.059 requires the Texas Department of Public Safety (DPS) to establish an image verification system using facial images and fingerprints from applicants to authenticate identifiers to ensure that individuals are issued only one original license, permit, or certificate to prevent fraudulent duplication.

Some have suggested that private individuals should be permitted to request identity verification using the DPS image verification system for purposes such as conducting sensitive transactions and combating identity theft and fraud.

DIGEST: CSHB 5414 would amend Transportation Code sec. 521.059 to authorize the Department of Public Safety (DPS) to use the image verification system to verify the identity of any individual. DPS would be authorized

to enter into a memorandum of understanding with a person to verify an individual's identity by comparing a facial image of the individual to facial images contained in the system. DPS could only comply with a request if it included:

- a facial image of the subject of the request and any other information DPS required to determine the individual's identity;
- the consent of the individual whose facial image was the subject of the identity verification; and
- a submission fee in an amount sufficient to cover the costs associated with use of the system.

DPS could refuse to provide an identity verification under the bill for any reason. Any images and personal identifying information would be confidential and not subject to disclosure under the Public Information Act. DPS would be required to destroy all information submitted as part of the request after conducting or refusing to conduct an identity verification.

The bill would require that any fees collected be deposited into a special account in the general revenue fund and used only by DPS for the administration of the image verification system.

CSHB 4514 would authorize DPS to contract with a private vendor to allow access to the system to process identity verification requests under the bill.

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

The bill would take effect September 1, 2025.

SUBJECT: Requiring funding disclosures on certain political advertising

COMMITTEE: State Affairs — favorable, without amendment

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

0 nays

WITNESSES: For —None

Against — (*Registered, but did not testify*: Andrew Eller, SREC EI Committee and Secure Texas Elections LP Subcommittee; CJ Grisham, Texas Gun Rights; John Bolgiano; Steven Deline; Ken Moore)

On — (*Registered, but did not testify*: JR Johnson, Texas Ethics Commission)

BACKGROUND: Concerns have been raised about a lack of transparency in political advertising related to officeholders not currently on an election ballot.

DIGEST: HB 4958 would prohibit a person from knowingly causing to be published, distributed, or broadcast political advertising supporting or opposing an officeholder whose name was not on an election ballot at the time the advertising was made available unless the advertising indicated as required by Texas Ethics Commission (TEC) rule that the advertising was paid for and the full name of the person who paid for the advertising.

A person who violated the bill would be liable to the state for a civil penalty of up to $4000, determined by TEC.

The bill would take effect September 1, 2025.

SUBJECT: Reducing certain requirements for early voting hours in small counties

COMMITTEE: Elections — committee substitute recommended

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

1 nay — Swanson

1 absent — Morales Shaw

WITNESSES: For — Laura Rogers, County and District Clerk Association (*Registered, but did not testify*: Rick Thompson, County Judges and Commissioners Association of Texas; Kirk Frye, Parmer County Judges and Commissioners Association)

Against — (*Registered, but did not testify*: Mary Ibarra, ACLU of Texas; Emily French, Common Cause Texas; Kiara Holloway, Texas Democratic Party)

On — Jennifer Doinoff, Texas Association of County Election Officials; Kathy Haigler (*Registered, but did not testify*: Chuck Pinney, Texas Secretary of State)

BACKGROUND: Concerns have been raised that requirements for counties to conduct early voting during uniform hours in the last week of the early voting period can create difficulties for smaller counties that may struggle with budgetary restraints, increased workloads, and staffing shortages for elections.

DIGEST: CSHB 4508 would specify that current statutory requirements for counties to conduct early voting during uniform hours in the last week of the early voting period would apply only to counties with populations of 10,000 or more.

In a county with a population of less than 10,000, CSHB 4508 would require voting in a primary election or the general election for state and county officers, on receipt of a written request submitted by at least 15 registered voters of the territory covered by the election, to be conducted

at the main early voting polling place during the uniform hours for counties with populations of 10,000 or more.

In a primary election or the general election for state and county officers, the early voting clerk of a county with a population of less than 10,000 would be required to order voting by personal appearance at the main early voting polling place to be conducted on either the last Saturday or Sunday, as agreed upon by county party chairs and county officers, of the early voting period for at least 12 consecutive hours between 9 a.m. and 10 p.m.

The bill would specify that if the territory served by the authority was situated in more than one county, the population of the territory would be determined using the county populations of all counties in which the territory was situated.

The bill would take effect September 1, 2025.

SUBJECT: Amending evidence rules in certain child abuse and neglect cases

COMMITTEE: Judiciary & Civil Jurisprudence — committee substitute recommended

VOTE: 7 ayes — Leach, Dutton, Dyson, Hayes, LaHood, Landgraf, Schofield

3 nays — Johnson, Flores, Moody

1 absent — J. González

WITNESSES: For — Brandon Logan, Family Freedom Project; Julia Hatcher, Texas Association of Family Defense Attorneys; Cecilia Wood

Against — Laura Fidelie, Texas Family Law Foundation (*Registered, but did not testify*: Steven Deline)

BACKGROUND: Family Code sec. 262.014 provides that, on the request of the attorney for a parent who is a party in a suit affecting the parent-child relationship filed by a governmental entity to protect the health and safety of a child, or the attorney ad litem for the parent's child, the Department of Family and Protective Services (DFPS) is required to, before the full adversary hearing, provide:

- the name of any person, excluding a DFPS employee, whom DFPS will call as a witness to any of the allegations contained in the petition filed by DFPS;
- a copy of any offense report relating to the allegations contained in the petition filed by DFPS that will be used in court to refresh a witness's memory; and
- a copy of any photograph, video, or recording that will be presented as evidence.

Concerns have been raised that certain rules on the admissibility and disclosure of evidence in suits involving allegations of child abuse or neglect can disadvantage defendants and limit the court's ability to fairly assess a case.

DIGEST:

CSHB 3758 would amend the evidence admissibility and disclosure requirements in civil suits filed by a governmental entity concerning a child who was alleged to have been abused or neglected or to be at risk of abuse or neglect.

Certain statements not admissible. CSHB 3758 would provide that, in a child abuse or neglect case filed by a governmental entity, a statement made by an individual undergoing or being admitted to voluntary or court-ordered treatment or evaluation for treatment for a substance use disorder or mental illness would not be admissible in any civil proceeding for use against the individual if the statement was made to any person involved in the individual's treatment or evaluation.

In a child abuse or neglect case filed by a governmental entity, an out-of-court statement regarding alleged abuse or neglect reported to certain state or local governmental entities as required by state law would not be admissible into evidence unless the statement could be independently corroborated by other evidence.

Prohibiting compelled statement or testimony. In a child abuse or neglect case filed by a governmental entity, the alleged perpetrator of abuse or neglect could not be compelled to make a statement during an investigation or to testify at any civil proceeding. Neither the court nor counsel could comment on, and the trier of fact could not draw any adverse inference from, the alleged perpetrator's refusal to make a statement or to testify.

Disclosures. CSHB 3758 would transfer Family Code sec. 262.024 from the chapter on procedures in a suit by a governmental entity to protect the health and safety of a child to the Family Code chapter on discovery procedures for certain civil actions. The bill would amend the required disclosures in this section by making them applicable to any governmental entity, rather than solely the Department of Family and Protective Services. The bill would require the governmental entity to make the disclosures regardless of whether an attorney for a party or an attorney ad litem requested it.

The bill would require the disclosure under sec. 262.014 of any offense report relating to the allegations contained in the governmental entity's petition, rather than solely that which would be used in court to refresh a witness's memory. Rather than the disclosure of any photograph, video, or recording that would be presented as evidence, the bill would require the disclosure of any photograph, video, or recording relating to the allegations contained in the governmental entity's petition.

The bill would add certain required disclosures under sec. 262.014, including:

- any witness statement provided by a person whom the governmental entity was going to call as a witness;
- a copy of any medical record or report submitted to the governmental entity by a medical provider, including a provider with the forensic assessment center network regarding a child who was the subject of the suit;
- all exculpatory, impeachment, or mitigating evidence in the possession, custody, or control of the governmental entity or its agent that was relevant to a parent in the suit and tended to negate any claim of abuse or neglect of a child by the parent; and
- a true and correct copy of any investigative file, including any intake report, with only the identifying information of a reporting party redacted.

The disclosures would have to be provided not later than the 15th business day before the full adversary hearing or the initial hearing, depending on the type of suit. The governmental entity would have to immediately disclose any additional document, item, or information subject to disclosure that it discovered before, during, or after the hearing, and any such document, item, or information that was discovered after trial. Any document, item, or information that was not timely disclosed would not be admissible in any civil proceeding.

The bill would not prohibit the parties from requesting discovery and documentation under the bill or the Texas Rules of Civil Procedure.

The bill would take effect September 1, 2025, and would apply to a civil suit pending on the effective date or filed on or after the effective date.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of $1,125,793 to general revenue related funds through the biennium.

SUBJECT: Creating a franchise tax credit for certain watershed protection activities

COMMITTEE: Ways & Means — favorable, without amendment

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

0 nays

1 absent — Gervin-Hawkins

WITNESSES: For — Bradley Ford and Ashley Nystrom, City of Waco; Darren Turley, Texas Association of Dairymen; Drew Fuller, Texas Farm Bureau

Against — None

BACKGROUND: Water Code sec. 26.502 defines a major sole source impairment zone as a watershed that contains a reservoir that is used by a municipality as a sole source of drinking water supply for a population, inside and outside of its municipal boundaries, of more than 140,000, and at least half of the water flowing into which is from a source that is on the list of impaired state waters adopted by the Texas Commission on Environmental Quality as required by federal law.

Concerns have been raised that concentrated animal feeding operations in major sole source impairment zones can generate agricultural waste that can pollute nearby water sources if not managed properly.

DIGEST: HB 3830 would establish a franchise tax credit for taxable entities operating a concentrated animal feeding operation in a major sole source impairment zone under a TCEQ permit related to watershed protection. Such entities would qualify for the credit if, during the period covered by a report, the entity transported agricultural waste outside of the zone for disposal, use, or application to a waste management unit or waste application field located outside of the zone.

The amount of credit for a report would be equal to the total costs of fuel, labor, and equipment used to transport the waste during the period covered by the report. The total credit for a report could not exceed 50 percent of the franchise tax due for the report after all other available tax credits. An eligible taxable entity that exceeded this limitation could carry the unused credit forward for no more than 10 consecutive reports. Credits would be considered to be used in the following order:

- a credit carryforward under the bill; and
- a credit for the period on which the report was based.

A taxable entity could not convey, assign, or transfer the credit allowed under the bill to another entity unless substantially all of the assets of the taxable entity were conveyed, assigned, or transferred in the same transaction.

The bill would require a taxable entity to apply for a franchise tax credit under the bill on or with the report for the period for which the credit was claimed and submit any information requested by the comptroller to determine the entity's eligibility for the credit or its amount.

Before the beginning of each regular session of the Legislature, the comptroller would be required to submit to the Legislature and the governor an estimate for the preceding fiscal biennium of the total number of taxable entities that applied for a credit, the total amount of credits received, and the total amount of credits carried forward. The comptroller would be required to provide the estimate as part of its biennial report to the Legislature and the governor on the effect of certain tax provisions.

The bill would expire December 31, 2035, and the expiration of the bill would not affect the carryforward of a credit under the bill, or a credit for which an entity applied after the date the bill expired based on a cost for which a taxable entity became eligible for a credit before that date.

HB 3830 would take effect January 1, 2026.

SUBJECT: Expanding eligibility for crime victims' compensation

COMMITTEE: Criminal Jurisprudence — favorable, without amendment

VOTE: 9 ayes — Smithee, Wu, Bowers, Cook, J. Jones, Money, Moody, Rodríguez Ramos, Virdell

0 nays

2 absent — Little, Louderback

WITNESSES: For — (*Registered, but did not testify*: Chris Jones, Combined Law Enforcement Associations of Texas (CLEAT); Susan Stewart)

Against — None

On — (*Registered, but did not testify*: Lane Brown and Ricardo Sanchez, Office of the Attorney General)

BACKGROUND: Concerns have been raised that the definition of "intervenor," referring to an individual who is injured or killed while preventing criminally injurious conduct, may be unnecessarily narrow for the purposes of crime victims' compensation.

DIGEST: HB 3744 would revise the definition of "intervenor" for the purposes of the Crime Victims' Compensation Act to mean an individual who went to the aid of another and was killed or injured in a good faith effort to prevent a criminal offense, rather than criminally injurious conduct.

The bill would take effect September 1, 2025.

SUBJECT: Amending flexible school day and dropout recovery program provisions

COMMITTEE: Public Education — committee substitute recommended

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

2 nays — Leo Wilson, Schoolcraft

2 absent — Bernal, Dutton

WITNESSES: For — (*Registered, but did not testify*: Ginger Murray, Acceleration Academies; Tricia Cave and Jessica Rutherford, Association of Texas Professional Educators (ATPE); Rachael Abell, Texas PTA; Andrew Baiza; Abigail Baiza; Clarice Cross; Veronica Fabian; Jennifer Hill; Heidi Langan)

Against — (*Registered, but did not testify*: Bianca Arvin-Eagle)

On — (*Registered, but did not testify*: Marian Schutte, Kristin McGuire, Texas Education Agency (TEA); Steven Deline; Daniela Sanchez-Salinas)

BACKGROUND: Some have suggested that the way average daily attendance is calculated should be revised to provide more flexibility and reflect how students in dropout recovery programs attend and learn.

DIGEST: CSHB 3622 would prohibit the education commissioner, in calculating average daily attendance for students served under a flexible school day program, from limiting the number of hours of instruction that could be accumulated by a student in a particular reporting period, except that the total number of instruction hours accumulated by a student in average daily attendance for a school year could not exceed the equivalent of one student in average daily attendance with a 100 percent attendance rate for that year.

The bill would revise the dropout recovery school and residential placement allotment by entitling a school district or charter school to

$500, rather than $275, for certain students. The bill also would expand the allotment to include each student in average daily attendance who was provided services by a private or public community-based dropout recovery education program or education management organization while the student was enrolled at the district or school campus in whose attendance zone or geographic area the student resided.

The bill would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of about $25.6 million to general revenue related funds through the biennium.

SUBJECT: Amending DFPS authority to remove children from relative caregivers

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 — Julia Hatcher, Texas Association of Family Defense Attorneys; Beverly Morris (*Registered, but did not testify*: Kim Kofron, Children at Risk; Brandon Logan, Family Freedom Project; Judy Powell, Parent Guidance Center)

Against — None

On — Erica Banuelos, DFPS Resource Witness

BACKGROUND: Concerns have been raised that designated kinship caregivers often receive less financial support than licensed foster care providers and that DFPS may remove some children from kinship placements unnecessarily.

DIGEST: CSHB 741 would revise procedures for removing children placed with relative or designated caregivers, expand the information required to be provided to certain caregivers, and expand eligibility for daycare assistance.

Limits on removal from relative caregivers. CSHB 741 would prohibit the Department of Family and Protective Services (DFPS) from taking possession of a child who, under the Relative and Other Designated Caregiver Placement Program, had been placed with a relative caregiver whose relationship with the child was within the fourth degree by consanguinity before DFPS had, to the extent applicable:

- conducted an investigation;
- provided parental services and resources to the caregiver; or
- provided warnings or reminders of appropriate policy to the caregiver.

The bill would authorize DFPS to:

- take possession of a child as authorized by an emergency order issued by a court or, if there was no time to obtain such an order, under certain emergency conditions specified in state law;
- remove the child from the relative caregiver placement if the removal was for the purposes of reunifying the child with a parent, placing the child with another relative caregiver in the best interest of the child, or complying with a court order; or
- consider removing the child from the relative caregiver placement if the relative caregiver was interfering with the parent-child relationship.

The bill would prohibit these provisions from being construed to interfere with a relative caregiver's ability to provide notice of the caregiver's inability to care for a child.

The bill would require DFPS to employ its existing processes for evaluating the placement of a child in DFPS conservatorship with consideration for the safety of the child and making placement decisions consistent with the child's safety and best interest.

Information for caregivers. When a relative or other designated caregiver entered into a caregiver assistance agreement, DFPS would be required to inform the caregiver of:

- the process by which the caregiver could become verified by a licensed child-placing agency to operate an agency foster home and the agencies in the caregiver's local area that were capable of verifying the caregiver;
- the amount of additional financial assistance that the caregiver would receive under the permanency care assistance program if the caregiver was verified to operate an agency foster home; and
- any other financial benefits that could be available to the caregiver.

Day care assistance. A relative or other designated caregiver would be eligible to receive monetary assistance or additional support services from DFPS for day care for a child who was younger than 13 years of age, or

younger than 18 years of age if the child had a developmental disability, if the caregiver:

- was employed at least 20 hours per week;
- had a diagnosed disability that limited the caregiver's ability to provide full-time child care; or
- was older than 65 years of age.

The bill would make conforming changes to provisions requiring DFPS to implement a verification process for each caregiver seeking day care assistance.

The bill would take effect September 1, 2025. Provisions related to information provided to caregivers and day care assistance would apply to a caregiver assistance agreement entered into before, on, or after the effective date.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of about $3.01 million to general revenue related funds through the biennium.