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HOUSE RESEARCH ORGANIZATION

daily floor report

Friday, May 16, 2025
89th Legislature, Number 67
The House convenes at 10 a.m.

Eighteen bills are on the General State Calendar for second reading consideration today. The list of bills analyzed of digested in 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
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HOUSE RESEARCH ORGANIZATION

Daily Floor Report

Friday, May 16, 2025

89th Legislature, Number 67

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SUBJECT: Requiring certain insurance policies to contain appraisal provisions

COMMITTEE: Insurance — committee substitute recommended

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

0 nays

1 absent — Spiller

SENATE VOTE: On final passage (April 9) — 29 – 0 – 1

WITNESSES: For — Robert McDorman, Auto Claim Specialists; Albert Betts, Insurance Council of Texas; Craig Eiland, Texas Trial Lawyers Association; Ware Wendell, Texas Watch (*Registered, but did not testify*); Charles Cascio, AARP Texas; Nick Steingart, Alliance for Automotive Innovation; Scot Kibbe, American Property Casualty Insurance Association; Jacob Smith, Auto Body Association of Texas; Regan Ellmer, Independent Insurance Agents of Texas; Ann Baddour, Texas Appleseed; Darren Whitehurst, Texas Automobile Dealers Association; Beaman Floyd, Texas Coalition for Affordable Insurance Solutions; Steven Deline)

Against — None

On — David Bolduc, Office of Public Insurance Counsel (*Registered, but did not testify*); David Muckerheide, Texas Department of Insurance)

BACKGROUND: Concerns have been raised that some personal automobile insurance carriers have removed the appraisal process from their policies for partial vehicle loss, despite the longstanding expectation that such measures be included. Some have suggested that clear statutory requirements are needed allowing state regulators to mandate appraisal access in certain insurance policies regulated by the Texas Department of Insurance.

DIGEST:

CSSB 458 would require applicable insurance policies to contain an appraisal provision intended to provide a type of dispute resolution process solely to determine the amount of loss in dispute between the policyholder and the insurer. The appraisal would not affect any applicable policy terms, and an appraisal award would have to be made in substantial compliance with the appraisal clause of the insurance policy.

The bill would apply only to a personal automobile or residential property insurance policy delivered, issued for delivery, or renewed in this state by an insurer, including capital stock, mutual, and county mutual insurance companies. The bill would not apply to a Texas Windstorm Insurance Association policy or a commercial insurance policy.

Except for fraud, accident, or material mistake relevant to the appraisal or an appraisal award made without authority, the amount of loss determined by an appraisal under the bill would be binding as to the policyholder and the insurer.

The insurance commissioner would be required to adopt rules necessary to implement the bill, including:

- rules establishing the period in which an appraisal under the bill would have to be completed; and
- rules mandating an appraisal for total loss and damage of the property that would be the subject of the appraisal.

In adopting rules establishing the period described above, the commissioner would have to consider the qualifications and selection of appraisers and umpires for the appraisal.

An insurance policy form required to be filed, providing for an appraisal process that was in use on January 1, 2026, and otherwise compliant with Insurance Code would not have to be filed with the Texas Department of Insurance as a consequence of the bill.

The bill would take effect September 1, 2025.

- SUBJECT:** Enhancing penalties for assault and harassment of utility workers
- COMMITTEE:** Criminal Jurisprudence — committee substitute recommended
- VOTE:** 8 ayes — Smithee, Wu, Bowers, Cook, J. Jones, Louderback, Moody, Rodríguez Ramos
- 3 nays — Little, Money, Virdell
- SENATE VOTE:** On final passage (May 1) — 30-1
- WITNESSES:** None (*Considered in a formal meeting on May 1*)
- BACKGROUND:** Under Penal Code sec. 22.01, assault is generally a class A misdemeanor (up to one year in jail and/or a maximum fine of \$4,000), and the offense may be enhanced to a third-degree felony (two to 10 years in prison and an optional fine of up to \$10,000) if committed against certain individuals, such as a public servant lawfully discharging an official duty or hospital personnel while on hospital property.
- Under Penal Code sec. 42.07, harassment is generally a class B misdemeanor (up to 180 days in jail and/or a maximum fine of \$2,000), and the offense may be enhanced to a class A misdemeanor (up to one year in jail and/or a maximum fine of \$4,000) under certain circumstances, such as if committed against a minor with the intent that the child commits self-harm or in violation of a protective order.
- Some have suggested that recent natural disasters, such as Hurricane Beryl, have highlighted the need for additional protections for utility workers performing critical recovery work, including enhanced penalties for assault or harassment committed against these workers.
- DIGEST:** CSSB 482 would amend Penal Code sec. 22.01 to enhance the offense of assault to a third-degree felony (two to 10 years in prison and an optional fine of up to \$10,000) if committed against an employee or agent of a utility, if the actor knew or reasonably should have known the person was performing duties within the scope of their employment or agency. The

bill would establish that the actor was presumed to have known the individual was an employee or agent of a utility if the person was wearing a distinctive uniform or badge indicating the person's employment or status.

CSSB 482 also would amend Penal Code sec. 42.07 to enhance the offense of harassment to a class A misdemeanor (up to one year in jail and/or a maximum fine of \$4,000) if committed against an employee or agent of a utility, if the actor knew or reasonably should have known the person was performing duties within the scope of their employment or agency.

The bill would define "utility" to include entities such as electric utilities, telecommunications providers, gas utilities, cable and video service providers, pipelines, and electric cooperatives or municipally owned utilities, as defined by the applicable sections of the Utilities Code.

The bill would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, the fiscal impact of the bill cannot be determined due to a lack of data on the frequency of conduct that would be subject to increased criminal penalties under the bill.

SUBJECT: Establishing Navy and Marine Corps Achievement Medal license plates

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

VOTE: 8 ayes — Hefner, R. Lopez, Canales, Dorazio, Holt, Isaac, Louderback,
McLaughlin

0 nays

3 absent — Cortez, Hickland, Pierson

SENATE VOTE: On final passage (April 10) — 30 - 0

WITNESSES: None (*Considered in a formal meeting on April 24*)

BACKGROUND: The Navy and Marine Corps Achievement Medal is presented by the US Department of the Navy to Navy and Marine Corps servicemembers for sustained performance, specific achievement, professional achievement, and leadership achievement. Some have suggested that recipients of this medal should be honored by being able to use specialty license plates.

DIGEST: SB 927 would require the Texas Department of Motor Vehicles to issue specialty license plates for recipients of the Navy and Marine Corps Achievement Medal. Such license plates would be required to include the medal's emblem and the words "Navy and Marine Corps Achievement Medal" at the bottom of the plate.

The bill would take effect September 1, 2025.

- SUBJECT:** Allowing individualized investigational treatments for rare diseases
- COMMITTEE:** Public Health — favorable, without amendment
- VOTE:** 11 ayes — VanDeaver, Campos, Bucy, Collier, Cunningham, Frank, Johnson, J. Jones, Olcott, Pierson, Shofner
- 0 nays
- 2 absent — Schofield, Simmons
- SENATE VOTE:** On final passage (April 11) — 30 – 0
- WITNESSES:** None — (*Considered in a formal meeting on April 24*)
- BACKGROUND:** Concerns have been raised that existing right-to-try laws are not broad enough to help patients with rare or ultra-rare diseases who often lack access to clinical trials due to limited patient populations and commercial viability.
- DIGEST:** SB 984 would regulate access to individualized investigational treatments by establishing eligibility criteria, informed consent requirements, and protections for providers.
- The bill would define “individualized investigational treatment” as a drug, biological product, or device unique to and produced exclusively for use by a patient based on the patient’s genetic profile, including individualized gene therapy, antisense oligonucleotides, and individualized neoantigen vaccines.
- Facility eligibility.** SB 984 would establish that a health care facility would be eligible to provide an individualized investigational treatment if it operated under a federal assurance for the protection of human subjects under applicable federal laws and regulations and was subject to federal assurance laws, regulations, policies, and guidelines.
- Patient eligibility.** A patient would be eligible to access an individualized investigational treatment if the patient had a life-threatening or severely

debilitating illness and had considered all other treatment options currently approved by the FDA.

The patient would be required to provide written informed consent for access to the treatment, and the patient's physician would be required to attest to the patient's illness and eligibility, and recommend the treatment based on an analysis of the patient's genetic and molecular profile.

Informed consent. SB 984 would prohibit an eligible patient from accessing an individualized investigational treatment unless the patient provided written informed consent. The bill would provide that if the patient were a minor or lacked the mental capacity to provide informed consent, a parent, legal guardian, managing conservator, or a adult to whom authority to make healthcare decisions was delegated under a medical power of attorney would be authorized to provide written informed consent on the patient's behalf.

The bill would require informed consent to be attested to in writing by the patient's physician and a witness, and would require:

- an explanation of currently approved treatments for the patient's disease or condition;
- the patient's attestation that the patient concurred with the physician's assessment that all currently approved and conventionally recognized treatments were unlikely to prolong the patient's life;
- clear identification of the specific proposed individualized investigational drug, biological product, or device the patient's physician recommended;
- a description, based on the physician's knowledge of the proposed treatment in conjunction with an awareness of the patient's disease or condition, of the potentially best and worst outcomes of using the treatment, and of the most likely outcome;
- a statement that the patient's health benefit plan issuer or third-party administrator and provider were not obligated to pay the cost of any care related to the use of the treatment unless payment was specifically required by law or contract;
- a statement that the patient's eligibility for hospice care could be withdrawn if the patient began the treatment and that care could be

reinstated if the treatment ended and the patient met hospice eligibility requirements; and

- a statement that the patient understood that the patient would be liable for all expenses related to the use of the treatment, and that the liability extended to the patient's estate unless a contract between the patient and the manufacturer of the treatment provided otherwise.

Access to treatments and cost. SB 984 would authorize a manufacturer operating within an eligible health care facility and in compliance with all applicable federal assurance laws and regulations to make the treatment available. The bill also would authorize an eligible patient to request treatment access from the facility or manufacturer operating within the facility.

A manufacturer would not be required to make the treatment available to an eligible patient. An eligible health care facility or a manufacturer operating within the facility would be authorized to treat an eligible patient without receiving compensation or requiring the patient to pay the costs of, or the costs associated with, the treatment's manufacture.

Debt liability. The bill would establish that if a patient died while receiving treatment, the patient's heirs would not be liable for any outstanding debt related to the treatment or lack of health coverage resulting from the treatment.

No private cause of action. The bill would provide that there was no private cause of action against a manufacturer of an individualized investigational treatment or any other person involved in the care of an eligible patient using the treatment for any harm to the patient resulting from the treatment if the manufacturer or other person was complying in good faith with the bill's terms and had exercised reasonable care.

State interference. The bill would prohibit an officer, employee, or agent of the state from blocking or attempting to block an eligible patient's access to an individualized investigational treatment. Counseling, advice, or a recommendation consistent with medical standards of care from a licensed health care provider would not be a violation of the prohibition.

Health coverage. The bill would establish that the changes made would not affect the coverage required of an insurer under the Insurance Code or health care coverage for routine patient care costs for enrollees participating in certain clinical trials.

The bill would authorize a health benefit plan issuer, third-party administrator, or governmental agency to provide coverage for the cost of an individualized investigational treatment or the cost of services related to the use of such a treatment.

Other provisions. SB 984 would not require a licensed hospital or health care facility to provide new or additional services unless approved by the hospital or facility or a governmental agency to pay costs associated with the use, care, or treatment of a patient accessing an individualized investigational treatment.

The bill would prohibit a state licensing board from revoking, failing to renew, suspending, or taking any action against a health care provider's license, based solely on the provider's recommendation to an eligible patient regarding access to or treatment with an individualized investigational treatment.

The bill also would prohibit the Health and Human Services Commission from acting against a health care provider that affected the provider's participation in Medicaid based solely on the provider's recommendation for a patient to access an individualized investigational treatment.

The bill would take effect September 1, 2025.

SUBJECT: Establishing reporting alternative for veterans' county service offices

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

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

0 nays

1 absent — Canales

SENATE VOTE: On final passage (April 16) — 31 - 0

WITNESSES: For — Josie Castro Garcia, Dallas County Commissioners Court (*Registered, but did not testify*: Rick Thompson, County Judges and Commissioners Association of Texas; Elisa M. Tamayo, El Paso County; Julie Wheeler, Travis County Commissioners Court)

Against — Steven Price, The VOICES of Our Veterans

BACKGROUND: Government Code sec. 434.032(a) requires counties with a population of 200,000 or more to maintain a veterans county service office that reports directly to the commissioners court.

DIGEST: SB 651 would amend the reporting requirement for veterans county service offices (VCSO) in Government Code sec. 434.032(a) by authorizing VCSOs to report directly to a designated county executive official or the commissioners court, rather than solely to the commissioners court.

The bill would take effect September 1, 2025.

SUPPORTERS SAY: SB 651 would grant certain counties the flexibility to implement a VSCO reporting structure that corresponded to the county's internal operations, which would help support larger counties that serve more veterans to reduce backlogs and inefficiencies. Current law that limits VSCOs to

report only to county commissioners courts does not sufficiently provide for the reporting needs of existing county frameworks with varying government structures. Rather than imposing new duties on counties or removing the quality of their oversight on VSCOs, the bill would align reporting relationships with administrative needs by allowing county commissioners courts to designate the most appropriate executive official to receive VCSO reports.

CRITICS
SAY:

SB 651 could harm veterans by allowing VCSOs to report to an executive county official who could lack the necessary understanding of veteran culture and the unique issues that affect veteran communities. This change would revert counties to a former system that created inconsistencies across the state and could contribute to administrative confusion, impact the effectiveness of VSCOs, or jeopardize certain funding.

SUBJECT: Establishing the Texas Forensic Analyst Apprenticeship Pilot Program

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

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

0 nays

2 absent — Canales, Holt

SENATE VOTE: On final passage (April 22) — 29 – 2

WITNESSES: None (*Considered in a formal meeting on May 1*)

BACKGROUND: Some have suggested that measures are needed to address a shortage of
forensic science professionals in the state.

DIGEST: SB 1620 would require the Office of Court Administration (OCA) to
establish the Texas Forensic Analyst Apprenticeship Pilot Program to
increase the forensic science workforce capacity in Texas. The bill would
require OCA to collaborate with the Texas Forensic Science Commission
(TFSC) as necessary to administer the pilot program.

The bill also would require OCA to enter into contracts with:

- general academic teaching institutions or medical and dental units
in certain institutions of higher education; and
- each publicly funded accredited crime laboratory that was awarded
an apprentice position by the TFSC under the bill.

TFSC in consultation with OCA would be required to adopt eligibility
requirements for individuals who could apply for an apprenticeship
position under the pilot program, and publicly funded accredited crime
laboratories that could apply to sponsor an apprentice under the pilot
program. In establishing these requirements, the bill would require TFSC

to prioritize the long-term retention of forensic analysts in accredited crime laboratories in Texas.

TFSC would be required to award apprentice positions to individuals and accredited crime laboratories that met the eligibility requirements established under the bill and enter into contracts with the laboratories selected to sponsor apprentices under the pilot program.

The bill would require TFSC to consult with the Texas Association of Crime Lab Directors to determine the current need for forensic analyst apprentices in each forensic discipline.

SB 1620 would take effect September 1, 2025, and the pilot program would expire September 1, 2030.

NOTES:

According to the Legislative Budget Board, SB 1620 would have a negative impact of about \$4.8 million on the general revenue related funds through the biennium.

- SUBJECT:** Revising Texas Groundwater Protection Committee report deadline
- COMMITTEE:** Natural Resources — favorable, without amendment
- VOTE:** 13 ayes — Harris, Martinez, Ashby, Barry, C. Bell, Buckley, Fairly, Gámez, J. Garcia, M. González, Romero, Villalobos, Zwiener
- 0 nays
- SENATE VOTE:** On final passage (April 16) — 31 - 0
- WITNESSES:** For — (*Registered, but did not testify:* Kenneth Flippin, Chispa Texas; Elisa M. Tamayo, El Paso County; Cyrus Reed, Lone Star Chapter Sierra Club; Carrie Wilcoxson; Steven Deline)
- Against — None
- BACKGROUND:** Some have suggested that the deadline for an annual report by the Texas Groundwater Protection Committee should be changed to ensure that relevant state agency programs and the committee have adequate time to produce a quality report.
- DIGEST:** SB 2124 would change the annual deadline by which the Texas Groundwater Protection Committee, in conjunction with the Texas Commission on Environmental Quality, was required to publish a joint groundwater monitoring and contamination report from no later than April 1 of each year to no later than June 1 of each year.

The bill would take effect September 1, 2025.

- SUBJECT:** Creating the Rural Workforce Development Grant Program
- COMMITTEE:** Trade, Workforce & Economic Development — favorable, without amendment
- VOTE:** 9 ayes — Button, K. Bell, Bhojani, Harris Davila, Longoria, Lujan, Luther, Meza, Ordaz
- 1 nay — Richardson
- 1 absent — Talarico
- SENATE VOTE:** On final passage (May 1) — 30 - 1
- WITNESSES:** None (*Considered in a public hearing on May 7*)
- BACKGROUND:** Concerns have been raised that rural communities in Texas face challenges in expanding workforce opportunities and preparing students for college and careers due to limited resources and economic scale.
- DIGEST:** SB 2448 would require the Texas Workforce Commission (TWC) to establish the Rural Workforce Development Grant Program in consultation with the Texas Education Agency and the Texas Higher Education Coordinating Board. The commission could award grants under the program to nonprofit organizations to support public institutions of higher education and school districts in rural areas in delivering workforce training and higher education programs to address rural workforce demands.
- To be eligible for a grant, a nonprofit organization would be required to apply as prescribed by commission rule, demonstrate experience in providing technical assistance to rural schools or institutions of higher education in workforce development, and meet any other eligibility criteria adopted by the commission.
- Grant recipients would be required to enter into a contract that provided the commission with sufficient control to ensure the purpose of improving

rural workforce development is accomplished and provides a return benefit to the state.

Grant funds could be used only for costs associated with assisting rural education institutions in aligning their training or education programs with local workforce demands.

In addition to any money appropriated, the commission would be authorized to accept gifts, grants, or donations from public or private sources and would be required to adopt rules and verify appropriate use of funds.

The bill would require the commission to submit a report to the governor, the lieutenant governor, the speaker of the House of Representatives, and relevant legislative committees summarizing awarded grants and evaluating program effectiveness annually by December 1.

The bill would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, the fiscal implications of the bill cannot be determined, however, it is assumed that the Texas Workforce Commission would require additional resources to implement the grant program if funds were appropriated for this purpose.

- SUBJECT:** Amending trust fund requirements for real property improvements
- COMMITTEE:** Trade, Workforce & Economic Development — committee substitute recommended
- VOTE:** 10 ayes — Button, K. Bell, Bhojani, Harris Davila, Longoria, Lujan, Luther, Meza, Ordaz, Richardson
- 0 nays
- 1 absent — Talarico
- SENATE VOTE:** On final passage (April 24) — 31 – 0
- WITNESSES:** *On House companion bill HB 2226:* For — William Erwin, Andrews Myers, PC and ABC; Geoffrey Tahuahua, Associated Builders and Contractors of Texas (*Registered, but did not testify:* Tara Snowden, Zachary Corporation)
- Against — (*Registered, but did not testify:* Steven Deline)
- BACKGROUND:** Property Code sec. 162.001 establishes that construction payments are trust funds if made to a contractor, subcontractor, or their officers, directors, or agents under a construction contract for the improvement of specific real property in the state.
- Concerns have been raised that recent court rulings have overturned the practice of reassigning claims against certain trust funds, which has led to confusion and left contractors and suppliers without a clear way to recover unpaid funds.
- DIGEST:** CSSB 841 would prohibit an assignment by a beneficiary of the beneficiary’s interest in unpaid construction payment trust funds from being enforced unless:
- the assignment was made in writing, not earlier than the date the assignee had paid the beneficiary in good and sufficient funds for

the assignment, and was not made part of the beneficiary's construction contract;

- the assignee was a beneficiary, trustee, or property owner under the contract for the construction or repair of an improvement on real property in connection with which the payment of trust funds was made; and
- written notice of the assignment was provided to the property owner and the contractor on the project not later than the seventh day after the date the assignment was made.

CSSB 841 also would add a person's qualified assignee under the bill to the list of individuals considered beneficiaries of any trust funds paid or received in connection with an improvement.

The bill would take effect September 1, 2025.

- SUBJECT:** Establishing TEA database for school bonds, taxes, and certain projects
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 15 ayes — Buckley, Bernal, Allen, Ashby, Bryant, Cunningham, Dutton, Frank, Hinojosa, Hunter, Kerwin, Leach, Leo Wilson, Schoolcraft, Talarico
- 0 nays
- SENATE VOTE:** On final passage (April 24) — 30 - 1
- WITNESSES:** For — James Quintero, Texas Public Policy Foundation (*Registered, but did not testify*); Tricia Cave, Association of Texas Professional Educators (ATPE); Garry Jones, DFER TX; Jaime Puente, Every Texan; Kelsey Kling, Texas AFT; Ryan Ash, Texas Taxpayers and Research Association (TTARA); Clark Densin; Lauren Heese)
- Against — (*Registered, but did not testify*): Sofia Sepulveda; Emily Witt)
- On — (*Registered, but did not testify*): David Marx, Texas Education Agency; Steven Deline)
- BACKGROUND:** Concerns have been raised that the lack of a centralized system for tracking and providing public access to detailed information about school district or charter school bonds, taxes, or certain projects can make it more difficult for the public to understand how the funds are being used.
- DIGEST:** SB 843 would require the Texas Education Agency (TEA) to develop and maintain a database that included current information regarding school district or open-enrollment charter school, including charter district, bonds, taxes, and bond-related projects. The database would have to include, for each bond planned, proposed, or issued by a school district:
- the language of the ballot proposition;
 - the projected interest and sinking fund tax rate associated with a proposed bond;

- the result of an election held for the purpose of issuing a proposed bond;
- a list of the projects to be funded using the bond;
- an accounting of the use of the proceeds of any bonds;
- other data related to capital projects funded wholly or partly using the bond; and
- any increase in the interest and sinking fund tax rate resulting from the bonds.

The database also would have to include:

- for each bond issued for a charter school, a list of the projects to be funded using the bond and an accounting of the use of the proceeds of any bond;
- for maintenance taxes that had been levied or proposed by a school district, each district's proposed or approved tax rate and the language of the ballot proposition;
- the results of any relevant tax rate election;
- a report generation function to allow TEA to generate a report of the database's information for each school district and charter school, disaggregated by geographic area; and
- a function that allowed for the proposal of updates or corrections to information in the database.

A school district or charter school would be required to provide TEA with information required for the database. TEA would be authorized to contract with a third party as necessary for the development or maintenance of the database.

TEA would be required to implement the bill only if the Legislature appropriated money specifically for that purpose. If money was not specifically appropriated, TEA could elect to implement the bill using other available funds.

The bill would take effect September 1, 2025.

NOTES: According to the Legislative Budget Board, the bill would have a negative impact of \$3 million to general revenue related funds through the biennium.

SUBJECT: Requiring comptroller to prescribe a property tax refund request form

COMMITTEE: Ways & Means — favorable, without amendment

VOTE: 10 ayes — Meyer, Bernal, Button, Capriglione, Gervin-Hawkins, Muñoz, Noble, V. Perez, Turner, Vasut

1 nay — Martinez Fischer

2 absent — Hickland, Troxclair

SENATE VOTE: On final passage (March 24) — 30 – 0

WITNESSES: None (*Considered in a formal meeting on April 24*)

BACKGROUND: Concerns have been raised that current law does not provide for a standardized property tax refund form and lacks the clarity needed to give the comptroller the authority to prescribe the correct form.

DIGEST: SB 402 would require the comptroller to prescribe a form a person could use to make a written request to a collector or taxing unit to send a property tax refund to a particular address. The bill would require the comptroller to include on the form a notice of the penalties for making or filing an application containing a false statement.

The bill would specify that a written request to send a property tax refund to a particular address would have to be on the form prescribed by the comptroller and filed before the date the refund was issued.

A person who filed a request with a collector or taxing unit could revoke the request by filing a written revocation with the collector or taxing unit.

The bill would take effect September 1, 2025.

SUBJECT: Authorizing enforcement of drought contingency plans for certain utilities

COMMITTEE: Natural Resources — favorable, without amendment

VOTE: 13 ayes — Harris, Martinez, Ashby, Barry, C. Bell, Buckley, Fairly,
Gámez, J. Garcia, M. González, Romero, Villalobos, Zwiener

0 nays

SENATE VOTE: On final passage (April 30) — 31 - 0

WITNESSES: None (*Considered in a formal meeting on May 2*)

BACKGROUND: Sec. 13.136 of the Water Code requires each utility to file, with the appropriate regulatory authority, tariffs listing all rates currently in effect that are subject to the authority's original or appellate jurisdiction for any utility service, product, or commodity offered. These filings also are required to include all applicable rules and regulations that relate to or affect those rates or the provision of the utility service, product, or commodity.

Some have suggested that clarifying enforcement procedures related to drought contingency plans could help prevent over-pumping by water and sewer utilities during droughts and protect the state's limited water resources.

DIGEST: SB 2662 would amend the general powers of the Public Utility Commission of Texas (PUC) to authorize the regulation and supervision of the tariffs of each water and sewer utility within its jurisdiction.

The exclusive original jurisdiction of a municipality's governing body would be expanded to include exclusive original jurisdiction over all water and sewer tariffs within its corporate limits.

Authority to interrupt utility services. The bill would provide that the certificate holder or a person who possessed facilities used to provide a water or sewer utility service could discontinue, reduce, or impair service

to a certified service area or part of a certified service area for noncompliance with a drought contingency plan.

The bill would authorize a retail public utility, utility, and water supply corporation, regardless of whether they held a certificate of public convenience and necessity, to discontinue, reduce, or impair retail water or sewer service for noncompliance with a drought contingency plan, subject to regulatory authority rules.

Drought contingency plan. The bill would amend sec. 13.136 of the Water Code to provide that the required filings would have to include the utility's drought contingency plan and establish that a provision of a plan did not constitute a rate as defined by provisions relating to water rates and services.

The bill would require that such a plan now include reasonable procedures for enforcing mandatory water use restrictions, including fines, water rate surcharges, service restrictions, service discontinuation, or any other penalty. The entity preparing the drought contingency plan would be required to establish the enforcement procedures.

Other provisions. The bill would remove the requirement that a drought contingency plan be adopted by May 1, 2005.

The bill would add PUC to the entities, currently TCEQ and the Texas Water Development Board, which would be required jointly to identify target goals for drought contingency plans and to develop model drought contingency programs. The bill also would require these agencies to update the model programs at least once every five years.

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 \$878,172 to general revenue related funds through the biennium.

SUBJECT: Creating the Governor's Medal of Service Award for service to Texans

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

SENATE VOTE: On final passage (April 16) — 31 – 0

WITNESSES: None (*Considered in a formal meeting on May 2*)

BACKGROUND: Some have suggested establishing the Governor's Medal of Service to acknowledge individuals who have meaningfully impacted the lives of Texans.

DIGEST: SB 2053 would establish the Governor's Medal of Service Award, which could be awarded to a Texas resident who:

- honorably retired from a position of public service in state or local government;
- contributed to Texas residents in an extraordinary way through the individual's work in the private sector; or
- contributed to Texas residents in an extraordinary way as a member of the Texas Legislature.

The governor could, at the governor's discretion, award not more than two Governor's Medals of Service awards each year.

The Office of the Governor could solicit and accept gifts, grants, and donations from any public or private source for any expenses related to the administration or establishment of the award.

This bill would take effect September 1, 2025.

- SUBJECT:** Establishing DPS primary authority over DPS aircraft
- COMMITTEE:** Homeland Security, Public Safety & Veterans' Affairs — favorable, without amendment
- VOTE:** 11 ayes — Hefner, R. Lopez, Canales, Cortez, Dorazio, Hickland, Holt, Isaac, Louderback, McLaughlin, Pierson
- 0 nays
- SENATE VOTE:** On final passage (April 24) — 31 - 0
- WITNESSES:** For — (*Registered, but did not testify:* Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); Joe Morris, Game Warden Peace Officers Association; Ray Hunt, Houston Police Officers' Union; Bo Stallman, Sheriffs' Association of Texas; Bryan Flatt, Texas Municipal Police Association (TMPA); Scott Rubin, Texas Police Chiefs Association)
- Against — (*Registered, but did not testify:* Steven Deline)
- On — Stacy Holland, Texas DPS; Dan Harmon, TxDOT
- BACKGROUND:** Some have suggested that the Department of Public Safety (DPS) should be designated as the primary authority to maintain, schedule, and operate its own aircraft to avoid inefficiencies and excessive deployment costs.
- DIGEST:** SB 2332 would establish that the Department of Public Safety (DPS) was primarily responsible for maintaining and scheduling aircraft owned and operated by DPS. DPS would have to base its aircraft at locations throughout Texas as it considered necessary, and the pilot of a DPS aircraft would have to be a DPS employee.
- The bill would exempt DPS aircraft from certain provisions governing state aircraft.
- SB 2332 would take effect September 1, 2025.

NOTES: According to the Legislative Budget Board, SB 2332 would have a positive impact of about \$2.4 million to general revenue related funds through the biennium.

SUBJECT: Increasing penalties for criminal offenses related to oyster mariculture

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

VOTE: 9 ayes — Metcalf, Flores, Cole, DeAyala, Kerwin, Martinez Fischer, Orr, Vasut, Ward Johnson

0 nays

SENATE VOTE: On final passage (April 9) — 28 - 2 - 1

WITNESSES: For — (*Registered, but did not testify:* Joe Morris and Larry Young, Game Warden Peace Officers Association; John Shepperd, Texas Foundation for Conservation; Joey Park, Texas Mariculture Association; Steven Deline; Margaret Hill; Peter Storms)

Against — None

On — (*Registered, but did not testify:* Leslie Casterline, Texas Parks and Wildlife Department)

BACKGROUND: Concerns have been raised that enforcement challenges regarding cultivated oyster mariculture have arisen due to low penalties for regulatory violations, which could undermine compliance and threaten the integrity of the industry.

DIGEST: SB 2112 would increase the penalty for violations related to cultivated oyster mariculture permits and prohibited actions regarding cultivated oyster mariculture from a Class B to a Class A Parks and Wildlife Code misdemeanor if it was shown at trial that the defendant had been convicted of a similar offense within the previous five years.

Additionally, the bill would decrease the penalty for violating a rule adopted under statutes related to cultivated oyster mariculture from a Class B to a Class C Parks and Wildlife Code misdemeanor. However, if it was shown at trial that the defendant had two or more prior convictions

for the same offense within the preceding five years, the penalty would be a Class B misdemeanor.

The bill would take effect September 1, 2025

- SUBJECT:** Increasing penalties for multiple-fatality intoxication manslaughter
- COMMITTEE:** Criminal Jurisprudence — favorable, without amendment
- VOTE:** 7 ayes — Smithee, Cook, Little, Louderback, Money, Moody, Virdell
4 nays — Wu, Bowers, J. Jones, Rodríguez Ramos
- SENATE VOTE:** On final passage (April 10) — 28-2
- WITNESSES:** None (*considered in a formal meeting on May 1*)
- BACKGROUND:** Under current law, intoxication manslaughter is generally a second-degree felony (two to 20 years in prison and an optional fine of up to \$10,000) but can be elevated to a first-degree felony (life in prison or a sentence of five to 99 years and an optional fine of up to \$10,000) if certain aggravating factors are present, such as when the offense results in the death of a peace officer, firefighter, or other specified individuals acting in the lawful discharge of an official duty.
- DIGEST:** SB 745 would expand the circumstances under which intoxication manslaughter was a first-degree felony (life in prison or a sentence of five to 99 years and an optional fine of up to \$10,000) to include cases in which the offense caused the death of more than one person during the same criminal transaction.
- The bill would take effect September 1, 2025.
- SUPPORTERS SAY:** SB 745 would provide an additional sentencing option for cases involving multiple fatalities resulting from intoxication manslaughter by allowing first-degree felony penalties. Current law limits these cases to second-degree felony charges, which may not fully account for the severity of the offense. The bill would address this gap by providing prosecutors the flexibility to seek first-degree felony sentences in cases involving multiple deaths without mandating harsher penalties in every instance.

The bill also would align penalties for intoxication manslaughter involving multiple victims with those for other serious crimes, ensuring that the punishment more appropriately reflects the severity of the offense.

Although some have raised concerns about the potential impact on prison capacity, the number of cases likely to be affected is expected to be small, reducing the potential for significant strain on correctional facilities.

CRITICS
SAY:

SB 745's enhanced penalty is unnecessary because existing law already provides judges with the flexibility to impose more severe sentences when warranted. Judges currently have the discretion to stack sentences in cases involving multiple fatalities, allowing for appropriately severe punishments without the need for first-degree felony penalties.

The bill could also increase the population in already crowded correctional facilities without significantly reducing impaired driving fatalities. The bill would not meaningfully impact overall deterrence, as increasing penalties alone has not been shown to significantly reduce crime rates. This approach could divert resources from other methods of reducing crime that may be more effective.

- SUBJECT:** Consolidating certain nonresident hunting licenses
- COMMITTEE:** Culture, Recreation & Tourism — favorable, without amendment
- VOTE:** 9 ayes — Metcalf, Flores, Cole, DeAyala, Kerwin, Martinez Fischer, Orr, Vasut, Ward Johnson
- 0 nays
- SENATE VOTE:** On final passage (April 16) — 31 - 0
- WITNESSES:** For — (*Registered, but did not testify:* Larry Young, Game Warden Peace Officers Association; Matt Wagner PhD, Texas Chapter of The Wildlife Society; John Shepperd, Texas Foundation for Conservation; Joey Park, Texas Wildlife Association)
- Against — None
- On — (*Registered, but did not testify:* David Eichler and Shaun Oldenburger, Texas Parks and Wildlife; Steven Deline)
- BACKGROUND:** Some have suggested that consolidating certain nonresident hunting licenses could promote efficiency, ensure fair pricing, and strengthen the ability of the Parks and Wildlife Department to manage hunting regulations.
- DIGEST:** SB 1247 would amend the Parks and Wildlife Code to redesignate the general nonresident hunting license as the nonresident general hunting license and would make conforming changes throughout provisions related to reciprocal license agreements, nonresident licenses, and nonresident hunting license fees to reflect this change.
- The bill also would remove references to the nonresident special hunting licenses and nonresident spring turkey hunting licenses and would repeal related provisions. Provisions requiring a banded bird hunting license for hunting on a private bird hunting area also would be repealed.

The bill would prohibit a nonresident from hunting alligators in Texas without first having acquired the nonresident general license.

The bill would establish the nonresident five-day special hunting license as the nonresident five-day hunting license and make conforming changes. Under the bill, such a license would not be valid for hunting mule deer, white-tailed deer, turkey, pronghorn antelope, desert bighorn sheep, or alligator. A nonresident would be authorized to acquire multiple nonresident five-day hunting licenses during a license year.

The bill would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, the bill would have a positive impact of about \$1.1 million to general revenue-dedicated game, fish, and water safety account funds each fiscal year.

- SUBJECT:** Requiring PUC to adopt standards for electric pole maintenance
- COMMITTEE:** State Affairs — committee substitute recommended
- VOTE:** 12 ayes — King, Anchía, Darby, Y. Davis, Geren, Hull, McQueeney, Metcalf, Raymond, Smithee, Thompson, Turner
- 0 nays
- 3 absent — Hernandez, Guillen, Phelan
- SENATE VOTE:** On final passage (April 23) — 31 - 0
- WITNESSES:** None
- BACKGROUND:** Utilities Code sec. 38.005 requires the Public Utility Commission of Texas (PUC) to implement certain reliability standards for the delivery of electricity to customers by utilities, and authorizes PUC to take an enforcement action against a utility if any of its feeders with 10 or more customers has had a system-average interruption frequency index (SAIFI) or system-average interruption duration index (SAIDI) average that is more than 300 percent greater than the system average of all feeders during any two-year period.
- DIGEST:** CSSB 1789 would require the Public Utility Commission (PUC) by rule to adopt standards for the structural integrity of transmission and distribution poles. The standards would have to:
- require an electric utility, municipally owned utility, or electric cooperative to inspect, maintain, remediate, and replace poles as necessary on a timeline established by PUC and maintain records of these actions;
 - account for geographic and weather characteristics of the state;
 - consider national guidelines such as the National Electrical Safety Code and guidelines developed by the Rural Utilities Service of the U.S. Department of Agriculture;

- establish a classification system to assess the serviceability of poles that accounted for maintenance and extension of pole service life; and
- consider the characteristics of the transmission and distribution systems throughout the state.

By May 1 of each year, each utility or cooperative would have to submit a report to PUC on the implementation of its pole maintenance schedule, the results of the pole inspection, and any other information PUC required.

CSSB 1789 would authorize an electric utility, municipally owned utility, or electric cooperative to implement an appropriate program to provide for the inspection, maintenance, remediation, and replacement of the entity's transmission and distribution poles. The program would have to ensure compliance with the standards adopted under the bill.

If an electric utility failed to comply with standards adopted under CSSB 1789 and the utility's system was damaged by a weather-related event or natural disaster, PUC would be authorized to reduce the utility's return on equity for infrastructure used or installed to repair or replace the damaged portion of the system at the utility's next rate proceeding.

CSSB 1789 would lower the threshold for a PUC enforcement action under Utilities Code sec 38.005 from a SAIFI or SAIDI average of 300 percent greater than the system average to an average of 200 percent greater. The bill would add the duration of each interruption in a feeder's service to the factors PUC had to consider in determining the appropriate enforcement action.

In adopting rules related to structural integrity standards for transmission and distribution systems, PUC would have to allow an electric utility, electric cooperative, or municipally owned utility to complete any required inspection, remediation, or replacement of transmission and distribution poles installed before the effective date of the rules according to a reasonable timeline that allowed the entity to prioritize high-risk poles.

The bill would take effect September 1, 2025.

SUPPORTERS SAY: CSSB 1789 would enhance the overall resilience of the Texas electric grid by directing PUC to develop statewide basic standards for pole maintenance for transmission and distribution systems operated by utilities and cooperatives. The current absence of such standards represents a structural vulnerability in the state's transmission system. Electricity infrastructure operators should be required to adopt best practices that enhance reliable and affordable service to customers, extend asset lifetime, and ensure public safety. CSSB 1789 would promote proactive electric pole management, which would reduce risk and help avoid tragedies during severe weather events and natural disasters such as Hurricane Beryl and the Panhandle wildfires.

CRITICS SAY: While enhancing grid resilience is important, CSSB 1789 could unnecessarily disrupt the highly refined and area-specific pole maintenance processes used by electric cooperatives by adding additional PUC regulation. Cooperatives are directly accountable to the members they serve and are motivated to provide robust infrastructure maintenance in their areas of service in order to ensure reliability and safety. The bill should clarify that PUC's authority over electric cooperatives would not be extended beyond what is established in current law.

NOTES: According to the Legislative Budget Board, the bill would have a negative impact of \$1,815,310 to general revenue related funds through the biennium.