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HOUSE RESEARCH ORGANIZATION

daily floor report

Tuesday, May 20, 2025
89th Legislature, Number 69
The House convenes at 10 a.m.
Part Two

Three bills are on the Major State Calendar, two resolutions are on the Constitutional Amendments Calendar, and 45 bills are on the General State Calendar for second reading today. The list of bill analyses in Part Two of the *Daily Floor Report* begins on the next page.



Gary VanDeaver
Chairman
89(R) - 69

HOUSE RESEARCH ORGANIZATION

Daily Floor Report

Tuesday, May 20, 2025

89th Legislature, Number 69

Part 2

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- SUBJECT:** Amending hearing procedures for denial of an electrician's license
- 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
- SENATE VOTE:** On final passage (March 11) — 31 – 0
- WITNESSES:** For — (*Registered, but did not testify:* Steven Deline)
Against — None
On — (*Registered, but did not testify:* Doug Jennings, TDLR)
- BACKGROUND:** Occupations Code sec. 1305.253 authorizes a hearing officer designated by the Texas Commission of Licensing and Regulation to conduct a hearing if the Texas Department of Licensing and Regulation proposes to deny a license or take disciplinary action against an electrician's license holder.

Some have suggested updating this provision to reflect that the State Office of Administrative Hearings currently conducts an electrician's license hearing.
- DIGEST:** SB 764 would remove the authority for an electrician's license hearing under Occupations Code sec. 1305.253 to be conducted by a hearing officer designated by the Texas Commission of Licensing and Regulation.

The bill would take effect September 1, 2025.

- SUBJECT:** Exempting retired DPS officers from certain discharge regulations
- 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 (May 1) — 31 – 0
- WITNESSES:** For — (*Registered, but did not testify:* Joe Morris, Game Warden Peace Officers Association; James Kershaw, Harris County Deputies' Organization FOP #39; Ray Hunt, Houston Police Officers' Union; Bo Stallman, Sheriffs' Association of Texas; Bryan Flatt, Texas Municipal Police Association (TMPA); Marshall Kenderdine, Texas Public Employees Association; Steven Deline)
- Against — None
- On — Jason Taylor, Texas DPS
- BACKGROUND:** Government Code secs. 411.007 (e), (e-1), and (f) establish provisions related to the discharge of Department of Public Safety (DPS) officers or employees, including prohibiting discharge without just cause, prohibiting the discharge, suspension, or demotion of an officer except for the violation of a specific Public Safety Commission rule, and entitling a discharged officer to a public hearing before the commission.
- Some have suggested that encouraging the hiring of retired DPS officers could help mitigate vacancies resulting from the number of officers expected to retire in the near future.
- DIGEST:** SB 2383 would exempt a retired commissioned officer from Government Code secs. 411.007 (e), (e-1), and (f). The bill would define a retired commissioned peace officer for these purposes as a retiree of the

Employees Retirement System of Texas whose last employment position held before retirement under that system was as a commissioned officer of the Department of Public Safety.

SB 2383 would take effect September 1, 2025.

- SUBJECT:** Amending regulation of veterinary professionals under TBVME
- COMMITTEE:** Agriculture & Livestock — favorable, without amendment
- VOTE:** 9 ayes — Guillen, Guerra, Cain, Hopper, Kitman, J. Lopez, McLaughlin, Money, Muñoz
- 0 nays
- SENATE VOTE:** On final passage (April 8) — 28 – 2
- WITNESSES:** None
- BACKGROUND:** Occupations Code ch. 801, or the Veterinary Licensing Act, establishes provisions relating to the regulation of veterinarians in the state.
- During the 88th Regular Session in 2023, lawmakers adopted SB 1414, temporarily granting the Texas Department of Licensing and Regulation (TDLR) policymaking authority regarding the Texas Board of Veterinary Medical Examiners (TBVME) and requiring TDLR to administer the Veterinary Licensing Act until September 1, 2027. Some have suggested revising provisions of the Veterinary Licensing Act to allow TBVME to detach from TDLR and act as its own entity.
- DIGEST:** SB 2155 would amend Government Code ch. 801 to revise provisions regarding the administration of the Texas Board of Veterinary Medical Examiners (TBVME), including by requiring the registration of veterinary medical facilities, amending the powers of TBVME and its executive director, establishing an electronic registry, and modifying disciplinary procedures for the board and license holders.
- Veterinary medical facilities.** SB 2155 would require veterinary medicine, including veterinary medicine practiced remotely by electronic means, to be practiced only in or from a veterinary medical facility that was registered with TBVME or was exempt by rule from the registration requirement. Each facility would have to be registered with the board unless the facility was maintained or operated by the federal government

or was a mobile facility affiliated with a registered facility. The board would be authorized to provide exemptions to the registration requirement for facilities if it determined that imposing or enforcing the requirement was not cost-effective for the board, was not feasible with current board resources or standards, or would not substantially benefit or protect consumers.

To register a veterinary medical facility, the business entity providing services at the facility would be required to submit the application provided by TBVME and pay the applicable fee established by the board. The application would have to be signed by a person who was authorized to act on behalf of the entity, and the facility would be required to, in its application for registration:

- indicate the type of business entity that provided services at the facility;
- provide information regarding the owners, partners, and operators of the entity, including a management services organization that contracted with the facility, as required by board rule; and
- provide the names and license or registration numbers of all persons who provided services at the facility and were regulated by the board.

An application would have to require that a facility designate a medical director, who would have to:

- be licensed by TBVME as a veterinarian and remain in good standing;
- regularly practice veterinary medicine at or from the facility;
- co-sign the application for registration; and
- agree to accept all correspondence from TBVME on behalf of the facility.

A veterinary medical facility whose designated medical director ceased to be affiliated with the facility would be required to designate a new medical director within 30 days of the change. The term of a registration issued and the process for renewal of a registration would have to be provided by board rule.

Operation standards. SB 2155 would require TBVME to adopt and enforce rules relating to standards of operation of veterinary medical facilities, including standards regarding:

- safety and sanitation;
- storage and security of pharmaceuticals and controlled substances;
- patient care;
- retention of documentation, including medical records, controlled substance logs, and employment records; and
- compliance with other state laws related to health and safety.

The bill would require these rules to distinguish between categories of veterinary facilities, including mobile facilities that were not affiliated with another registered veterinary facility, to ensure the establishment of appropriate standards for each category of facility.

Sanctions and administrative penalties. The owner or owners of a business entity or a management services organization that provided services at a veterinary medical facility would be subject to administrative penalties, license sanctions, or both, if:

- the facility did not hold a current registration;
- the facility violated a standard adopted under the bill;
- facility personnel denied access to the board or its agents to conduct an inspection or investigation; or
- the facility failed to comply with a TBVME order.

The bill would require a veterinary medical facility to register with TBVME by September 1, 2027, and would require TBVME to adopt the rules and procedures necessary to implement the provisions related to the registration of veterinary medical facilities by March 1, 2027.

Powers of TDLR executive director. The bill would specify that the executive director of the Texas Department of Licensing and Regulation (TDLR) would have the authority over personnel actions as if TBVME's executive director were an employee of TDLR.

Powers and duties of TBVME executive director. The bill would replace the authorization for TBVME to employ an executive director with a requirement for TBVME to appoint an executive director, who would serve at the will of TBVME. The bill would establish that the duties of the TBVME executive director included performing any duties assigned by the board and other duties specified by law, administering and enforcing the board's programs, and issuing TBVME-regulated licenses.

The bill also would remove the TBVME director's duties related to safekeeping the money collected under the Veterinary Licensing Act and properly disbursing the veterinary fund account. The director would be authorized to delegate any assigned powers and duties unless prohibited by law and to issue emergency orders and cease and desist orders. The executive director also would be authorized to request or compel by subpoena witnesses and evidence relevant to investigations.

Powers and duties of TBVME. The bill would authorize TBVME to prescribe the duties and compensation of personnel it employed, subject to the personnel policies and budget approved by the board. TBVME would be required to supervise the executive director's administration of the Veterinary Licensing Act, formulate policy objectives for the board, and approve the board's operating budget and requests for legislative appropriations.

SB 2155 would require, rather than authorize, TBVME to adopt necessary rules to administer the Veterinary Licensing Act and to adopt rules of professional conduct appropriate to establish and maintain a high standard of integrity, skills, and practice in the veterinary medicine profession.

Public access. SB 2155 would replace requirements requiring TBVME to keep a registry of license holders with a requirement for TBVME to maintain an electronic system allowing it to provide accurate reporting of information relating to license holders and applicants, complaints, enforcement actions, investigations, and inspections. TBVME would have to provide on its public-facing website a feature to allow users to verify certain license holders' information, updated data regarding complaints, and information directing licensed veterinarians to approved peer assistance programs.

Applicant or license-holder email address. The bill would authorize TBVME to require an applicant for a license or a license holder to provide an email address, which would be confidential and not subject to disclosure under the Public Information Act, for purposes of receiving correspondence. TBVME could serve any required notice, order, or pleading electronically to the email address provided, notwithstanding any other law.

Inspections and investigations. The bill would authorize TBVME to conduct inspections or investigations as necessary to enforce the laws it administered and to take the following actions to perform its functions:

- enter a veterinary medical facility or other business premises of a person regulated by the board, or of a person suspected of being in violation of, or threatening to violate, a law administered by the board, or a rule or order of the board or executive director, during reasonable business hours;
- examine and copy pertinent records; and
- take authorized disciplinary action for a violation identified during an inspection.

The bill would replace the authorization for TBVME to conduct a risk-based inspection of a veterinarian's practice based on information obtained from the veterinarian or another source about a veterinarian's use, handling, prescribing, dispensing, or delivery of controlled substances with a requirement for the board to prioritize inspections relating to key risk factors it identified, including previous violations by the license holder, or information about a veterinarian's use, handling, prescribing, dispensing, or delivery of controlled substances.

The bill would authorize TBVME to use alternative inspection methods, including videoconference or similar technology, instead of conducting an in-person inspection in circumstances the board considered appropriate.

Refunds. If TBVME found that a license holder committed an act that was grounds for statutory license denial or disciplinary action, the board or executive director would be authorized to order a license holder to pay

a refund to a consumer as provided in an agreed settlement, default order, or board order instead of or in addition to imposing an administrative penalty or sanction. The amount of an ordered refund could not exceed the amount the consumer paid to the license holder for a service regulated by TBVME and could not require payment of other damages or estimate harm. The bill would specify that the board would not be granted jurisdiction over a complaint based solely on the cost of a veterinary service.

Complaint investigation and disposition. SB 2155 would require TBVME to adopt rules relating to the disposition, in addition to the investigation, of complaints filed, and would remove the requirement that the rules had to give the person who filed the complaint the opportunity to explain the allegations made in the complaint. The bill also would remove the requirement that the rules had to prescribe guidelines concerning the categories of complaints that required the use of and procedures for obtaining the services of a private investigator.

Procedures for complaints. The bill would require TBVME to assign priorities and investigate complaints based on the risk posed to the public by the conduct alleged in the complaint and to prioritize complaints regarding persons engaged in veterinary medicine without a license.

The bill would amend provisions on the dismissal of baseless complaints by removing requirements for TBVME to dismiss the complaint within 180 days after an official investigation began and to include a statement in the record regarding the reason for dismissal.

TBVME would be authorized to contract with a qualified individual to assist in reviewing or investigating complaints requiring medical expertise and, except for an act involving fraud, conspiracy, or malice, an individual with whom the board contracted would be immune from liability or from disciplinary action and could not be subject to a suit for damages for any act that arose from the performance of the individual's duties in:

- participating in an informal conference to determine the facts of a complaint;

- offering an expert opinion or technical guidance on an alleged violation of the Veterinary Licensing Act or a rule or order issued by the board or executive director;
- testifying at a hearing regarding a complaint; or
- making an evaluation, report, or recommendation regarding a complaint.

The bill would prohibit a veterinarian board member who reviewed such a complaint from deliberating or voting in, rather than from participating in, any subsequent disciplinary proceeding related to the complaint.

SB 2155 also would require TBVME to adopt rules relating to the evaluation and disposition of complaints not requiring medical expertise and remove the authorization for TBVME to delegate to a committee of board staff the authority to dismiss or enter into an agreed settlement for such a complaint, as well as remove provisions on related proceedings.

Confidentiality. The bill would establish that a complaint and investigation concerning a person to whom the Veterinary Licensing Act applied, and all information and materials subpoenaed or compiled by TBVME in connection with the complaint and investigation, would be confidential, with certain exceptions, and not subject to disclosure under the Public Information Act or disclosure, discovery, subpoena, or other means of legal compulsion for their release to any person.

The bill would remove provisions establishing a board record as a public record available for public inspection during normal business hours and provisions that considered complaints, investigation files and records, and other investigation reports and all other investigative information possessed by TBVME regarding a license holder as privileged and confidential and not subject to discovery, subpoena, or other means of legal compulsion for release to anyone other than the TBVME or agents involved in discipline of a license holder.

The bill would authorize TBVME to disclose information regarding a complaint or investigation to:

- a person providing testimony or review on the board's behalf in a disciplinary proceeding;
- a respondent or the respondent's authorized representative;
- a professional licensing, credentialing, or disciplinary entity;
- a peer assistance program approved by the board;
- a law enforcement agency; or
- a person engaged in bona fide research, if all individual-identifying information was deleted.

TBVME could not be compelled to release or disclose complaint and investigation information or materials to a listed entity if the board had not issued a notice of alleged violation related to the information or materials. The bill would establish that such notices, as well as certain disciplinary orders, were not confidential and would be subject to disclosure under the Public Information Act.

TBVME would be authorized to temporarily withhold or otherwise refrain from disclosing to any person any information or materials that it would otherwise be required to disclose if an investigation would be jeopardized by the disclosure of information relating to a complaint or investigation.

Licensing examinations. SB 2155 would reenact and amend provisions enacted by the 82nd Legislature to require TBVME to remove the requirement that TBVME conduct veterinarian licensing examinations at a time and place determined convenient for applicants. The reenacted provision would require TBVME to provide notice of a licensing examination on its website, rather than by publication in a newspaper or periodical, and remove the requirement for TBVME to examine each qualified applicant who attended the examination.

License reinstatement after certain felony convictions. The bill would authorize TBVME to reinstate or reissue a revoked license only upon determining that reinstatement or reissuance of the license was in the best interests of the public and the person whose license was revoked if the license was revoked by:

- operation of law pursuant to relevant statutes upon imprisonment after a conviction of a felony under the Texas Controlled

Substances Act or provisions governing dangerous drugs in the Health and Safety Code; or

- TBVME upon conviction of a license holder of an offense under provisions related to inhalant paraphernalia, controlled substances, or dangerous drugs in the Health and Safety Code.

The bill would remove certain procedures related to administrative hearings for suspended licenses and require TBVME to prescribe notice procedures for proceedings under the chapter.

The bill would require TBVME to adopt procedures to require the presence of a member of the board's legal staff, rather than the presence of the board's general counsel, to advise TBVME during informal proceedings. The bill also would remove the authorization for a committee of board staff to recommend enforcement actions at informal proceedings not requiring medical expertise and remove provisions regarding refunds and penalties on license holders.

License denial and disciplinary procedures. For any action or complaint for which the board proposed to impose on a person a sanction other than a reprimand or a denial, suspension, or revocation of a license, the bill would authorize TBVME to:

- defer the final proposed action if the person conformed to conditions imposed by the board; and
- dismiss the complaint if the person met the imposed conditions.

A deferred action would not be confidential and would be subject to disclosure under the Public Information Act. If the action was dismissed, the deferred action would be confidential to the same extent as other filed complaints.

The bill would establish that a proceeding imposing an administrative penalty could be combined with a proceeding to impose an administrative sanction and that applicable requirements for administrative penalties would apply to the imposition of the sanction.

SB 2155 would remove a committee of board staff from provisions allowing committees to issue reports regarding violations of the chapter.

The bill would specify that, no later than 20 days after a person received a notice of an alleged violation, a person could accept TBVME's, rather than the committee's, determination. If the person accepted the determination and recommended penalty, TBVME would have to approve the determination and require the person to pay the related penalty.

Hearing. If a respondent requested a hearing, the hearing would have to be conducted by the State Office of Administrative Hearings (SOAH), which would be required to consider TBVME's applicable substantive rules and policies when conducting the hearing. The bill would remove the requirement for the executive director to set the hearing and give notice if a person requested a hearing or failed to respond timely to a notice, as well as provisions establishing that such a hearing would have to be held by an administrative law judge of the State Office of Administrative Hearings.

The bill would add a license sanction to the possible decisions that could be made by an administrative law judge or by the board in response to a violation. The bill also would require a person, after the board's order became final, to pay the administrative penalty and file a petition for judicial review contesting the order, rather than the fact of the violation, the amount of the penalty, or both, and would make conforming changes.

Cease and desist order. SB 2155 would authorize TBVME or the board's executive director to issue a cease and desist order upon determining one was necessary to prevent a violation of the Veterinary Licensing Act or of a rule adopted or order issued by the board.

Issuance of emergency orders. Upon determining that an emergency existed requiring immediate action to protect the public health and safety, TBVME or its executive director would be authorized to issue an emergency order to suspend or revoke a license or other authorization issued under a program regulated by TBVME or halt operation of an unsafe veterinary medical facility. TBVME could issue an order with or without notice and hearing.

If an emergency order was issued without a hearing, TBVME would be required to set the time and place for a SOAH hearing to affirm, modify, or set aside the emergency order within 17 days after the date the order was issued. The bill would require the order to be affirmed to the extent that reasonable cause existed to issue the order and would specify that such a proceeding would constitute a contested case under the Administrative Procedure Act.

Other provisions. SB 2155 would specify that provisions governing state agency advisory committees would not apply to an advisory committee appointed by TBVME.

The bill also would authorize TBVME, with the governor's approval, to enter into an agreement with another state to allow for licensing by reciprocity.

The bill would repeal the provisions related to:

- disposition of a complaint;
- the authorization for a court to determine violations and penalties;
- subjection of informal proceedings to the Administrative Procedure Act; and
- fines for board members or employees.

The bill would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, the bill would incur costs beginning in fiscal year 2028.

- SUBJECT:** Establishing an advanced nuclear energy workforce development program
- COMMITTEE:** State Affairs — committee substitute recommended
- VOTE:** 14 ayes — King, Hernandez, Anchía, Darby, Y. Davis, Geren, Guillen, Hull, McQueeney, Metcalf, Phelan, Raymond, Thompson, Turner
- 0 nays
- 1 absent — Smithee
- SENATE VOTE:** On final passage (April 1) — 31 - 0
- WITNESSES:** For — Cyrus Reed, Lone Star Chapter Sierra Club; Jeremy Mazur, Texas 2036 (*Registered, but did not testify*: Zanir Ali, CPS Energy; Will McAdams, Dow; Leticia Van de Putte, Natural Resources; Matt Creel, Opportunity Austin; Caleb Troxclair, REPLOY Power; Megan Mauro, Texas Association of Business; Rick Lord, Texas Building Trades; Mia McCord, Texas Chemistry Council; Julia Harvey, Texas Electric Cooperatives; John Pitts, Texas Energy Buyers Alliance; Reed Clay, Texas Nuclear Alliance; Taylor Kilroy, Texas Public Power Association)
- Against — (*Registered, but did not testify*: Osman Moradel, Texas AFT)
- On — Kerry Ballast, Texas Workforce Commission
- BACKGROUND:** Concerns have been raised that employers in the nuclear energy sector have faced a shortage of skilled workers in key fields such as nuclear-grade welding, radiological monitoring, reactor operations, and nuclear engineering.
- DIGEST:** CSSB 1535 would require the Texas Workforce Commission (TWC) to establish and administer by rule the Advanced Nuclear Energy Workforce Development Program to address urgent skilled labor demands in the advanced nuclear energy industry in Texas in collaboration with the Texas Education Agency (TEA) and the Texas Higher Education Coordinating Board (THECB) and in consultation with representatives designated by

the Public Utility Commission (PUC) to coordinate the state's nuclear energy strategies.

Under the program, TWC would be required to create a strategic plan for addressing labor supply gaps and talent retention issues in the advanced nuclear energy industry, as well as providing financial assistance, including through the creation of strategic partnerships among public and private entities and advanced nuclear energy industry stakeholders, to incentivize and support:

- the development of programming and outreach efforts designed to create awareness of nuclear science and career opportunities in the field of advanced nuclear energy among public school students;
- the creation of academic pathways from secondary school to education and training programs at higher education institutions in the field of advanced nuclear energy;
- the creation by higher education institutions of education and training programs in the field of advanced nuclear energy; and
- research and leadership development in the field of advanced nuclear energy at general academic teaching institutions.

TWC also would be required to develop customized curriculum requirements for degree and certificate programs to prepare students for high-wage jobs in the advanced nuclear energy industry that, subject to THECB, could be offered by a higher education institution. In developing curriculum requirements, TWC would have to consult with representatives of TEA, THECB, PUC, general academic teaching institutions, public technical institutes, public junior colleges, and employers in the advanced nuclear energy industry.

The bill also would require TWC, in developing curriculum requirements, to focus on developing academic pathways to and curricula for programs leading to high-wage jobs in the areas of nuclear-grade welding, radiological control and monitoring, reactor operations, nuclear instrumentation and control, and nuclear, electrical, chemical, civil, and environmental engineering.

By September 1 of each year, TWC, in consultation with TEA and THECB, would have to prepare and submit to each standing committee of the Legislature with primary jurisdiction over workforce development, higher education, or energy industry matters a report summarizing TWC's activities under the program. The report could include TWC's recommendations for legislative or other action.

CSSB 1535 would take effect September 1, 2025.

SUBJECT: Amending broadband development programs, mapping, and taxation

COMMITTEE: State Affairs — committee substitute recommended

VOTE: 14 ayes — King, Hernandez, Anchía, Darby, Y. Davis, Geren, Guillen,
Hull, McQueeney, Metcalf, Phelan, Raymond, Thompson, Turner

0 nays

1 absent — Smithee

SENATE VOTE: On final passage (April 15) — 27 – 4

WITNESSES: None (*Considered in a formal meeting on May 7*)

BACKGROUND: Concerns have been raised that current law may limit the Texas Broadband Development Office’s ability to adapt to federal program requirements and effectively allocate state funds. Some have suggested updating Texas’ broadband regulation to streamline grant application processes, improve mapping, and reduce tax burdens related to internet service and broadband grant awards.

DIGEST: CSSB 1405 would modify provisions pertaining to the Texas Broadband Pole Replacement Program, the state broadband development map, the Broadband Development Program, and taxation related to internet service and broadband grants.

Definition. The bill would amend the definition of broadband service to mean Internet service with the capability of providing a speed of not less than 100, rather than 25, megabits per second for downloads and 20, rather than 3, megabits per second for an upload.

Texas Broadband Pole Replacement Program. For the purposes of the Texas Broadband Pole Replacement Program, “qualifying broadband service” would have the definition of broadband service as amended by the bill. CSSB 1405 would amend the requirement for the comptroller to

maintain and publish certain statistical data regarding the Texas Broadband Pole Replacement Program by:

- changing the deadline from the 60th day after the fund received money for the program to November 1 each year;
- removing the specification that the information be maintained, in addition to published, on the comptroller's website;
- specifying that data, including the estimated amount of available grant money from the program, would have to be from the preceding fiscal year.

State broadband development map. CSSB 1405 would revise the conditions a location would have to satisfy to be classified as an unserved location for the purposes of the state broadband development map.

The bill would specify that, regarding the condition for such a classification that the location did not have broadband access that met certain speed standards, the speed standards under state law would apply only if the comptroller had not required internet service to meet standards adopted by the Federal Communications Commission (FCC) that differed from state standards to qualify as broadband service. If the comptroller did not establish such a requirement, the federal speed standards would be the threshold for classification purposes. The bill also would provide for a public school or community anchor institution that did not have access to reliable gigabit-level broadband service to be classified as an unserved location for these purposes.

The bill would remove the specification that the office was allowed to conduct an evaluation of the usefulness of the standards for unserved and underserved locations only after the creation of the initial map. The bill would specify that the office would not be required to create, update, or publish a map if the office adopted a map produced by the FCC that enabled the office to identify unserved, underserved, and served locations, rather than if the FCC had produced a map enabling the office to identify eligible and ineligible areas.

The bill would repeal certain provisions:

- authorizing the collection and confidentiality of information related to the broadband development map from a political subdivision or private consultant if information from the FCC was not available;
- allowing and establishing requirements for the office to contract with certain entities to provide technical or administrative assistance; and
- requiring the office to establish criteria related to the reclassification of served and unserved locations.

Broadband Development Program. CSSB 1405 would expand provisions relating to grants, loans, or financial awards awarded under the Broadband Development Program to apply to contracts and remove the specification that contracts, grants, loans, or financial incentives were awarded to applicants.

The bill would remove the requirement for the Texas Broadband Development Office and the comptroller to establish eligibility and award criteria and the manner of notice of such criteria to applicants, replacing it with a requirement that the office take into consideration and prioritize certain criteria in awarding grants to the extent applicable.

The bill would specify that the prohibition on the office awarding a contract, grant, loan, or other financial incentive to a noncommercial provider of broadband service for a serviceable location if an eligible commercial service provider had submitted an application for the same location would apply only to the deployment of last-mile broadband service by a noncommercial provider.

The bill would revise conditions under which the office would be required to accept a written protest of a submitted application to specify that such a protest would have to relate to whether the broadband-serviceable locations contained in the application were eligible to receive funding, rather than to whether the applicant or project was eligible for an award or should not receive an award based on the office's prescribed criteria.

The office would be required to publish on the comptroller's website certain information regarding each grant awarded, including the recipient's name, the area targeted for broadband service access, and the grant amount.

Tax provisions. The bill would expand the definition of "qualifying broadband grant" under Tax Code provisions related to franchise tax on broadband development grants to include a grant for broadband deployment received by a taxable entity from the comptroller under the Texas Broadband Pole Replacement Program. For the purposes of this definition, a reimbursement award received by a taxable entity for infrastructure or funding would be considered a grant for broadband development.

CSSB 1405 would remove internet access service from the list of taxable services subject to the sales and use tax and repeal the sales and use tax exemption for the first \$25 of a monthly charge for the sale, use, or consumption of internet service access.

Broadband Development Council. CSSB 1405 would abolish the governor's broadband development council.

Effective date. CSSB 1405 would not affect a tax liability accruing before the bill's effective date and would apply only to a report originally due on or after January 1, 2026.

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

SUBJECT: Designating the Bill Stoudt Parkway

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

SENATE VOTE: On final passage (May 1) — 31 - 0

WITNESSES: None

BACKGROUND: Some have suggested that the life and legacy of Bill Stoudt of Gregg County should be formally honored to memorialize his service to his community.

DIGEST: SB 1423 would designate the portion of Farm-to-Market Road 2275 in Gregg County between its intersection with U.S. Highway 259 and Spur 502/Judson Road as the Bill Stoudt Parkway. This designation would be in addition to any other designation.

Subject to certain Transportation Code provisions requiring a grant or donation of funds for this purpose, the bill would require TxDOT to design and construct markers to indicate the designation with any other appropriate information and to erect a marker at each end of the highway and the appropriate intermediate sites along the highway.

The bill would take effect September 1, 2025.

- SUBJECT:** Allowing utility connection without platting certificate for certain properties
- COMMITTEE:** State Affairs — favorable, without amendment
- VOTE:** 14 ayes — King, Hernandez, Anchía, Darby, Y. Davis, Geren, Guillen, Hull, McQueeney, Metcalf, Phelan, Raymond, Thompson, Turner
- 0 nays
- 1 absent — Smithee
- SENATE VOTE:** On final passage (April 10) — 30 - 0
- WITNESSES:** For — Frances Blake, Texas Association of Builders (*Registered, but did not testify*: Howard Cohen, Schwartz, Page & Harding, LLP)
- Against — None
- BACKGROUND:** Concerns have been raised that some property owners who have successfully withdrawn from a municipality’s extraterritorial jurisdiction have been denied utility connections, even when their property lies within a municipal utility’s certificate of convenience and necessity area. Some have suggested that providing an exception to the prohibition of utility service connections without the presentation of an applicable platting certificate for properties within an area removed from a municipality’s extraterritorial jurisdiction would help eliminate confusion for certain residents and property owners seeking utility connections.
- DIGEST:** SB 1566 would extend authorization to serve or connect land with water, sewer, electricity, gas, or other utility service to a plat of land to an authorized entity if the land were released from a municipality’s extraterritorial jurisdiction and the entity held a certificate of convenience and necessity to serve the land.
- The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2025.

SUBJECT: Amending restitution and compensation for trafficking victims

COMMITTEE: Criminal Jurisprudence — favorable, without amendment

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

0 nays

1 absent — Bowers

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

WITNESSES: For — (*Registered, but did not testify*: Jason Sabo, Children at Risk; Thomas Parkinson)

Against — None

On — Brody Burks, Office of the Attorney General (*Registered, but did not testify*: Lane Brown, Allison Garcia, Office of the Attorney General)

BACKGROUND: Code of Criminal Procedure art. 42.0372(a) requires a court to order a defendant convicted of a trafficking of persons or compelling prostitution offense to pay restitution in an amount equal to the cost of necessary rehabilitation, including medical, psychiatric, and psychological care and treatment, for any victim of the offense who is younger than 18 years of age.

Some have suggested that expenses for tattoo removal should be included in court-ordered restitution, as survivors of human trafficking are often forcibly tattooed by their traffickers.

DIGEST: SB 1804 would amend Code of Criminal Procedure art. 42.0372(a) to require that the amount of restitution include the cost of removing a tattoo that the victim received as a result of force, fraud, or coercion related to the offense.

The bill would establish that restitution would be owed by a defendant convicted of any trafficking or prostitution related offense, instead of the specific offenses of trafficking of persons or compelling prostitution, and remove the age limit for victims.

SB 1804 would amend the definition of “pecuniary loss” in the Crime Victims’ Compensation Act to include the amount of the expense reasonably and necessarily incurred as a result of personal injury or death for the removal of a tattoo the victim received as a result of force, fraud, or coercion related to the applicable offense. This amount would be capped at \$3,000.

The bill would take effect September 1, 2025.

SUBJECT: Extending JET Grant Program eligibility to juvenile justice entities

COMMITTEE: Criminal Jurisprudence — favorable, without amendment

VOTE: 7 ayes — Smithee, Wu, Cook, J. Jones, Louderback, Moody, Rodríguez Ramos
2 nays — Little, Money
1 absent — Bowers
1 present not voting — Virdell

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

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

BACKGROUND: The Texas Workforce Commission administers the Jobs and Education for Texans (JET) grant program, which provides grants to public colleges, school districts, and charter schools to assist with costs associated with developing new career and technical education programs. Some have suggested that education programs in the juvenile justice system should be eligible for JET grants to promote successful reentry into society for individuals in the juvenile justice system.

DIGEST: SB 1728 would extend eligibility to the Texas Juvenile Justice Department (TJJD), juvenile boards, and juvenile probation departments to receive grants from the Jobs and Education for Texans (JET) Grant Program.

The bill would add to the considerations that the Texas Workforce Commission (TWC) could consider in awarding a grant that TWC could consider whether the course or program offers new opportunities not previously available as part of any existing educational programs offered in facilities operated by TJJD, a juvenile board, or a juvenile probation department, including a facility operated by a private vendor under a

contract with one of these entities. The bill would make conforming changes to relevant provisions.

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

- SUBJECT:** Amending provisions on miniature vehicles
- 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
- SENATE VOTE:** On final passage (April 2) — 31 - 0
- WITNESSES:** For — None
- Against — None
- BACKGROUND:** Some have suggested that, given the rising popularity of miniature vehicles, the state should provide statutory clarity regarding their registration and highway operation.
- DIGEST:** SB 1816 would authorize a person to operate a miniature vehicle on a public highway only if the vehicle was properly registered and titled under state law and if the vehicle was capable of complying with applicable traffic laws.
- For purposes of registering a vehicle under the Certificate of Title Act, the bill would specify that a miniature vehicle would be considered a motor vehicle. The bill also would define a "miniature vehicle" as a miniature motor vehicle that:
- was designed to propel itself with four or more tires in contact with the ground;
 - complied with applicable federal law; and
 - was not a custom vehicle or street rod, a neighborhood electric vehicle, a golf cart, or an off-highway vehicle.

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

- SUBJECT:** Establishing HHSC as sole SHARS program administrator
- COMMITTEE:** Human Services — favorable, without amendment
- VOTE:** 10 ayes — Hull, Manuel, Dorazio, C. Morales, Noble, Richardson, Rose, Schatzline, Slawson, Swanson
- 0 nays
- 1 absent — A. Davis
- SENATE VOTE:** On final passage (April 24) — 30 - 1
- WITNESSES:** For — (*Registered, but did not testify:* Christine Busse, NAMI Texas; Jennifer Easley, Texas PTA)
- Against — (*Registered, but did not testify:* Robert Ewen, Texas State Billing Services; Steven Deline)
- On — (*Registered, but did not testify:* Steven Aleman, Disability Rights Texas; Michelle Erwin and Victoria Grady, Health and Human Services Committee; Andrea Chevalier, Texas Council of Administrators of Special Education (TCASE))
- BACKGROUND:** Some have suggested that schools would benefit from clearer guidance to ensure they can properly participate in the School Health and Related Services (SHARS) program and receive Medicaid reimbursement for delivering services to eligible students.
- DIGEST:** SB 1952 would establish that, in accordance with statutory provisions relating to the Health and Human Services Commission’s (HHSC) administration of Medicaid, HHSC was the sole state agency responsible for administering the School Health and Related Services (SHARS) program.
- The bill would require HHSC to oversee the participation of local education agencies as SHARS program providers, including administering provider training and providing information and guidance regarding the

program to those providers, including on applicable federal and state regulatory requirements.

HHSC also would be required to collaborate with regional education service centers to provide resources, information, and other appropriate assistance to local education agencies participating or seeking to participate as providers in the SHARS program.

SB 1952 would require HHSC and the Texas Education Agency to enter into a memorandum of understanding that specifically identifies the responsibilities of each agency with respect to operating the SHARS program.

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.

SUBJECT: Prohibiting the installation of sprinklers in certain agricultural facilities

COMMITTEE: Land & Resource Management — favorable, without amendment

VOTE: 7 ayes — Gates, Lalani, Y. Davis, Hunter, R. Lopez, Morgan, Virdell

0 nays

2 absent — Alders, Hinojosa

SENATE VOTE: On final passage (April 8) — 27 – 3

WITNESSES: None

BACKGROUND: Concerns have been raised that federal fire protection standards requiring the installation of sprinkler systems in certain animal agricultural facilities could result in biosecurity breaches that could create public health risks and halt food production operations.

DIGEST: SB 1948 would prohibit a governmental entity from adopting or enforcing an ordinance, order, rule, or other measure that required the installation of a fire protection sprinkler system in:

- an agricultural pole barn;
- a nonresidential farm building;
- a cotton gin;
- a cottonseed storage building;
- a grain storage facility;
- a livestock market; or
- a commercial feed mill.

The bill would define an “agricultural pole barn” as a nonresidential farm building in which 70 percent or more of the perimeter walls were permanently open and allowed free ingress and egress.

The bill would take effect September 1, 2025.

SUBJECT: Establishing expedited permit review process for certain LNG projects

COMMITTEE: Environmental Regulation — committee substitute recommended

VOTE: 6 ayes — Landgraf, Ordaz, Anchía, Morales Shaw, Oliverson, Toth

0 nays

3 absent — K. Bell, Bumgarner, Reynolds

SENATE VOTE: On final passage (April 24) — 29 - 2

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

BACKGROUND: Some have suggested that as global demand for liquefied natural gas (LNG) grows, Texas could benefit from a more streamlined permitting process to ensure timely construction and modification of LNG export terminals and support economic growth.

DIGEST: CSSB 2037 would require the Texas Commission on Environmental Quality (TCEQ) to establish, by rule, an expedited permit application review process for permit applications filed with TCEQ for a project to construct or modify a liquefied natural gas (LNG) export terminal.

Expedited review. Rules adopted under the bill would have to require an applicant who elected the expedited permit application review process to pay an additional fee in an amount TCEQ determined was necessary to cover the expedited review. This additional fee would be considered part of the application fee and would have to be deposited and used in the manner provided for the application fee under relevant provisions.

With respect to a permit application filed with TCEQ for a project to construct or modify an LNG export terminal, an initial preconstruction permit application, or a permit renewal application for such a project, the bill would require the TCEQ executive director to respond to relevant and material public comments on the preliminary decision filed during the public comment period by the 120th day after the close of that period.

Certain procedures for the permit application review and contested cases involving a project to construct or modify an LNG export terminal under the bill also would apply to such an initial application or renewal filed with TCEQ.

Contested permits. In a request for a contested case hearing involving a permit application filed with TCEQ for a project to construct or modify an LNG export terminal, the party requesting the hearing would be required to specify each reason the party was an affected person as defined by relevant provisions of the Water Code.

An administrative law judge would have to conduct a preliminary hearing by the 60th day after the date the executive director of TCEQ referred the application to the State Office of Administrative Hearings. The judge could grant one extension of time, not exceeding 15 days, upon request by any party.

The bill would take effect September 1, 2025.

NOTES:

The Legislative Budget Board could not determine the fiscal implications of the bill because the amounts and timing of expedited permit applications that would be received and the associated fees that would be assessed and collected to the General Revenue-Dedicated Water Resource Management Account No. 153 are unknown at this time.

SUBJECT: Keeping information of children confidential in tax exemption application

COMMITTEE: Ways & Means — favorable, without amendment

VOTE: 11 ayes — Meyer, Bernal, Button, Capriglione, Gervin-Hawkins, Muñoz,
Noble, V. Perez, Troxclair, Turner, Vasut

0 nays

2 absent — Martinez Fischer, Hickland

SENATE VOTE: On final passage (April 24) — 31 - 0

WITNESSES: For — (*Registered, but did not testify*: Leana Mann, Texas Association of
Appraisal Districts; Pat Fry; Russell Hayter)

Against — None

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

BACKGROUND: Concerns have been raised that certain personally identifiable information
of children associated with a property's ownership is not kept confidential
when an application for a tax exemption is filed with a chief appraiser.

DIGEST: SB 2068 would make the name, age, home address, or home telephone
number of a child, provided in an application for an exemption filed with
a chief appraiser confidential and not open to public inspection.

The bill would take effect September 1, 2025.

- SUBJECT:** Replacing workers' compensation maintenance tax with surcharge
- COMMITTEE:** Trade, Workforce & Economic Development — favorable, without amendment
- 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) — 27 - 4
- WITNESSES:** None (*Considered in public hearing on April 30*)
- BACKGROUND:** Concerns have been raised that the use of maintenance taxes to fund workers' compensation insurance has led to the overall effective tax rate for Texas workers' compensation insurers being higher than the effective tax rates for other states.
- DIGEST:** SB 1455 would replace the funding mechanism for regulating workers' compensation and workers' compensation insurance from the imposition of maintenance taxes to the imposition of surcharges. The surcharges would be assessed, collected, and paid in the same manner as the maintenance tax. A surcharge imposed under the bill would be considered a fee paid in the state.
- The bill would require the commissioner of insurance to set surcharge rates sufficient to recover the costs of regulating workers' compensation insurance, funding fraud enforcement, and supporting the Division of Workers' Compensation, as well as the workers' compensation research and evaluation group. The surcharges would apply to gross workers' compensation insurance premiums and to liabilities and expenses of certified self-insurers and self-insurance groups. The bill would change the limit on the maximum maintenance tax rate from 0.6 percent to a maximum combined surcharge rate of 2.7 percent.

Insurers and self-insurers would be authorized to recover the cost of surcharges either as an expense in rate filings or by charging policyholders. The bill would apply conforming changes to relevant provisions in the Insurance Code and Labor Code.

SB 1455 would take effect January 1, 2026.

- SUBJECT:** Establishing forced insurance bundling as unfair or deceptive practice
- 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 (March 27) — 30 - 0
- WITNESSES:** For — John ‘Ben’ Brown, American Adjuster Association; Ann Baddour, Texas Appleseed; Ware Wendell, Texas Watch (*Registered, but did not testify*); Charles Cascio, AARP Texas)
- Against — None
- On — Jon Schnautz, Insurance Council of Texas (*Registered, but did not testify*); Scot Kibbe, American Property Casualty Insurance Association (APCIA); David Muckerheide, TDI)
- BACKGROUND:** Some have suggested that although the Texas Department of Insurance has proposed a rule to address the practice of forced bundling, this prohibition should be codified in statute to ensure it is not rescinded in the future.
- DIGEST:** CSSB 213 would establish that it was an unfair method of competition or an unfair or deceptive act or practice in the business of insurance to:
- make the issuance, delivery, or renewal of a residential property insurance policy contingent on the purchase of a personal automobile insurance policy from the same insurer or an affiliated insurer; or
 - make the issuance, delivery, or renewal of a personal automobile insurance policy contingent on the purchase of a residential

property insurance policy from the same insurer or an affiliated insurer.

The bill would apply to an authorized insurer writing property and casualty insurance in the state. The bill would not apply to:

- an insurance policy delivered, issued for delivery, or renewed by the Texas Windstorm Insurance Association;
- a flood insurance policy delivered, issued for delivery, or renewed under the National Flood Insurance Program; or
- a personal umbrella insurance policy.

A person could not bring a private action against an insurer or an agent or representative of an insurer for a method, act, or practice described by the bill. The bill would not limit the authority of the attorney general to bring an action against unfair methods of competition and unfair or deceptive acts or practices in the business of insurance.

The bill would take effect September 1, 2025.

- SUBJECT:** Regulating migrant labor housing facilities, revising a civil penalty
- COMMITTEE:** Intergovernmental Affairs — favorable, without amendment
- VOTE:** 9 ayes — C. Bell, Zwiener, Cole, Cortez, Garcia Hernandez, Luther, Rosenthal, Spiller, Tepper
- 0 nays
- 1 absent — Lowe
- 1 present not voting — Leo Wilson
- SENATE VOTE:** On final passage (May 5) — 31 – 0
- WITNESSES:** None (*Considered in formal meeting on May 10*)
- BACKGROUND:** Concerns have been raised that some migrant agricultural workers are subject to inhumane living conditions, since the Texas Department of Housing and Community Affairs lacks enforcement mechanisms for noncompliance and has no civil penalty structure for repeated violations.
- DIGEST:** SB 243 would regulate migrant labor housing facilities by establishing a civil penalty, providing for a complaint process, and creating an educational outreach program.
- Civil penalty.** The bill would amend the civil penalty for violating migrant labor housing facility laws from \$200 for each day the violation occurred to not less than \$50 for each person occupying the migrant labor housing facility in violation of the law.
- An action to collect a civil penalty under the bill could be brought by the Texas Department of Housing and Community Affairs (TDHCA) through the migrant labor housing facility license suspension or revocation contested case hearing process, by the county attorney for the county in which the violation occurred, or the attorney general, at the request of TDHCA. Additionally, a migrant agricultural worker could bring such an

action if a complaint regarding the violation for which the civil penalty was sought had been submitted and the worker lived in the migrant labor housing facility that was the subject of the complaint and was not temporarily in the United States under an H-2A visa for foreign nationals employed in temporary agricultural work at the time the complaint was submitted.

An action to collect a civil penalty could not be brought while:

- a contested case hearing brought by TDHCA and relating to the same migrant labor housing facility was pending;
- an action for injunctive relief relating to the same violation was pending;
- an action brought by a county attorney or the attorney general and relating to the same migrant labor housing facility was pending; or
- the operator of the migrant labor housing facility that was the subject of the action was waiting for the facility to be inspected to confirm remediation of the violation that was the subject of the action or providing housing at a facility to which the migrant agricultural workers who occupied the facility that was the subject of the action had been relocated.

A civil penalty would begin accruing on the earlier of:

- for a violation with a remediation period for a complaint in general, the day that TDHCA determined based on information submitted that the operator had failed to remedy the violation or an inspection established that the migrant housing facility operator had failed to remedy the violation; or
- for a violation with a remediation period for a complaint regarding certain violations, the 31st day following the date that notification of the complaint was received from TDHCA, unless the operator had relocated the migrant agricultural workers who occupied the facility that was the subject of the complaint.

TDHCA would be required to adopt a penalty schedule that increased the amount of the penalty assessed against a person who repeatedly violated

the bill. A penalty collected under an action brought by TDHCA through the contested case hearing process or the county attorney for the county in which the violation occurred would be deposited to the credit of the general revenue fund and could be appropriated only to TDHCA for the enforcement of the bill.

The court in a suit brought under the bill could award reasonable attorney's fees to the prevailing party.

Complaint. The bill would define a "designated representative" as an individual or organization to whom a migrant agricultural worker had given written authorization to exercise the worker's right to file a complaint.

TDHCA would be required to establish a process for submitting a complaint to TDHCA regarding a migrant labor housing facility, determining whether a complaint was unfounded or did not violate the standards adopted by TDHCA, and investigating, resolving, or dismissing a complaint, including confirming remediation through the methods described by the bill.

The bill would require that complaints only be submitted by an occupant of the migrant labor housing facility that was the subject of the complaint, a prospective occupant of the migrant labor housing facility that was the subject of the complaint, the designated representative of a person described above, or an individual, including the owner or tenant of an adjacent property, that had observed a clear violation of the bill. The complaint would have to be submitted through the TDHCA's Internet website, in person at any TDHCA office, or by telephone or written notice to TDHCA.

Within five days after TDHCA received a complaint, TDHCA would be required to notify the operator of the migrant labor housing facility that was the subject of the complaint. Notice would have to include the date that the complaint was received, the subject matter of the complaint, the name of each person contacted in relation to the complaint, if any, and the timeline for remedying a complaint that was not otherwise dismissed by TDHCA. If TDHCA was unable to make contact with an operator of a

migrant labor housing facility for the purpose of serving a notification of a complaint, TDHCA would be required to serve the notification of the complaint via registered or certified mail, return receipt requested.

If TDHCA determined that a complaint was unfounded or did not violate the standards adopted by rule, TDHCA could dismiss the complaint and would be required to include a statement of the reason for the dismissal in the record of the complaint. TDHCA would be required to provide timely notice of any dismissal of the complaint, including the explanation for the dismissal, to the operator of the migrant labor housing facility that was the subject of the complaint.

A designated representative could not be required to reveal the name of any migrant agricultural worker on whose behalf the representative submitted a complaint if TDHCA reviewed the written authorization establishing representation and verified that the representative was authorized to submit the complaint.

Remediation of complaint in general. Within seven days after a complaint notice was received, the operator of a migrant labor housing facility would be required to remedy the complaint. TDHCA would be required to establish a procedure by which the operator of a migrant labor housing facility could submit proof of remediation of a complaint through visual evidence and a sworn affidavit. For an operator of a migrant labor housing facility who received notice via mail or who did not submit proof of remediation in the manner provided above, TDHCA would be required to have the facility inspected as soon as possible following the seventh day after the date notice was received to ensure remediation of the complaint.

Remediation of complaint regarding certain violations. Within 30 days after a complaint notice was received, the operator of a migrant labor housing facility that was the subject of certain complaints would be required to remedy the complaint. These provisions would apply only to a complaint that alleged a violation that TDHCA determined posed an imminent hazard or threat to the health and safety of the occupants of the facility, including violations of rules adopted by TDHCA concerning sanitation. TDHCA could refer an applicable complaint to a local authority for immediate inspection of the housing facility.

TDHCA would be required to establish a procedure for requiring the owner of a migrant labor housing facility to relocate or provide for the relocation to another housing facility of the occupants of a facility that was the subject of a complaint described above if the remediation of that complaint was projected to take longer than 30 days. A housing facility to which a person was relocated under these provisions would be required to meet the occupancy standards adopted by the bill and be located in the same vicinity as the vacated facility, and could not require a rent payment from a displaced migrant agricultural worker that exceeded the rent charged for the vacated facility. These provisions would not apply to a migrant agricultural worker who was temporarily in the United States under an H-2A visa.

Retaliation prohibited. The bill would prohibit a person who owned, established, maintained, operated, or otherwise provided a migrant labor housing facility, a person who employed a migrant agricultural worker who occupied a migrant labor housing facility, or a farm labor contractor from retaliating against a person for filing a complaint or providing information in good faith relating to a possible violation of the bill.

Interagency cooperation. TDHCA would be required to identify other state agencies that could interact with occupants of migrant housing facilities to assist TDHCA in identifying and locating unlicensed migrant labor housing facilities. Information provided to TDHCA could be used only for the purposes of identifying and locating unlicensed migrant labor housing facilities, would be free of identifying information relating to individual migrant agricultural workers, and would be confidential and not subject to disclosure under the Public Information Act.

Outreach and education. The bill would require TDHCA to provide, to migrant agricultural workers in different regions of the state, educational materials or programs that were presented in English, Spanish, and other languages as appropriate and that informed the workers of their rights and remedies under the bill and, to persons who owned, established, maintained, operated, procured, made arrangements for, or otherwise provided migrant labor housing facilities, educational materials or programs that were presented in English, Spanish, and other languages as

appropriate and that informed the persons of their obligations under the bill.

TDHCA would be required to ensure that, in each region of the state where migrant labor housing facilities were most common, there were persons capable of providing this information above in English, Spanish, and other languages as appropriate, and conduct research, including by surveying migrant agricultural workers, concerning what types of migrant labor housing facilities were most common in different regions of the state and what regions of the state most needed additional or improved migrant labor housing facilities.

SB 243 would take effect September 1, 2025, and TDHCA would be required to adopt the rules necessary to implement the bill by March 1, 2026.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of \$1,068,014 to general revenue related funds through the biennium.

SUBJECT: Amending licensing requirements for dietitians

COMMITTEE: Public Health — favorable, without amendment

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

0 nays

1 absent — Campos

SENATE VOTE: On final passage (March 11) — 31 - 0

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

Against — None

On — (*Registered, but did not testify:* Mary Hoffman, TDLR)

BACKGROUND: Concerns have been raised that although the Texas Department of Licensing and Regulation ceased offering new provisional dietitian licenses in 2017, references to provisional licensed dietitians remain in current law, along with certain fitness requirements for applicants.

DIGEST: SB 627 would remove the requirement for the Texas Commission of Licensing and Regulation (TCLR) or the Texas Department of Licensing and Regulation (TDLR) to establish fitness requirements for applicants for a dietitian license.

The bill also would remove the title “provisional licensed dietician” from the titles for which a person was required to have an appropriate dietician license.

For the purposes of certain provisions on grounds for refusing license renewal due to failure to pay an administrative penalty, the bill would specify that these provisions applied to an administrative penalty imposed under provisions on TDLR administrative penalties generally.

SB 627 would repeal certain Occupations Code provisions relating to the definition of a provisional licensed dietitian, a registry of licensed and provisional licensed dietitians, and certain sanctions imposed on a licensed dietitian by the State Office of Administrative Hearings.

The bill would take effect September 1, 2025.

- SUBJECT:** Amending repayment of certain mental health profession education loans
- COMMITTEE:** Higher Education — favorable, without amendment
- VOTE:** 9 ayes — Wilson, Howard, A. Davis, Lalani, Lambert, V. Perez, Shaheen, VanDeaver, Ward Johnson
- 2 nays — Shofner, Tinderholt
- SENATE VOTE:** On final passage (April 30) — 25 - 6
- WITNESSES:** For — Shannon Noble, Texas Counseling Association (*Registered, but did not testify*); Stacy Wilson, Children’s Hospital Association of Texas; Cole Glosser, Coalition of Texans with Disabilities; Garry Jones, DFER TX; Christine Yanas, Methodist Healthcare Ministries; Christine Busse, NAMI Texas; Bryan Mares, National Association of Social Workers - Texas; Tessa Galloso, Texans Care for Children; Mckenzie Martin, Texas Association of Community Health Centers; Cassandra Hulsey, Texas Association of School Psychologists; Stephanie Battaglia, Texas CASA; Andrea Chevalier, Texas Council of Administrators of Special Education (TCASE); Will Holleman, Texas Hospital Association; Stefanie Page, Texas Pediatric Society; Mary Beth Kiser, Texas Psychological Association; Ashley Harris, United Ways of Texas; Steven Deline
- Against — (*Registered, but did not testify*: Marcus Mitias, Texas Health Resources)
- BACKGROUND:** Education Code sec. 61.607 authorizes a mental health professional to receive repayment assistance for up to three years, provided the professional establishes eligibility each year. The amount of repayment assistance a professional is eligible for in a year is 33.33 percent of the maximum total amount of assistance allowed, as follows:
- \$160,000 for a licensed physician;
 - \$80,000 for a psychologist and doctorate-holding licensed clinical social workers, licensed professional counselors, and licensed marriage and family therapists;

- \$60,000 for an advanced practice registered nurse;
- \$40,000 for a licensed school psychology specialist, as well as non-doctorate holding licensed clinical social workers, licensed professional counselors, and licensed marriage and family therapists; and
- \$10,000 for a licensed chemical dependency counselor who has received a relevant associate's degree.

The Mental Health Professionals Loan Repayment Program was created by the Legislature in 2015. Some have suggested that the program be updated to address the state's current mental health needs amid a shortage of mental health providers.

DIGEST: SB 646 would amend education loan repayment provisions for mental health professionals.

Definition. The bill would amend the definition of "mental health professional" to include:

- a licensed master social worker;
- a person who held a licensed professional counselor associate license issued by the Texas State Board of Examiners of Professional Counselors;
- a licensed marriage and family therapist associate; and
- a certified school counselor who had earned at least a master's degree related to counseling from any public or accredited private higher education institution.

Loan repayment eligibility. The bill would add providing mental health services to public school students to the list of services that could establish a mental health professional's eligibility for loan repayment assistance. If, in a fiscal year, not all funds available for purposes of the repayment program were used, the Texas Higher Education Coordinating Board (THECB) could allocate any unused funds to award repayment assistance grants to mental health professionals. The bill would remove the limitation that THECB could only award a grant to a mental health professional employed as a licensed marriage and family therapist.

Amount of repayment assistance. The bill would amend Education Code sec. 61.607 to increase the amounts of state repayment assistance received by mental health professionals and expand the list of eligible professionals. These amounts could not exceed:

- \$180,000 for a licensed physician;
- \$100,000 for a psychologist and doctorate-holding licensed clinical social workers, licensed professional counselors, and licensed marriage and family therapists;
- \$80,000 for an advanced practice registered nurse;
- \$60,000 for a licensed school psychology specialist, a licensed master social worker, a licensed professional counselor associate, a licensed marriage and family therapist associate, or a certified school counselor, as well as non-doctorate holding licensed clinical social workers, licensed professional counselors, and licensed marriage and family therapists;
- \$50,000 for a licensed chemical dependency counselor, if the counselor had received a license and relevant degree within the same 12-month period; and
- \$15,000 for a licensed chemical dependency counselor, if the counselor had received at least a relevant associate's degree.

A mental health professional who received repayment assistance under the bill would be eligible to receive repayment assistance in addition to the amounts specified above as follows:

- a one-time amount of \$5,000 for a mental health professional who was fluent in a language of need in the professional's practice area as determined by THECB;
- a one-time payment of \$10,000 for a mental health professional who practiced in a county with a population of 150,000 or less; and
- \$15,000 per year for a mental health professional who practiced for a fourth and fifth consecutive year in a manner pursuant to repayment assistance eligibility requirements.

The total amount of repayment assistance issued to a mental health professional could not exceed the amount established by the bill for the applicable profession plus 10 percent of that amount.

THECB could use funds, in an amount not to exceed \$1 million appropriated for the bill's purposes, to market the repayment program to students enrolled in postsecondary institutions, mental health professionals, and mental health professional organizations and associations. THECB could contract with a third party for this purpose, and either THECB or the third party could develop marketing plans or promotional materials to market the program.

Repeal. SB 646 would repeal a provision that authorizes THECB to allocate unused funds to award repayment assistance grants to mental health professionals under certain circumstances.

Application. The bill would apply only to a person who first established loan repayment assistance eligibility on or after September 1, 2025.

The bill would take effect September 1, 2025.

- SUBJECT:** Allowing access to certain sun protection products with informed consent
- COMMITTEE:** Public Health — favorable, without amendment
- VOTE:** 12 ayes — VanDeaver, Bucy, Collier, Cunningham, Frank, Johnson, J. Jones, Olcott, Pierson, Schofield, Shofner, Simmons
- 0 nays
- 1 absent — Campos
- SENATE VOTE:** On final passage (April 10) — 29 - 1
- WITNESSES:** For — Eric Woomer, Texas Dermatological Society (*Registered, but did not testify*); Travis McCormick, Make Texans Healthy Again; Steven Deline)
- Against — (*Registered, but did not testify*): Shelby Evans)
- BACKGROUND:** Concerns have been raised that current Food and Drug Administration (FDA) regulations prevent Americans from accessing certain high-performance sunscreen ingredients available in other countries. Some have suggested allowing patients access to investigational sun protection products under certain circumstances.
- DIGEST:** SB 670 would require a physician, before recommending or prescribing an investigational sun protection product, to require an eligible patient to sign a written informed consent form. The bill would authorize the Texas Medical Board (TMB) by rule to adopt a form for the required informed consent.
- The bill would define an “investigational sun protection product” as a sun protection product containing an ingredient that had successfully completed phase one of a clinical trial but had not yet been approved for general use by the FDA and remains under investigation in the clinical trial.

Patient eligibility. A patient would be eligible to access and use an investigational sun protection product based on a recommendation or prescription from the patient's physician, after the physician, in consultation with the patient, had determined that FDA-approved sun protection products were less effective.

Manufacturer provisions. SB 670 would authorize a manufacturer of an investigational sun protection product to make the product available to patients who provided the manufacturer informed consent. The bill would not require a manufacturer to make available an investigational sun protection product to an eligible patient. The bill would allow a manufacturer to:

- provide an investigational sun protection product to an eligible patient without receiving compensation; or
- require an eligible patient to pay the manufacturer's costs of, or the costs associated with, the manufacture of the product.

Cause of action. The bill would not create a private or state cause of action against a manufacturer of an investigational sun protection product or against any other person or entity involved in the care of an eligible patient using the product for any harm to the eligible patient resulting from the product.

Insurance coverage. SB 670 would not affect the coverage of certain health benefit plan enrollees in clinical trials.

Prohibited actions. SB 670 would prohibit the TMB from taking any action against a physician's license based solely on the physician's recommendation to or prescription for an eligible patient regarding access to an investigational sun protection product, provided the recommendation or prescription for the patient met the medical standard of care and the bill's requirements.

The bill would also prohibit an official, employee, or agent of the state from blocking or attempting to block an eligible patient's access to an investigational sun protection product under the bill.

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

- SUBJECT:** Extending period of certain insurance coverage for newborn children
- COMMITTEE:** Insurance — favorable, without amendment
- VOTE:** 7 ayes — Dean, Vo, J. González, Goodwin, Hopper, Paul, Wharton
1 nay — Spiller
1 absent — Morgan
- SENATE VOTE:** On final passage (March 26) — 31 - 0
- WITNESSES:** For — (*Registered, but did not testify:* Stacy Wilson, Children's Hospital Association of Texas; Josie Castro Garcia, Dallas County Commissioners Court; Elisa M. Tamayo, El Paso County; Katherine Strandberg, Every Body Texas; Santiago Franco, Harris County Commissioners Court; Christine Yanas, Methodist Healthcare Ministries; Shannon Meroney, National Association of Benefits & Insurance Professionals, Texas Chapter; Tessa Galloso, Texans Care for Children; Preston Poole, Texas Association of Community Health Centers; Lauren Fleming, Texas Coalition for Patients; Sara Gonzalez, Texas Hospital Association; Clayton Travis, Texas Pediatric Society; Desiree Ingram, Texas Women's Healthcare Coalition)

Against — None

On — (*Registered, but did not testify:* Rachel Bowden, TDI)
- BACKGROUND:** Concerns have been raised that in Texas, new parents only have 31 days to enroll their newborn in their insurance plan, which may not be enough time given the many new responsibilities parenthood holds.
- DIGEST:** SB 896 would extend the period of coverage of a newborn child of a participating employee of a multiple employer welfare arrangement plan from up to the 32nd to the 61st day after the child's birth date.

The bill would make conforming changes to relevant provisions.

The bill would take effect September 1, 2025, and would apply only to a health benefit plan delivered, issued for delivery, or renewed on or after January 1, 2026.

SUBJECT: Amending boiler inspection reporting, board of rules requirements

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

SENATE VOTE: On final passage (March 19) — 31 – 0

WITNESSES: For — (*Registered, but did not testify*: Steven Deline)
Against — None
On — (*Registered, but did not testify*: Doug Jennings, TDLR)

BACKGROUND: Some have suggested that the operations of the Board of Boiler Rules should be streamlined to remove outdated member requirements, establish faster reporting processes, and improve public safety.

DIGEST: SB 917 would shorten the deadline by which an inspection agency was required to file a report on a boiler inspection with the executive director of the Texas Department of Licensing and Regulation (TDLR) from 30 days to 10 days after a certificate inspection was performed by an authorized inspector.

The bill would repeal provisions that designate the executive director of TDLR as an ex officio Board of Boiler Rules member and that require a majority vote for board decisions.

The bill would take effect September 1, 2025.

SUBJECT: Lowering age of wine authorized to be sold by a wine collection seller

COMMITTEE: Licensing & Administrative Procedures — favorable, without amendment

VOTE: 10 ayes — Phelan, Thompson, Gerdes, Geren, Harless, Harris, Longoria, Patterson, M. Perez, Romero

0 nays

3 absent — Hernandez, McQueeney, Walle

SENATE VOTE: On final passage (date) — 30 – 1

WITNESSES: For — Rachel Van Til, Houston Oaks; Colin Parrish (*Registered, but did not testify*: Matthew Bentley, William Chris Wine Company; Steven Deline; Thomas Parkinson)

Against — (*Registered, but did not testify*: Vic Brooks, Republic National Distributing Company; Cheri Huddleston, Southern Glazer’s Wine & Spirits; Joey Bennett and Todd Kercheval, Wine and Spirits Wholesalers of Texas (WSWT))

On — (*Registered, but did not testify*: Matthew Cherry, TABC)

BACKGROUND: The Alcoholic Beverage Code authorizes a wine collection seller to sell to a permitted restaurant wine that is at least 20 years old. Some have suggested amending the law, in light of some popular collectible wines reaching their prime between 10 and 20 years of age.

DIGEST: SB 1184 would authorize a wine collection seller to sell to a permitted restaurant wine that was manufactured at least 10, rather than 20, years before the date of the sale.

The bill would take effect September 1, 2025.

- SUBJECT:** Repealing definition of a rural political subdivision in the Water Code
- 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 (March 13) — 30 - 0
- WITNESSES:** For — (*Registered, but did not testify:* Cyrus Reed, Lone Star Chapter Sierra Club; Jeremy B. Mazur, Texas 2036; Jeff Emerick, Texas Association of Business; Lara Zent, Texas Rural Water Association)
- Against — None
- On — Kendal Kowal, Texas Water Development Board
- BACKGROUND:** Concerns have been raised that a scrivener’s error in SB 469 during the 88th Legislature unintentionally expanded the definition of “rural political subdivision” to include urban political subdivisions under Water Code sec. 15.001, for the purposes of statute related to the Texas Water Assistance program. Some have suggested that this definition should be repealed and another definition under these provisions maintained to ensure consistency and accuracy.
- DIGEST:** SB 871 would repeal the definition of “rural political subdivision” under Water Code 15.001 as added by SB 469 during the 88th Legislature.
- The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2025.

SUBJECT: Amending mold assessor and remediator regulations

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

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

WITNESSES: For — (*Registered, but did not testify:* Steven Deline)
Against — None
On — (*Registered, but did not testify:* Doug Jennings, TDLR)

BACKGROUND: Some have suggested that regulatory clarity is needed related to mycotoxins in the Texas Department of Licensing and Regulation’s (TDLR) mold assessment and remediation oversight.

DIGEST: SB 1255 would amend provisions regarding mold assessors and remediators to remove mycotoxins from the definition of “mold” and establish that those provisions would not apply to the demolition of a structure after a fire or other disaster. Additionally, the bill would repeal the ability of an employee of a license holder who was not required to be licensed under these provisions to perform mold assessment or mold remediation while supervised by the license holder.

The bill also would provide that the Mold Assessment and Remediation Advisory Board could advise TDLR and the Texas Commission of Licensing and Regulation on standards of performance, instead of standards or performance, for mold assessment and remediation.

The bill would take effect September 1, 2025.

- SUBJECT: Allowing issuance of certain obligations for water supply projects
- COMMITTEE: Natural Resources — favorable, without amendment
- VOTE: 11 ayes — Harris, Martinez, Ashby, Barry, C. Bell, Buckley, Gámez, J. Garcia, M. González, Romero, Villalobos
- 0 nays
- 2 absent — Fairly, Zwiener
- SENATE VOTE: On final passage (April 22) — 31 - 0
- WITNESSES: None (*Considered in a formal meeting on April 29*)
- BACKGROUND: Concerns have been raised that financing structures for regional water supply projects can burden existing rate payers before water from the project becomes available and may impede local investment in future water infrastructure and supply. Some have suggested authorizing additional financial tools to enable wholesale customers of regional projects, such as municipalities and local water districts, to benefit from lower annual debt payments so that the costs of these projects can be shifted to future, rather than existing, rate payers.
- DIGEST: SB 1261 would allow the governing body of an issuer to authorize and approve obligations to:
- finance or refinance an eligible project, defined as one or more related water supply projects that were identified as recommended water management strategies in the state water plan, the cumulative capital costs of which were not less than \$750 million;
 - refund obligations, other indebtedness, or contractual obligations of the issuer issued or incurred in connection with an eligible project; and
 - pay the costs of issuance or delivery of the obligations.

The bill would define “obligation” as a bond, note, or other obligation, whether payable or secured by taxes other than ad valorem taxes, revenues, or a combination thereof. The bill would define “issuer” as an agency, authority, board, body politic, department, district, instrumentality, municipal corporation, political subdivision, public corporation, or subdivision of the state.

Security for obligation. An obligation could be secured by:

- the proceeds from the sale of other obligations or indebtedness of the issuer, including proceeds from the sale of revenue bonds payable from the revenue to be received from an eligible project or a specified user of an eligible project;
- any revenue that the issuer was authorized to pledge or pay any kind of general or special indebtedness by or from those revenues;
- water supply, water treatment, or other similar contracts or the revenue received from those contracts; or
- any combination of these sources.

The governing body of an issuer could secure an obligation and pay the cost of a contract or other agreement related to the financing of an eligible project with a pledge of the sources permitted by the bill. The contract term could not be less than the final maturity or term of such obligations pursuant to the maximum maturity or term established by the bill. The bill would allow an issuer to use the proceeds from the issuance or incurrence of an obligation to finance and refinance an eligible project.

Maturity or term of an obligation. The maximum maturity or term of an obligation issued or incurred pursuant to the bill could not exceed the lesser of the reasonably expected weighted average useful life of the eligible project as certified by a licensed professional engineer selected by the issuer or 50 years from the date of issuance or incurrence of the obligation. The determination of reasonably expected weighted average useful life of a project could not be contested for any reason.

Obligation authorization. The bill would require the governing body of an issuer to adopt or approve an obligation authorization that established certain conditions before an obligation could be issued or incurred. The obligation authorization could provide for the designation of a paying agent and registrar for the obligation and could authorize one or more designated officers or employees of the issuer to act on behalf of the issuer from time to time in taking certain actions.

Review by the attorney general. Before an obligation could be issued or incurred, a record of the proceedings of the issuer authorizing the issuance, execution, incurrence, and delivery of the obligation and any contract providing revenue or security pledged to the payment of the obligation would have to be submitted to the attorney general for review. If the attorney general found that the proceedings authorizing an obligation conformed to the Texas Constitution and the bill, the attorney general would be required to approve it and deliver to the comptroller a copy of the attorney general's legal opinion stating that approval and the record of proceedings. After approval, the obligation could be executed and delivered, exchanged, or refinanced from time to time in accordance with those authorized proceedings.

On receipt of the attorney general's legal opinion and record of proceedings, the comptroller would be required to register the record of the proceedings relating to the issuance of an obligation. If proceedings to authorize an obligation were approved by the attorney general and registered by the comptroller, each obligation and any contract that provided revenue or security included in or executed and delivered according to the authorizing proceedings and pledged to the payment of the obligation would be incontestable in a court or other forum and would be valid, binding, and enforceable according to its terms.

Texas Water Development Board financial assistance programs.

Provisions related to obligations for water projects as established by the bill would not apply to financial assistance provided by the Texas Water Development Board (TWDB).

The bill would establish that the term of a loan under a bond enhancement agreement under the State Water Implementation Fund for Texas for an

eligible project, as defined by the bill, could not exceed the lesser of the expected useful life of the facility or 40 years. The bill also would amend provisions related to the use of the State Water Implementation Revenue Fund for Texas to allow the fund to provide financing or refinancing for an eligible project under the bill. The definition of “project” under provisions related to the revenue bond program would be amended to include an eligible project, and money on deposit in the state participation account could be used by TWDB for an eligible project.

The bill would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, the fiscal implications of the bill cannot be determined because the amount and timing of funding applications and expenditures for eligible projects from specific funds that would be used to provide large-scale financial assistance for water supply projects are unknown at this time.

- SUBJECT:** Requiring background checks and policy at senior retirement communities
- COMMITTEE:** Human Services — favorable, without amendment
- VOTE:** 10 ayes — Hull, Manuel, Dorazio, C. Morales, Noble, Richardson, Rose, Schatzline, Slawson, Swanson
- 0 nays
- 1 absent — A. Davis
- SENATE VOTE:** On final passage (May 1) — 31 - 0
- WITNESSES:** None (*Considered in a formal meeting on May 8*)
- BACKGROUND:** To ensure the safety and security of residents, some have suggested requiring senior retirement communities to adopt measures such as criminal background checks and notices of criminal activity.
- DIGEST:** SB 1283 would require each senior retirement community to conduct a criminal history record check for each employee using the Department of Public Safety’s computerized criminal history system. The bill also would require a senior retirement community to disclose in its contract whether the community required service providers to conduct criminal history record checks of employees who will provide services at the community.
- SB 1283 would require each senior retirement community to maintain a resident safety and communications policy regarding criminal activity that posed a risk to residents. The policy would have to require the community to send to each resident and post in a conspicuous manner at a location where other notices are posted a written notice containing:
- known reports of potential criminal activity made to law enforcement from or at the community not later than two business days after the date the report is made; and
 - known instances of criminal trespassing at the community not later than two business days after the trespassing is reported or occurs.

A senior retirement community would be prohibited from refusing to provide the notice based solely on concerns related to the disclosure of personal identifying information. The bill would authorize removing personal identifying information in order to protect the privacy of an individual involved in a report.

The bill would provide that a senior retirement community may not be held civilly or criminally liable for failure to conduct a criminal history background check or adopt the required policy.

SB 1283 would prohibit a senior retirement community from preventing or inhibiting a resident from communicating with a law enforcement officer, social worker, family member, or other interested person regarding the community's safety and security. The bill would also prohibit the community from preventing a law enforcement or court officer from entering a common area to conduct a voluntary interview with a resident as part of an investigation into criminal activity at the community.

The bill would define a senior retirement community as a residential community or a portion of such a community that:

- qualified for the elderly exemption under the Texas Fair Housing Act provisions relating to familial status;
- contained not fewer than 20 residential units in one or more multiunit buildings that were available to own, rent, or lease; and
- provided common amenities.

SB 1283 would not apply to certain facilities, including a facility regulated by the Health and Human Services Commission or in accordance with rules adopted by the federal Centers for Medicare and Medicaid Services.

The bill would take effect September 1, 2025.

SUBJECT: Restricting regulation of sound from certain overnight food deliveries

COMMITTEE: State Affairs — favorable, without amendment

VOTE: 12 ayes — King, Hernandez, Darby, Geren, Guillen, Hull, McQueeney, Metcalf, Phelan, Raymond, Smithee, Thompson
3 nays — Anchía, Y. Davis, Turner

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

WITNESSES: None (*Considered in a formal meeting on April 23*)

BACKGROUND: Concerns have been raised that inconsistent regulations on sound from late-night deliveries to food service establishments create uncertainty for businesses.

DIGEST: SB 1358 would prohibit the Department of State Health Services, a county, a municipality, or a public health district from requiring a sound regulation permit, charging a sound regulation fee, or regulating sound at a food service establishment based on noise from certain deliveries.

The restrictions would apply to deliveries of food, nonalcoholic beverages, food service supplies, or ice to an establishment that occurred between 10:00 p.m. and 5:00 a.m., and lasted no more than one hour, and did not exceed 65 dBA when measured from the nearest residential property, excluding traffic and other background noise.

The bill would take effect September 1, 2025.

- SUBJECT:** Defining chronically absent students, requiring reporting through PEIMS
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 12 ayes — Buckley, Bernal, Allen, Ashby, Bryant, Cunningham, Dutton, Frank, Hinojosa, Hunter, Kerwin, Leach
- 2 nays — Leo Wilson, Schoolcraft
- 1 absent — Talarico
- SENATE VOTE:** On final passage (April 16) — 31 - 0
- WITNESSES:** None (*Considered in a formal meeting on May 1*)
- BACKGROUND:** Concerns have been raised that, although chronic absenteeism has a significant impact on student persistence and graduation rates, chronic absenteeism is not currently defined under state law. Some have suggested that state law should include a definition for chronic absentee students and that the Texas Education Agency should collect and report relevant data for such students.
- DIGEST:** SB 991 would define a “chronically absent student” as a student who was absent from school for more than 10 percent of the school’s required operation and instructional time within a school year or an enrollment period that exceeded 30 instructional days.
- The bill would include in the definition of a “student at risk” a student who was under 26 years old and who:
- was chronically absent; or
 - was required and failed to attend school without excuse for 10 or more days or parts of days within a six-month period in the same school year.
- The bill would require the commissioner of education by rule to require each school district and charter school to report through the Public

Education Information Management System the number of chronically absent students enrolled at each campus, in total and disaggregated by whether the student was receiving certain instructional services.

The bill also would amend an existing requirement to report the number of children who failed to attend school without excuse for 10 or more days or parts of days within a six-month period in the same school year by specifying that this information be reported in total and disaggregated by whether the child was receiving certain instructional services.

The bill would require the Texas Education Agency to make publicly available the collected data on truancy and student chronic absenteeism, annually aggregated at the campus and district levels.

The bill would take effect September 1, 2025.

SUBJECT: Expanding the Calhoun Port Authority board

COMMITTEE: Transportation — favorable, without amendment

VOTE: 8 ayes — Craddick, M. Perez, Curry, Hefner, LaHood, C. Morales, Patterson, Paul

3 nays — Canales, Little, E. Morales

2 absent — Gámez, Harris Davila

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

WITNESSES: None (*Considered in a formal meeting on May 13*)

BACKGROUND: Concerns have been raised that the current even number of six board members on the Calhoun Port Authority’s board has resulted in a deadlock among board members on certain issues.

DIGEST: SB 1733 would increase the number of commissioners on the Calhoun Port Authority board from six to seven by including one commissioner elected by the voters of the entire port authority.

The port authority would have to hold the first election to elect an at-large commissioner on the uniform election date in May 2027. The bill would require the governor, within 30 days after the bill’s effective date, to appoint a temporary at-large commissioner to the board to serve a term that expired on the date that the elected at-large candidate qualified to serve. The person appointed by the governor would have to meet the prescribed qualifications for a candidate for the position.

The bill would require a candidate’s application for the at-large commissioner position to include an affidavit made by the applicant under oath, disclosing that the applicant was a bona fide resident of the port authority and a qualified voter who owned real property in the area.

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

SUBJECT: Establishing the Texas Strategic Bitcoin Reserve

COMMITTEE: Delivery of Government Efficiency — committee substitute recommended

VOTE: 8 ayes — Capriglione, Alders, Campos, Cook, Curry, Olcott, Tinderholt, Troxclair

4 nays — Bhojani, Bowers, L. Garcia, Rodríguez Ramos

1 absent — Cain

SENATE VOTE: On final passage (March 6) — 25 – 5

WITNESSES: For — Lee Bratcher and Jessi Goostree, Texas Blockchain Council; Robert Bobo; Phil Geiger; Emmanuel Jonathan; Khyati Joshi; Lohitha Mahesh (*Registered, but did not testify*: Dale Laine, Bitcoin Depot; Stephen Graddy, Texas Blockchain Council; Marc Mckirahan, Texas Blockchain Council SBR Ambassadors; David Dunmoyer, Texas Public Policy Foundation; and 6 individuals)

Against — (*Registered, but did not testify*: Cyrus Reed, Lone Star Chapter Sierra Club; Steven Deline; Susan Stewart)

On — (*Registered, but did not testify*: Whitney Blanton, Texas Treasury Safekeeping Trust Company / Comptroller of Public Accounts)

BACKGROUND: Concerns have been raised that economic volatility and inflation could threaten Texas’ financial stability. Some have suggested that creating a strategic bitcoin reserve could help to diversify state-held assets and strengthen long-term economic resilience.

DIGEST: CSSB 21 would establish the Texas Strategic Bitcoin Reserve as a special fund outside the state treasury. The bill would require the comptroller to administer and manage the reserve, which would consist of:

- money transferred or deposited to the credit of the reserve by legislative appropriation;
- revenue dedicated by the Legislature for deposit to the credit of the reserve;
- bitcoin and other cryptocurrency purchased using money in or received by the reserve, including certain cryptocurrency;
- investment earnings and interest or rewards earned on assets in the reserve; and
- gifts, grants, and other donations to the reserve.

The Legislature could deposit funds to the credit of the reserve fund for the purposes of investing in bitcoin or other cryptocurrencies or administering and managing the reserve. Bitcoin or other cryptocurrency purchased using money in the reserve would have to have an average market capitalization of at least \$500 billion over the most recent 12-month period.

Except as provided by the Legislature in the General Appropriations Act or other law, the comptroller could not transfer money from the reserve to the state treasury. Money in the reserve could be invested with the state treasury pool.

The bill would authorize the comptroller to spend bitcoin or other cryptocurrency in the reserve to pay reasonable costs associated with administering and managing the reserve. The bill also would authorize the comptroller to contract with one or more third-party entities for the administration or management of the reserve, including a qualified custodian who employed secure custodial technologies and a qualified liquidity provider, as defined by the bill.

If the comptroller determined it was in the best interest of the reserve, the comptroller could use derivatives, loan digital assets in the reserve acquired as an investment, and, under certain circumstances, engage in the staking of qualified digital assets in the reserve.

The bill would amend a provision of the Public Funds Investment Act to exempt from the Act any state funds invested by the comptroller, rather than state funds authorized under specific provisions in law.

Donations. The comptroller could accept a gift, grant, or other donation of bitcoin or other cryptocurrency to the reserve only subject to applicable law, from a person domiciled in the state. The comptroller could require information from a potential donor and could reject or return a donation for any reason. The bill would prohibit a donor from limiting or directing the investment or use of a donation.

The bill would authorize the comptroller to establish a recognition program to publicly honor a donor who made a significant contribution of bitcoin or other cryptocurrency to the reserve.

Temporary transfers for cash management. The bill would authorize the comptroller to liquidate the reserve's assets and temporarily transfer money from the reserve to the state treasury to avoid cash deficiencies in the state treasury. As soon as practicable after a transfer, the comptroller would be required to return the transferred money and any interest to the reserve.

Advisory committee. The bill would establish a Texas Strategic Bitcoin Reserve advisory committee to advise the comptroller regarding administration and management of the reserve, including recommendations for valuing the reserve's assets and the establishment of prudent investment policies. The committee would be composed of the comptroller and four appointed members, including one from the comptroller's investment advisory board and three cryptocurrency investment experts. Committee members would serve at the will of the comptroller. They would not be entitled to receive compensation but would be eligible for reimbursement of reasonable expenses.

The committee would be exempt from certain statutory provisions governing state agency advisory committees.

Biennial report. By December 31 of each even-numbered year, the comptroller would be required to publish on the comptroller's website and submit to the Legislature a report that included the following information:

- the amount and estimated value of bitcoin and other cryptocurrency held in the reserve on the last day of the preceding biennium;
- any changes in the amount or monetary value during that period, disaggregated by cryptocurrency type; and
- a description of the comptroller's actions to administer and manage the reserve during that period.

The comptroller could adopt rules as necessary to administer the bill. The bill would require these rules to be adopted as soon as practicable after the effective date of the bill.

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

- SUBJECT:** Expanding requirements for certain transmission and distribution utilities
- 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:** For — Sandra Haverlah, Texas Consumer Association (*Registered, but did not testify*; Mattie Utley, Calpine; Cyrus Reed, Lone Star Chapter Sierra Club)
- Against — None
- On — (*Registered, but did not testify*: Connie Corona, Public Utility Commission of Texas)
- BACKGROUND:** Utilities Code sec. 39.918 establishes that a transmission and distribution utility (TDU) may lease and operate facilities that provide temporary emergency electricity to aid in restoring power to its customers during certain significant power outages. These facilities must be operated in isolation from the bulk power system and may not be included in an independent system operator’s locational marginal pricing calculations, pricing, or reliability models.
- Some have suggested that clarifying the types and capacity limits of mobile generation facilities that TDUs can lease during emergencies could help ensure a faster and more targeted response during widespread power outages, thereby enhancing grid reliability and public safety.
- DIGEST:** SB 231 would add to the list of requirements described in Utilities Code sec. 39.918 to require that a facility:

- be mobile;
- be capable of being moved from its staged location in less than 12 hours;
- be capable of generating electric energy within three hours after being connected to a demand source; and
- have a maximum generation capacity of not more than five megawatts.

A transmission and distribution utility (TDU) could only enter into a lease for a qualifying facility if it included a provision that allowed alteration of the lease based on a Public Utility Commission of Texas (PUC) order or rule, or when PUC first, in a rate proceeding or separate contested case hearing, authorized:

- the total generating capacity that the utility could lease;
- the functions for which the utility could lease facilities; and
- the generation capacity the utility could lease for each function.

PUC could limit the period during which such an authorization was valid.

The bill would require a TDU to use a competitive bidding process to lease a qualifying facility, rather than authorizing a TDU to do so when reasonably practicable. During a significant power outage, a TDU could enter into such a lease without competitive bidding or prior PUC approval if:

- the TDU lacked the leased generating capacity necessary to aid in restoring power to the utility's customers;
- the amount of leased generating capacity did not significantly exceed the amount of megawatts necessary to restore electric service to the utility's customers; and
- the term of the lease did not significantly exceed the time period that was required to restore electric service to the utility's customers.

A TDU that entered into such a lease would be required to provide documentation to justify the amount of leased generating capacity during the first base rate proceeding after the lease began.

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

- SUBJECT:** Authorizing insurance investigators to install and use tracking equipment
- COMMITTEE:** Criminal Jurisprudence — favorable, without amendment
- VOTE:** 6 ayes — Smithee, Cook, Louderback, Money, Moody, Virdell
4 nays — Wu, Bowers, Little, Rodríguez Ramos
1 absent — J. Jones
- SENATE VOTE:** On final passage (May 1) — 30 – 1
- WITNESSES:** None (*Considered in a formal meeting on May 12*)
- BACKGROUND:** Some have suggested that authorizing investigators commissioned as peace officers through the Texas Department of Insurance to use tracking equipment and access communications in fraud investigations involving suspect electronic communications could help improve speed and efficiency in these investigations.
- DIGEST:** SB 739 would include an investigator commissioned as a peace officer by the commissioner of insurance to enforce insurance fraud provisions as an authorized peace officer for purposes of laws governing the installation and use of tracking equipment and access to certain communications.
- The bill would take effect September 1, 2025.

SUBJECT: Prohibiting municipal regulation of residential energy backup systems

COMMITTEE: State Affairs — favorable, without amendment

VOTE: 14 ayes — King, Hernandez, Anchía, Darby, Y. Davis, Geren, Hull, McQueeney, Metcalf, Phelan, Raymond, Smithee, Thompson, Turner

0 nays

1 absent — Guillen

SENATE VOTE: On final passage (March 31) — 29 - 2

WITNESSES: None

BACKGROUND: Concerns have been raised that, although the installation of residential energy backup systems is governed by the National Electric Code, as adopted by the state, these systems are further regulated at the municipal level, which can lead to inconsistencies between state and local requirements, resulting in redundancies and prolonged wait times for Texans seeking to access backup energy.

DIGEST: SB 1252 would prohibit a municipality from adopting or enforcing an amendment to the National Electrical Code or an ordinance, rule, or other measure that would regulate the installation or inspection of a residential energy backup system. This provision would not limit a municipally owned utility’s authority to regulate the installation or inspection of a residential energy backup system within the utility’s service area.

The bill would define “residential energy backup system” as a backup energy system installed at a residential property that was capable of providing no more than 50 kilowatts of electricity to the residence or had a storage capacity of no more than 100 kilowatt hours.

The bill would take effect September 1, 2025.

- SUBJECT:** Relating to the operation of certain metropolitan transit authorities
- COMMITTEE:** Transportation — favorable, without amendment
- VOTE:** 12 ayes — Craddick, M. Perez, Canales, Curry, Gámez, Hefner, LaHood, Little, C. Morales, E. Morales, Patterson, Paul
- 0 nays
- 1 absent — Harris Davila
- SENATE VOTE:** On final passage (April 10) — 30 - 0
- WITNESSES:** For — Lynn Allison, Ccrta; Arthur Granado and Derrick Majchszak, Corpus Christi Regional Transportation Authority (RTA) (*Registered, but did not testify*); Ryan Skrobarczyk, City of Corpus Christi; Joel Romo, Nueces County; Steven Deline; Christina Destefano)
- Against — None
- BACKGROUND:** Certain tax exemptions and governance rules for metropolitan rapid transit allow limited flexibility for smaller or mid-sized transit systems, causing some authorities in smaller municipalities to face operational and logistical challenges. Some have suggested amending provisions to address the needs of smaller and mid-sized transit systems.
- DIGEST:** SB 1371 would revise a provision exempting compressed natural gas (CNG) and liquefied natural gas (LNG) from taxation when delivered into the fuel supply tanks of certain transit company vehicles. This exemption would not apply if the gas was dispensed from a refueling facility accessible to vehicles other than those used by the transit company.
- The bill would expand the types of vehicles that could access a refueling facility without affecting the CNG and LNG tax exemption to include vehicles that qualified for other existing exemptions, provided that:

- the refueling facility was operated by a metropolitan rapid transit authority in which the principal municipality has a population of less than 320,000; and
- the use of the refueling facility by those vehicles was limited to emergencies and other exigent circumstances as provided by an interlocal agreement.

The bill would amend a provision governing the effective date of fares, tolls, charges, rents, and other compensation by a metropolitan rapid transit authority by removing the requirement that the authority had to be confirmed before July 1, 1985.

Additionally, the bill would exclude certain periods of service from a determination of the length of service of an individual serving on the board of a metropolitan rapid transit authority that had a population of less than 320,000.

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.