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HOUSE RESEARCH ORGANIZATION

daily floor report

Wednesday, May 21, 2025
89th Legislature, Number 70
The House convenes at 10 a.m.
Part Two

Two bills are on the Major State Calendar and 63 bills are on the General State Calendar for second reading consideration today. The list of bills included in Part Two of today's *Daily Floor Report* appears on the following page.

Gary VanDeaver
Chairman
89(R) - 70

HOUSE RESEARCH ORGANIZATION

Daily Floor Report

Wednesday, May 21, 2025

89th Legislature, Number 70

Part 2

SUBJECT: Increasing the expenditure cap for emergency services district employees

COMMITTEE: Intergovernmental Affairs — favorable, without amendment

VOTE: 8 ayes — C. Bell, Zwiener, Cole, Cortez, Garcia Hernandez, Luther, Rosenthal, Spiller

2 nays — Leo Wilson, Tepper

1 absent — Lowe

SENATE VOTE: On final passage (May 6) — 29 – 2

WITNESSES: None (*Considered in formal meeting on May 10*)

BACKGROUND: Some have suggested that raising the cap for an expenditure by an emergency services district (ESD) employee without board approval would help streamline operations and improve the delivery of emergency services while preserving oversight for major expenditures.

DIGEST: SB 2778 would raise the cap on the amount of an expenditure that an ESD employee could pay without approval from the district's board from $2,000 to $50,000.

The bill would take effect September 1, 2025.

SUBJECT: Revising restrictions on state veterans cemeteries

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

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

0 nays

1 absent — Canales

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

WITNESSES: None

BACKGROUND: Natural Resources Code sec. 164.005 requires the Veterans' Land Board, the chairman of the Texas Veterans Commission, and certain representatives of the veterans community to establish guidelines for determining:

- the location and size of veterans cemeteries; and
- select up to seven locations across the state for veterans cemeteries.

Of the funds available that may be used for the veterans cemeteries, the board may spend not more than $7 million each fiscal year to plan and design, operate, maintain, enlarge, or improve veterans cemeteries.

Some have suggested that removing certain limitations on state veterans cemeteries and their funding could allow for the development of additional cemeteries to account for the growing number of veterans in the state.

DIGEST: SB 2543 would amend Natural Resources Code sec. 164.005 to require that the designated individuals establish the guidelines for determining:

- the location and size of state veterans cemeteries that were funded by a grant from the U.S. Department of Veterans Affairs (VA); and
- select locations across the state for such cemeteries.

The bill also would remove the $7 million annual spending limit for veterans cemeteries, instead authorizing the Veterans' Land Board to use available funds in the specified veterans' funds to design, operate, maintain, and improve VA grant-funded state veterans cemeteries.

The bill would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, the fiscal implications of the bill cannot be determined due to the unknown amount of federal funds that would be made available for any new state cemetery construction, operation, or maintenance.

SUBJECT: Authorizing electronic delivery of documents sent or received by TDLR

COMMITTEE: Licensing & Administrative Procedures — favorable, without amendment

VOTE: 12 ayes — Phelan, Thompson, Geren, Harless, Harris, Hernandez, Longoria, McQueeney, Patterson, M. Perez, Romero, Walle

0 nays

1 absent — Gerdes

SENATE VOTE: On final passage (April 24) — 30 – 1

WITNESSES: None (*Considered in a formal meeting on May 15*)

BACKGROUND: Concerns have been raised that TDLR relies on traditional methods, such as certified mail, to send and receive certain correspondence and documents, which can be inefficient and time-consuming.

DIGEST: SB 2443 would amend the Occupations Code to provide that the Texas Commission of Licensing and Regulation (TCLR) could require an applicant or license holder to provide an email address to the Texas Department of Licensing and Regulation (TDLR).

The bill would establish that TCLR, by rule, could provide that any correspondence sent or received by TDLR be delivered electronically, including any notice, order, or pleading required by law.

The bill would repeal provisions regarding certain administrative procedures for penalty and contested case notices by certified mail.

The bill would take effect September 1, 2025.

SUBJECT: Establishing criminal penalties for unauthorized occupation of property

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

VOTE: 10 ayes — Button, K. Bell, Bhojani, Harris Davila, Longoria, Lujan, Luther, Meza, Ordaz, Richardson

0 nays

1 absent — Talarico

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

WITNESSES: For — David Howard, National Rental Home Council; John Bonura, Texas Public Policy Foundation (*Registered, but did not testify*: Shane Deel, Callahan County Attorney; Ryan Skrobarczyk, City of Corpus Christi; T. J. Patterson, City of Fort Worth; Joshua Sanders, City of Houston; Christine Wright, City of San Antonio; Mark Melton, Dallas Eviction Advocacy Center; Santiago Franco, Harris County Commissioners Court; James Kershaw, Harris County Deputies' Organization FOP #39; Heidi Ruiz, Houston Police Department; Ray Hunt, Houston Police Officers' Union; Guy Herman, Statutory Probate Judges of Texas; Lee Parsley, Texans for Lawsuit Reform; Chris Newton, Texas Apartment Association; Frances Blake, Texas Association of Builders; Ron Hinkle, Texas Association of Campground Owners; Blake Roach, Texas Farm Bureau; Aaron Day, Texas Land Title Association; Michael Mengden and Julia Parenteau, Texas Realtors)

Against — None

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

BACKGROUND: Concerns have been raised that property owners lack clear legal tools to remove unauthorized occupants and that squatters can cause financial harm by damaging or neglecting property.

DIGEST:

CSSB 1333 would authorize a property owner or agent to request immediate removal of a person unlawfully occupying a residential dwelling by the sheriff or constable of the county if:

- the property was not open to the public and was not the subject of pending litigation;
- the owner or agent had directed the person to leave the property, and the person had not done so; and
- the person was not a current or former tenant of the owner under a lease, or an immediate family member of the owner.

The owner could request the removal by filing a complaint under oath or as an unsworn declaration with a sheriff or constable, who would be required to verify ownership of the property, serve notice to immediately vacate the property on the person occupying the dwelling, and put the owner in possession of the dwelling. A service of notice could be accomplished by hand delivery to the occupant or by attaching it to the entrance of the dwelling. The bill would prescribe the written form for the complaint.

The bill would require the sheriff or constable serving notice to attempt to verify the identity of each person occupying the dwelling and to note each identity on the return of service. The sheriff or constable would be authorized to arrest an occupant who had an outstanding warrant, or for an offense for which the officer had probable cause.

The sheriff or constable would be entitled to receive a fee from the complainant for executing the removal equal to the fee for executing a writ of possession, and could be asked by the owner to remain on the property to keep the peace while the owner changed the locks or removed the occupant's personal property.

The sheriff or constable would not be liable for damages resulting from the removal of a person or property. A property owner also would not be liable for damages to personal property resulting from its removal from the owner's property.

A person who was wrongfully removed, or whose personal property was wrongfully removed, from a dwelling would be permitted to bring an action to recover possession of the property and recover actual damages, court costs, attorney's fees, and exemplary damages equal to three times the fair market rent of the dwelling. The court would be required to set an action for hearing at the earliest practicable date.

The bill would specify that the removal process would not limit the rights of the property owner or the authority of a law enforcement officer to arrest an unauthorized occupant of a dwelling for another offense.

The bill would create a class A misdemeanor (up to one year in jail and/or a maximum fine of $4,000) offense for knowingly using a false, fraudulent, or fictitious document that attempted to convey real property or an interest in real property. The bill also would create a first-degree felony (life in prison or a sentence of five to 99 years and an optional fine of up to $10,000) offense for a person who knowingly:

- listed or advertised real property for sale, rent, or lease while knowing the person offering the property did not have legal title or authority to sell, rent, or lease the property; or
- sold, rented, or leased real property to another person without legal title or authority.

The felony offense would not apply to a lender, title company, licensed broker, or agent who did not know that another person involved in the transaction did not have legal title or authority.

The bill would establish the penalty for a criminal mischief offense that involved damaging or destroying a habitation while in the course of committing criminal trespass that resulted in a pecuniary loss of between $1,000 and $300,000 as a second-degree felony (two to 20 years in prison and an optional fine of up to $10,000).

The bill would take effect September 1, 2025.

NOTES: According to the Legislative Budget Board, the fiscal implications of the bill cannot be determined due to a lack of data related to the prevalence of certain conduct described by the bill.

SUBJECT: Amending the regulation and certification of land surveyors

COMMITTEE: Licensing & Administrative Procedures — favorable, without amendment

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

0 nays

3 absent — Gerdes, Hernandez, Walle

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

WITNESSES: None

BACKGROUND: Occupations Code sec. 1071.253(b) establishes that, on proof that an applicant for a land surveyor-in-training certificate has the necessary qualifications, the Texas Board of Professional Engineers and Land Surveyors shall allow the applicant to take an examination consisting of parts of the examination required for a registered professional certification, the contents of which are as determined or approved by the board.

Some have suggested that applicants for surveyor-in-training certifications should not have to apply to the Texas Board of Professional Engineers and Land Surveyors (TBPELS) for approval before they can register with the National Council of Examiners for Engineering and Surveying and schedule an examination.

DIGEST: SB 1259 would amend provisions regarding the responsibilities of the Texas Board of Professional Engineers and Land Surveyors (TBPELS) appointed advisory committee for land surveying regulation, as well as examination requirements under the Professional Land Surveying Practices Act.

Examination and certification. SB 1259 would repeal Occupations Code sec. 1071.253(b) and revise relevant provisions to provide that, on proof

that an applicant met the required qualifications for a surveyor-in-training certificate and had passed the fundamentals of surveying examination, TBPELS would be required to issue the applicant a surveyor-in-training certificate.

An applicant for registration as a registered professional land surveyor would be required to have passed the principles and practice of a Texas-specific surveying examination, in addition to having a surveyor-in-training certificate.

Under the bill, TBPELS would be required to prescribe the fundamentals of surveying examination required for an applicant to be certified as a surveyor-in-training, as well as prescribe the principles and practice of the surveying examination required for an applicant for registration as a registered professional land surveyor. TBPELS also would be required to prescribe the Texas-specific surveying examination for registration as a registered professional land surveyor.

Advisory committee. SB 1259 would authorize the advisory committee for land surveying regulation to, on its own initiative or at the request of any interested person, prepare a written report or recommendation to the TBPELS on any surveying-related subject it regulated. The advisory committee would be required to maintain a written public record of each subject discussed and action taken at the committee's meetings.

The bill would add to the requirement for TBPELS to prepare a written advisory opinion regarding the interpretation or application of Government Code provisions relating to TBPELS, to include providing an opinion on the Professional Land Surveying Practices Act.

SB 1259 would take effect September 1, 2025.

SUBJECT: Establishing the Texas Mental Health Profession Pipeline Program

COMMITTEE: Higher Education — favorable, without amendment

VOTE: 11 ayes — Wilson, Howard, A. Davis, Lalani, Lambert, V. Perez, Shaheen, Shofner, Tinderholt, VanDeaver, Ward Johnson

0 nays

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

WITNESSES: For — Shannon Noble, Texas Counseling Association (*Registered, but did not testify*: Andrea Sparks, Buckner International; Stacy Wilson, Children's Hospital Association of Texas; Josie Castro Garcia, Dallas County Commissioners Court; Tracy Johnson, DFER TX; Heather Vasek, DHR Health; Elisa M. Tamayo, El Paso County; Elizabeth Puthoff, ICUT; Christine Yanas, Methodist Healthcare Ministries; Christine Busse, NAMI Texas; Nicole Malone, National Association of Social Workers-Texas Chapter; Aaron Taliaferro, Tarrant County Administrator's Office; Lisa Kaufman, Teaching Hospitals of Texas; Grace Atkins, Texas 2036; Mckenzie Martin, Texas Association of Community Health Centers; Amanda Afifi, Texas Association of School Psychologists; Kelle Kieschnick, Texas Business Leadership Council; Seth Winick, Texas Coalition for Healthy Minds; Andrea Chevalier, Texas Council of Administrators of Special Education (TCASE); Lee Johnson, Texas Council of Community Centers; Mackenzie Lyra, Texas Health Resources; James Parker, Texas Hospital Association; Amanda Tollett, Texas Medical Association; Stefanie Page, Texas Pediatric Society; Brianna Waldock, TexProtects; Michael Clarke, The Arc of Texas; Cicely Kay, Travis County Commissioners Court; Ashley Harris, United Ways of Texas; Sam Stinnett, Upbring; Bianca Arvin-Eagle; Sarah Cohen; Steven Deline; Eve Margolis; Susan Stewart)

Against — None

On — (*Registered, but did not testify*: Sarah Keyton, Elizabeth Mayer, Texas Higher Education Coordinating Board)

BACKGROUND: Concerns have been raised that the state's mental health care workforce is currently underdeveloped amid growing mental health needs in the state. Some have suggested that establishing a program to provide pathways for public junior college students to pursue degrees to practice as mental health professionals could help address this workforce shortage.

DIGEST: SB 1401 would require the Texas Higher Education Coordinating Board (THECB) to establish the Texas Mental Health Profession Pipeline Program. THECB would have to encourage participating institutions, defined by the bill as general academic teaching institutions or private or independent higher education institutions offering certain specified degrees and certificates, to develop pipeline programs for the purpose of providing a clear, guided pathway for public junior college students to transfer to a participating institution to pursue a baccalaureate or postbaccalaureate degree or certificate leading to licensure and practice as:

- a psychologist;
- a licensed professional counselor;
- an advanced practice registered nurse who held a nationally recognized board certification in psychiatric or mental health nursing;
- a licensed master social worker or a licensed clinical social worker;
- a licensed specialist in school psychology; or
- a licensed marriage and family therapist.

A participating institution that developed a pipeline program would have to partner with one or more public junior colleges to create a guided pathway for public junior college students. A participating institution also would have to ensure that such students who completed a field of study curriculum or were awarded a "Texas Direct" associate degree and transferred to the participating institution:

- did not lose any credits earned before transferring;
- could earn a baccalaureate degree in less than two years following the transfer; and
- after earning a baccalaureate degree in an appropriate program, was automatically admitted to a postbaccalaureate degree or certificate

program if the student met the minimum academic requirements and the program had the capacity to admit new students.

The bill would require THECB to determine the existing field of study curricula that a participating institution could accept and any additional field of study curricula that a participating institution could develop to enable a public junior college student to fulfill the undergraduate curricular requirements relevant to the specialties described by the bill. THECB would have to promote the program and maintain on its website information that clearly displayed:

- relevant field of study curricula;
- a list of pipeline programs;
- a list of participating institutions that had established a program;
- a map of the location of each participating institution with a program; and
- data regarding each pipeline program.

The bill would require each participating institution to submit an annual report to THECB that included:

- the total number of students in the institution's pipeline program;
- the number of students in the pipeline program who had transferred from a public junior college to the participating institution without losing any credits;
- the number of students in the pipeline program who in the preceding academic year earned a baccalaureate degree from the participating institution that was completed in two years or less;
- the capacity of the pipeline program to prepare more students for licensure and practice as mental health professionals in the specialties described by the bill;
- the financial resources allocated by the participating institution to increase the number of students who were able to complete their targeted degree or certificate program under the institution's pipeline program; and
- the average time for a student to complete the student's targeted degree or certificate program under the pipeline program from the

date the student enrolled in a public junior college to the date of the student's graduation from the degree or certificate program.

The bill would take effect September 1, 2025.

SUBJECT: Authorizing notice to be sent via email in certain family law cases

COMMITTEE: Judiciary & Civil Jurisprudence — favorable, without amendment

VOTE: 7 ayes — Leach, Johnson, Dyson, Flores, LaHood, Landgraf, Moody

0 nays

4 absent — Dutton, J. González, Hayes, Schofield

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

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

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

DIGEST: Under SB 1404, if a court in a suit affecting the parent-child relationship rendered an order prohibiting disclosure of a party's information due to risk of harassment or family violence, the court would have to require that the party provide, for inclusion in the final order, an email address at which the party could receive notice and service of process of subsequent motions, petitions, or other legal pleadings using the electronic filing system and other legal documents or required notices.

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

SB 1404 would allow a court to consider due process requirements for notice and service of process to be met in a child support modification action if written notice was delivered to the most recent residence address, email address, or address of employment of a party.

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

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

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

The bill would take effect September 1, 2025.

SUBJECT: Releasing state interests in certain property located in Palo Pinto County

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

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

0 nays

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

WITNESSES: For — None

Against — None

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

BACKGROUND: Some have suggested that providing a process for releasing the state's reversionary interest in certain property located in Mineral Wells that can currently be used only for fairs, livestock shows, or rodeo grounds would allow Palo Pinto County residents to use the property for other purposes.

DIGEST: SB 2139 would require the Texas Military Department to determine the fair market value of certain real property in Palo Pinto County described by the bill that was transferred by the state to the City of Mineral Wells in 1953. The bill also would require the department to determine the present fair market value of interests retained by the state in buildings, structures, and other property located or installed on the transferred property.

The bill would authorize these fair market values to be established by an independent appraisal obtained by the department or by another means that the department determined reasonable if an independent appraisal of those values was not feasible.

The department would be required, upon determining the fair market values, to negotiate and close a transaction with the Palo Pinto County Livestock Association for the release of the state's reversionary interest in

the transferred property and any other interest of the state in property located or installed on the transferred property.

In negotiating and closing the transaction, the department would have to determine whether the state had received, as consideration for the transfer of the property, fair market value for the transferred property through its use as a fair, livestock show, and rodeo ground in furtherance of a public purpose, as provided by the covenants imposed to the transfer. The department also would have to consider whether the state had received sufficient additional consideration through that use to equal the present fair market value of any property located or installed on the transferred land to which the state retained title.

If the department determined that the state had received the fair market value, the department would have to release by appropriate instrument the state's reversionary interest in the transferred property and the state's interest in any property located or installed on the transferred property. Otherwise, the department could release those interests in exchange for sufficient monetary consideration, as determined by the department, to provide the remaining value owed to the state for the state’s transfer of the property or installed property.

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 dismissal of certain cases for missing foster children

COMMITTEE: Judiciary & Civil Jurisprudence — favorable, without amendment

VOTE: 8 ayes — Leach, Johnson, Dyson, Flores, Hayes, LaHood, Landgraf, Moody

0 nays

3 absent — Dutton, J. González, Schofield

SENATE VOTE: On final passage (May 9) — 31 - 0

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

BACKGROUND: Family Code sec. 263.401 requires that the court's jurisdiction of a suit filed by the Department of Family and Protective Services (DFPS) that requests termination of the parent-child relationship or requests that the department be named managing conservator be terminated and the suit be automatically dismissed without a court order after the first anniversary of the date the court appointed DFPS as temporary managing conservator, unless trial has commenced or an extension was granted under certain circumstances. The court may retain the suit for up to 180 days and make further temporary orders for the safety and welfare of the child if the court makes certain findings. The court may not grant an additional extension unless a trial has commenced, in which case the suit is automatically dismissed without a court order before the 180th day.

Concerns have been raised that cases involving foster children who have gone missing from their placements can be dismissed, potentially terminating the legal responsibility of DFPS to provide care and oversight.

DIGEST: SB 2165 would prohibit a court from dismissing a suit affecting the parent-child relationship solely because the child was missing from the substitute care provider. If a court found that a child was missing from substitute care, the court would be required to retain jurisdiction and set a new dismissal date 180 days after the prior dismissal date. The case could

not be dismissed before the earlier of the date the child was found or the date on which the child would have been no longer eligible to receive department services or benefits.

If the court retained jurisdiction but did not commence the trial on the merits before the dismissal date, the court’s jurisdiction over the suit would terminate, and the suit would be automatically dismissed without a court order.

The bill also would prohibit a court required to conduct permanency hearings for a child for whom DFPS had been appointed permanent managing conservator from dismissing a suit affecting the parent-child relationship while the child was missing from the child's substitute care provider, unless the child was adopted or permanent managing conservatorship of the child was awarded to an individual other than the department.

The bill would take effect September 1, 2025.

SUBJECT: Limiting severance pay for certain political subdivision employees

COMMITTEE: Intergovernmental Affairs — favorable, without amendment

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

0 nays

1 absent — Cole

SENATE VOTE: On final passage (April 16) — 30 - 1

WITNESSES: None (*considered in a formal meeting on April 28*)

BACKGROUND: Concerns have been raised about payout clauses for certain public employees that can result in substantial taxpayer-funded severance payments, even in cases of misconduct or poor performance.

DIGEST: SB 2237 would require a political subdivision that entered an employment agreement, or renewal or renegotiation of an existing agreement, that provided for severance pay with an executive employee to include:

- a requirement that severance paid from tax revenue could not exceed the compensation the employee would have been paid for 20 weeks, excluding paid time off or vacation leave; and
- a prohibition of severance pay if the employee was terminated for misconduct.

For purposes of the bill, an executive employee of a political subdivision would mean a chief executive officer (CEO) of a political subdivision other than a school district, an agency or department head, a school district superintendent, or a charter school CEO.

The bill would require a political subdivision to post each severance agreement prominently on its website.

In an action brought against a political subdivision by an employee arising from the person's termination, a court could not issue a writ of execution or mandamus in connection with a judgment if the judgment did not comply with SB 2237.

The bill would take effect September 1, 2025.

SUBJECT: Amending provisions related to Texas Energy Fund loans and grants

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 29) — 31 - 0

WITNESSES: For — Taylor Kilroy, Texas Public Power Association (*Registered, but did not testify*: J. McCartt, Sky Global)

Against — None

On — (*Registered, but did not testify*: Connie Corona, Public Utility Commission of Texas)

BACKGROUND: Concerns have been raised that the deadline for the Public Utility Commission of Texas' ability to disburse initial loan funds from the Texas Energy Fund could restrict flexibility in funding energy projects in response to market needs. Concerns have also been raised that the attorney general's interpretation of confidentiality protections for Texas Energy Fund application materials could leave certain proprietary and commercially sensitive information subject to disclosure.

DIGEST: CSSB 2268 would specify that information submitted to the Public Utility Commission of Texas (PUC) at any time for the purpose of enabling PUC to make a determination on the award under the Texas Energy Fund of a loan for the ERCOT power region, a grant for a facility outside the ERCOT region, a completion bonus grant, or a backup power package was confidential and not subject to disclosure under the Public Information Act.

The bill would replace the prohibition on PUC disbursement of the initial funds for a loan after December 31, 2025, with an authorization for PUC to do so if PUC determined that market factors necessitated an extension of the deadline for such a disbursement. An applicant could request disbursement of initial funds after December 31, 2025, and PUC would be required to approve or deny the request on a case-by-case basis.

The bill also would allow a construction loan under the Texas Energy Fund provided to a municipally owned utility, or an instrumentality of a municipal corporation established for the benefit of a municipally owned utility, to be in the form of a public security issued by the loan applicant if the public security was payable on a parity basis with other debt of the loan applicant secured by a senior lien on net revenues of the facility or the loan applicant's utility system. This authorization would apply to a loan for which the application was submitted before the bill's effective date if the application was pending on that date.

CSSB 2268 would remove the specification that completion bonus grants be considered with loans for the ERCOT power region under the Texas Energy Fund for the purposes of the prohibition on loans and completion bonus grants, considered together, supporting the addition or construction of more than 10,000 megawatts of generation capacity. Completion bonus grants would be prohibited from supporting the construction of more than 10,000 megawatts of generation capacity.

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 third-party property reviews and inspections to backup power

COMMITTEE: Land & Resource Management — committee substitute recommended

VOTE: 6 ayes — Gates, Alders, Hunter, R. Lopez, Morgan, Virdell

0 nays

3 absent — Lalani, Y. Davis, Hinojosa

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

WITNESSES: None

BACKGROUND: Local Government Code ch. 247, as added by the 88th Legislature, authorizes certain third-party development document reviews and development inspections. Concerns have been raised that burdensome regulations and slow permitting processes can hinder Texans who want to install home backup power systems at a time when many are seeking to prepare for catastrophic weather events. Some have suggested amending Local Government Code ch. 247 to extend third-party document review and inspections to home backup power installations.

DIGEST: CSSB 1202 would authorize a person authorized to review a development document or conduct a development inspection under Local Government Code ch. 247 to review a document or conduct an inspection required by a regulatory authority to install a home backup power installation without having to submit the document to or request the inspection from the authority. Under the bill, "home backup power installation" would mean an electric generating facility, an energy storage facility, a standby system, and any associated infrastructure and equipment intended to provide power to a one- or two-family dwelling connected at 600 volts or less.

The bill would require a regulatory authority to post on its website each law, standard, fee schedule, and other document necessary for a person to review a development document or conduct a development inspection under the bill or provide an electronic copy of such information within

two business days of receiving a request. A document reviewer or inspector for a home backup power installation could use software designed to automate the required review and rely on the accuracy of the information provided by a regulatory authority under the bill.

If a regulatory authority had not posted or provided the information, a reviewer or inspector could use the applicable standards of the International Residential Code. A regulatory authority that had not posted or provided a fee schedule could not charge a fee for issuing an approval, permit, or certification for a home backup power installation.

CSSB 1202 would require a regulatory authority to issue each approval, permit, or certification to a review or inspection under the bill within two business days of receiving notice by the reviewer or inspector as required under Local Government Code ch. 247. Construction of a home backup power installation could begin on submission of that notice.

CSSB 1202 also would amend the notice requirement under ch. 247 to specify that if the regulatory authority had not specified a format for the notice, a reviewer or inspector could provide notice by email. The format prescribed by a regulatory authority could not limit use of software designed to automate the review or approval process.

The bill would take effect September 1, 2025.

SUBJECT: Designating spaceports as critical infrastructure facilities

COMMITTEE: State Affairs — favorable, without amendment

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

1 nay — Y. Davis

SENATE VOTE: On final passage (March 26) — 30 – 1

WITNESSES: None (*Considered in public hearing on April 30*)

BACKGROUND: Concerns have been raised that spaceports, which contribute to the state economy and national security, lack the same legal protections as other critical infrastructure facilities.

DIGEST: SB 1198 would amend the Government Code to include in the definition of "critical infrastructure facility" for criminal and civil liability:

- any property or facility used for the launch, landing, recovery, or testing of spacecraft that was either licensed by the Federal Aviation Administration or operated by a spaceport development corporation; and
- any such property that was under construction, and all equipment and appurtenances used during that construction.

The bill would take effect September 1, 2025.

SUBJECT: Increasing penalty for trafficking of persons to a first-degree felony

COMMITTEE: Criminal Jurisprudence — favorable, without amendment

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

0 nays

1 present not voting — Wu

SENATE VOTE: On final passage (May 7) — 30 - 1

WITNESSES: None (*Considered in a formal meeting on May 12*)

BACKGROUND: Some have suggested that the penalty for any conduct constituting the offense of human trafficking should be increased from a second-degree felony to a first-degree felony, rather than increased only under certain conditions.

DIGEST: SB 1212 would increase the penalty for any conduct that constituted trafficking of persons from a second-degree felony (two to 20 years in prison and an optional fine of up to $10,000) to a first-degree felony (life in prison or a sentence of five to 99 years and an optional fine of up to $10,000).

The bill would make conforming changes, and the enhanced penalty would apply regardless of whether a person trafficking a child or disabled victim knew the age of the child or knew the victim was disabled.

The bill would take effect September 1, 2025.

SUBJECT: Increasing penalty for offense of stealing or receiving a stolen check

COMMITTEE: Criminal Jurisprudence — favorable, without amendment

VOTE: 7 ayes — Smithee, Bowers, Cook, Little, Louderback, Money, Moody

3 nays — Wu, J. Jones, Rodríguez Ramos

1 present not voting — Virdell

SENATE VOTE: On final passage (March 19) — 29 – 2

WITNESSES: For — Kate Decker, Texas Bankers Association (*Registered, but did not testify*: Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); Cole Norton, Credit Union Coalition of Texas; Joe Morris, Game Warden Peace Officers Association; Ray Hunt, Houston Police Officers' Union; Brian Yarbrough, JPMorgan Chase Holdings, LLC; Bo Stallman, Sheriffs' Association of Texas; Meredyth Fowler, Texas Mortgage Bankers Association; John Wilkerson, Texas Municipal Police Association (TMPA); Scott Rubin, Texas Police Chiefs Association; Timothy Mabry)

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

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

BACKGROUND: Concerns have been raised about a rise in financial crimes involving the theft, resale, and forgery of checks, which are causing significant harm to Texas banks and consumers. Some have suggested increasing the criminal penalty for stealing or receiving unsigned checks to deter these increasingly organized and sophisticated fraud schemes.

DIGEST: SB 1451 would increase from a Class A misdemeanor (up to one year in jail and/or a maximum fine of $4,000) to a state-jail felony (180 days to two years in a state jail and an optional fine of up to $10,000) the penalty for stealing an unsigned check or similar sight order or knowledgeably receiving such a check or sight order with intent to use it, to sell it, or to

transfer it to a person other than the person from whom the check or sight order was stolen.

The bill would take effect September 1, 2025, and would apply only to an offense committed on or after the bill's effective date.

SUBJECT: Requiring DPS to share certain data with SOS for voter roll maintenance

COMMITTEE: Elections — favorable, without amendment

VOTE: 9 ayes — Shaheen, Bucy, Isaac, Morales Shaw, Plesa, Raymond, Swanson, Toth, Wilson

0 nays

SENATE VOTE: On final passage (April 10) — 20 - 10

WITNESSES: For — Linda Szynkowicz, Fight Voter Fraud, Inc. (*Registered, but did not testify*: Laura Rogers, County and District Clerk Association; Karen Marshall, SREC; Andrew Eller, SREC EI Committee and Secure Texas Elections LP Subcommittee; Jennifer Doinoff, Texas Association of County Election Officials; Tom Glass, Texas Constitutional Enforcement; Cicely Kay, Travis County Commissioners Court; Kathy Haigler; Russell Hayter; Ken Moore)

Against — (*Registered, but did not testify*: Mary Ibarra, ACLU of Texas; Emily French, Common Cause Texas; Jennifer Burger; Susana Carranza; Steven Deline)

On — Christina Adkins, Texas Secretary of State

BACKGROUND: Some have suggested that certain data received by the Texas Department of Public Safety (DPS) regarding former Texas residents who apply for driver's licenses in other states provides a ready-made list of people who no longer live in Texas and should no longer be registered to vote in Texas.

DIGEST: SB 1470 would require the secretary of state, in maintaining the statewide voter registration list and preventing duplication of registration in more than one state or jurisdiction, to use data of registered voters who applied for a driver’s license or personal identification card in another state to identify voters whose addresses had changed, who were not qualified due

to a convicted felony, or who were registered to vote in more than one state.

For purposes of the bill, the Department of Public Safety (DPS) would be required to share with the secretary of state any data related to individuals holding a driver's license or personal identification card in this state and who applied for a driver's license or personal identification card in another state.

The secretary of state could, in consultation with DPS, adopt rules and establish procedures for the administration of the bill.

The bill would take effect September 1, 2025.

SUBJECT: Revising civil asset forfeiture provisions to include digital assets

COMMITTEE: Criminal Jurisprudence — favorable, without amendment

VOTE: 6 ayes — Smithee, Wu, Cook, Little, Louderback, Moody

5 nays — Bowers, J. Jones, Money, Rodríguez Ramos, Virdell

SENATE VOTE: On final passage (April 1) — 26 – 5

WITNESSES: For — None

Against — None

BACKGROUND: Code of Criminal Procedure ch. 59 establishes offenses for which any property involved in the commission of would be considered contraband, and authorizes peace officers and attorneys representing the state to take certain actions to seize such contraband.

Concerns have been raised that current civil asset forfeiture laws do not clearly address digital assets such as cryptocurrencies, NFTs, and stablecoins, making it harder for law enforcement to combat certain financial crimes.

DIGEST: SB 1498 would amend the Code of Criminal Procedure to account for the use or gain of digital currency, non-fungible token, or stablecoin in illicit activities.

The bill would amend Code of Criminal Procedure ch. 59 to include in the definition of "contraband" digital currency, non-fungible token, or stablecoin used in the commission of certain offenses specified by law. Similarly, "proceeds" would be amended under the chapter to include, with respect to the digital currency gained from the commission of an offense, any increase in value of the digital currency between the date of acquisition and forfeiture of the asset. "Depository account" also would be revised to mean the obligation of a regulated financial institution to pay the account owner under written agreement, including a digital currency

wallet, regardless of whether the wallet was connected to an exchange or network.

The bill would expand the locations in which a state attorney could file an affidavit for a judgement in the amount of the illicit proceeds to include a district court located in the county in which the law enforcement agency that initiated seizure of the property was located, if the property was a digital currency, non-fungible token, stablecoin, or wallet not connected to an exchange or network.

Within 72 hours of seizing digital currency, non-fungible token, or stablecoin, the relevant law enforcement agency would have to transfer the property to a wallet that was not connected to an exchange or network and only accessible by the law enforcement agency or the attorney representing the state.

A forfeiture proceeding would begin in the county where the law enforcement agency that initiated the seizure of the property was located if the property was a digital currency, non-fungible token, stablecoin, or wallet not connected to an exchange or network.

A regulated financial institution could, at the time a seizure warrant was issued, transfer any such assets held by the institution to a secure wallet that was not connected to an exchange or network and that was in the possession of a law enforcement agency or an attorney representing the state.

The bill would take effect September 1, 2025.

SUBJECT: Prohibiting the infringement of certain school employee religious rights

COMMITTEE: State Affairs — favorable, without amendment

VOTE: 10 ayes — King, Darby, Geren, Guillen, Hull, McQueeney, Metcalf, Phelan, Raymond, Smithee

5 nays — Hernandez, Anchía, Y. Davis, Thompson, Turner

SENATE VOTE: On final passage (April 1) — 20 - 11

WITNESSES: For — Jonathan Covey, Texas Values (*Registered, but did not testify*: Addie Crimmins, ADF Action; Thomas Parkinson)

Against — Andrew Hendrickson, ACLU of Texas (*Registered, but did not testify*: Susana Carranza)

BACKGROUND: Some have suggested that the Legislature should codify the right of school employees to engage in religious speech or prayer while on duty, established by a 2022 U.S. Supreme Court ruling.

DIGEST: SB 965 would establish that the right of an employee of a school district or charter school to engage in religious speech or prayer while on duty could not be infringed on by the district or charter school or another state governmental entity, unless the infringement was:

- necessary to further a compelling state interest; and
- narrowly tailored using the least restrictive means to achieve that interest.

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: Exempting electronic property records from fees charged by county clerks

COMMITTEE: Intergovernmental Affairs — favorable, without amendment

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

0 nays

1 absent — Cole

SENATE VOTE: On final passage (March 26) — 31 – 0

WITNESSES: None (*Considered in a formal meeting on April 28*)

BACKGROUND: Concerns have been raised about the cost of obtaining electronic copies of real property records from county clerks. Some have suggested making requests for real property records consistent with provisions in state law that limit charges for electronic copies to the actual cost of document production.

DIGEST: SB 1547 would exclude real property records from the mandatory fee collected by a county clerk for the issuance of an electronic copy of a document. Real property records that were provided in a format other than paper would be subject to the attorney general's cost provisions for public information requests.

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: Modifying expunction procedures and fees for criminal records

COMMITTEE: Criminal Jurisprudence — favorable, without amendment

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

1 nay — Louderback

SENATE VOTE: On final passage (April 24) — 30-1

WITNESSES: None (*considered in a formal meeting on May 12*)

BACKGROUND: Concerns have been raised that mailing expunction notices to multiple agencies, some of which do not accept electronic service, and the destruction of expunction orders after a limited retention period can make the process costly, duplicative, and burdensome.

DIGEST: SB 1667 would revise procedures for expunction of criminal records under the Code of Criminal Procedure.

Eligibility, petitions. Individuals eligible for expunction after completing a veterans treatment court, mental health court, or pretrial intervention program would be required to include the same identifying information currently required in other expunction petitions. Petitions could not list a state or local agency more than once or include multiple contacts for the same agency. These petition formatting requirements also would apply to applications for expunction based on mistaken identity.

District clerks would be required to compile and maintain on their websites a list of relevant agencies and entities, along with their email addresses, for use in expunction petitions. District clerks would not be responsible for ensuring the list is complete or that petitions include all applicable agencies.

Service and notification procedures. The bill would specify that courts would be required to set the hearing at least 30 days after a petition was

filed and to provide notice and a copy of the petition to each listed entity, rather than just named entities, by certified mail or electronic transmission. Clerks of the court would be authorized to serve notice of hearings and final expunction orders by secure electronic transmission, and agencies would be required to accept service if an email address was provided. The clerk of the court could not charge a fee for electronic service but would be required to charge $25 for each agency or entity that could not receive service electronically.

Clerks of the court also would be required to send a copy of each final expunction order to the Office of Court Administration. The Department of Public Safety would be required to notify federal criminal record repositories upon receiving a petition or notice.

Record retention, confidentiality. Courts would be required to retain certain mental health records that could disqualify a person from possessing a firearm under federal law, even if other records in the case were expunged. These records would be confidential and could be made available only to designated agencies for audit or verification purposes.

Expunction orders would have to be retained indefinitely in a confidential manner, with copies provided only upon proper identification or court order. The current one-year retention limit for these records and the provision governing court costs for expunctions would be repealed.

The bill would take effect September 1, 2025.

NOTES: According to the Legislative Budget Board, the fiscal implications of the bill cannot be determined due to a lack of available case-level data.

SUBJECT: Providing a provisional license for military members and spouses

COMMITTEE: Licensing & Administrative Procedures — favorable, without amendment

VOTE: 11 ayes — Phelan, Thompson, Gerdes, Geren, Harless, Harris, Longoria, McQueeney, Patterson, M. Perez, Romero

0 nays

2 absent — Hernandez, Walle

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

WITNESSES: None

BACKGROUND: Concerns have been raised that, while military service members and their spouses are authorized to practice in Texas if they hold an occupational license in another state, delays in issuing verification of the license holder's standing can prevent these individuals from working for extended periods of time.

DIGEST: SB 1818 would require a state agency that issued an occupational license, upon receipt of an application for an alternative license for a military service member, veteran, or military spouse, to promptly issue a provisional license to the applicant while the agency processed the application or issued the license for which the applicant applied.

The provisional license would expire on the earlier of the date the agency approved or denied the provisional license holder's application for the license or the 180th day after the date the provisional license was issued.

On receipt of the notice and information required under state law regarding the recognition of an out-of-state license for a military service member or military spouse, the relevant state agency would be required to promptly confirm that the agency had verified the license in the other jurisdiction and had authorized the applicant to engage in the relevant business or to issue a provisional license to the military service member or

military spouse pending the confirmation. A provisional license issued under these provisions would expire on the earlier of the date the agency issued or denied confirmation of license verification or the 180th day after the date the provisional license was issued.

CSHB 5043 would require all applicable state agencies to adopt rules to implement the bill by December 1, 2025.

The bill would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of $1,455,629 to general revenue related funds through the biennium.

SUBJECT: Revising license plate removal and transfer rules for motor vehicle dealers

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 (March 19) — 31 - 0

WITNESSES: For — Bently Durant, Texas Automobile Dealers Association (*Registered, but did not testify*: Claire McDonald, Bird Kultgen Ford; James Parnell, Dallas Police Association; Brian Yarbrough, EAN Holdings, LLC and its Affiliates (dba Enterprise Mobility); Wyatt Wainwright, Houston Automobile Dealers Association; Ray Hunt, Houston Police Officers' Union; Morris Wilkes, New Car Dealers of West Texas; Brent Franks, North Texas Automobile Dealers; Timothy Crenwelge, TADA; Matthew Bentley, Texas Independent Automobile Dealers Association; Scott Rubin, Texas Police Chiefs Association; Thomas Parkinson)

Against — None

On — (*Registered, but did not testify*: Roland Luna, Texas DMV)

BACKGROUND: Transportation Code sec. 503.021 establishes that a person may not engage in business as a motor vehicle dealer, directly or indirectly, including by consignment, without a dealer general distinguishing number for each location from which the person conducts business as a dealer.

Concerns have been raised that the Transportation Code requires all licensed motor vehicle dealers to issue metal license plates to buyers at the time of the sale, which requires dealers to store a significant quantity of new metal license plates and plates from vehicles sold to them in a secure place at the dealership.

DIGEST:

SB 1902 would revise provisions on the handling of license plates removed by a dealer who holds a general distinguishing number (GDN) upon the sale or transfer of a motor vehicle.

Dealers would have to transfer each removed license plate to a motor vehicle if that motor vehicle was purchased from the dealer and the license plates were appropriate for the class of vehicle to which the plates are being transferred. Provisions requiring license plates to be assigned to a subsequent purchaser at retail sale and authorizing a motor vehicle purchaser to request replacement license plates would be removed. Instead of requiring plates to remain with a vehicle sold to a person without a GDN, a seller would have to remove each license plate issued for a motor vehicle on the sale or transfer of the motor vehicle to such a person.

Removed license plates could be transferred to another vehicle titled in the seller's name if the license plates were appropriate for the class of vehicle to which the plates are being transferred, and the seller obtained approval from the Texas Department of Motor Vehicles (TxDMV) for an application to transfer the license plates and a new registration insignia. Any license plate removed from a motor vehicle that was not transferred to another motor vehicle would have to be disposed of in a manner prescribed by TxDMV within 10th days after the license plate was removed.

TxDMV would be authorized to deny a dealer access to the database of dealer-issued license plates, after giving notice electronically and by certified mail to the dealer, if TxDMV determined that the dealer had been denied access to the temporary tag database due to fraudulently obtaining temporary tags from the temporary tag database.

SB 1902 would require TxDMV to adopt rules necessary to implement or administer the bill by October 1, 2025.

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

NOTES:

According to the Legislative Budget Board (LBB), the bill would have an impact of $0 to general revenue related funds through the biennium. LBB also estimates that the bill would have a negative impact of $4,345,920 to the Texas Department of Motor Vehicles Fund each fiscal year, with an additional cost of $264,600 through the biennium due to a one-time information technology cost necessary to make programming changes to the agency's automated systems.

SUBJECT: Enhancing penalty for disobeying railroad grade crossing signals

COMMITTEE: Transportation — favorable, without amendment

VOTE: 11 ayes — Craddick, M. Perez, Canales, Curry, Gámez, Harris Davila, Hefner, LaHood, E, Morales, Patterson, Paul

0 nays

2 absent — Little, C. Morales

SENATE VOTE: On final passage (April 22) — 31 - 0

WITNESSES: None

BACKGROUND: Concerns have been raised that the penalty for a person driving around, under, or through a crossing gate and ignoring a flagger's warning is too low to deter such behavior effectively.

DIGEST: HB 1772 would enhance the penalty for failing to obey a signal that indicated the approach of a train or other on-track equipment from a fine of between $50 and $200 to a fine of between $100 and $400 if it is shown on trial that the actor disregarded a warning given by a flagger.

The bill would take effect September 1, 2025.

SUBJECT: Authorizing regulation of composting in certain counties

COMMITTEE: Environmental Regulation — committee substitute recommended

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

0 nays

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

WITNESSES: For — Marida Favia del Core Borromeo, Eric Hjorth and Frank Malinak, Citizens of Lee County; Ed Johnson, Giddings Economic Development Corporation; John Durrenberger, Washington County; Annie Bolognino; Tyler Hjorth (*Registered, but did not testify*: Tom Glass, Lee County Conservatives)

Against — Zachary Thomas, Organics by Gosh (*Registered, but did not testify*: Luke Metzger, Environment Texas; Kenneth Flippin, Texas Chapter US Green Building Council; Lora Hinchcliff, Texas Composting Council; Chris Macomb, Waste Management of Texas, Inc.; Travis Breihan; Steven Deline)

On — Grant Williamson, Austin Wood Recycling; Steven Akers, Back to Nature; Manuel Rodriguez, Living Earth and Texas Nursery & Landscape Association (*Registered, but did not testify*: Cyrus Reed, Lone Star Chapter Sierra Club; Charly Fritz, Texas Commission on Environmental Quality; Curtis Smith, Texas Nursery and Landscape Association)

BACKGROUND: Some have suggested that providing counties with the authority to regulate commercial composting of food waste from municipalities with composting ordinances could help address local concerns related to compost matter on county property, such as potential impacts on nearby water sources.

DIGEST: CSSB 2078 would prohibit a person from depositing food waste that was collected for composting in a municipality that had a commercial food

waste composting ordinance, and was subject to such an ordinance, at a composting facility in a county that did not contain a municipality with a commercial food waste composting ordinance. A person would be liable for a civil penalty of $1,000 for each violation.

The bill would authorize the attorney general to bring an action in a court of competent jurisdiction to recover the civil penalty imposed under the bill.

The bill would not apply to the following:

- an agricultural operation as defined by law;
- a composting facility located in a county where the commissioners court of the county by resolution or order authorized the deposit of food waste subject to a commercial food waste composting ordinance at the facility; or
- a composting facility that was authorized to operate under a valid notification issued by the Texas Commission on Environmental Quality (TCEQ) on or before January 1, 2025, and that accepted food waste described by the bill before that date.

The bill would take effect September 1, 2025.

SUBJECT: Establishing work group to study feasibility of a psychiatric bed registry

COMMITTEE: Public Health — favorable, without amendment

VOTE: 8 ayes — VanDeaver, Bucy, Collier, Cunningham, Frank, Johnson, Schofield, Simmons

3 nays — Olcott, Pierson, Shofner

2 absent — Campos, J. Jones

SENATE VOTE: On final passage (May 1) — 28 – 3

WITNESSES: None *(Considered in a formal meeting on May 8)*

BACKGROUND: Concerns have been raised that clinicians often face challenges when searching for available psychiatric beds for individuals needing intensive psychiatric services, which can create difficulty for emergency departments. Some have suggested that a statewide or regional registry of available psychiatric beds could help improve access to psychiatric beds and reduce emergency department wait times.

DIGEST: SB 2069 would require the Health and Human Services Commission (HHSC) to establish a work group to conduct a study on the feasibility of implementing a statewide or regional psychiatric bed registry to list available beds at inpatient mental health facilities for the inpatient psychiatric treatment of certain individuals. The work group would have to include the following members appointed by the HHSC executive commissioner:

- the chair of the Texas Hospital Association or the chair's designee;
- the president of the Texas Medical Association or the president's designee;
- the president of the Texas Nurses Association or the president's designee;
- two experts in the field of technology;
- one licensed psychiatrist;
- one licensed professional counselor;

- one member who worked in a substance use treatment facility;
- one member who was a representative of a hospital located in a rural area of this state;
- one member who was a representative of a hospital located in a county with a population of four million or more;
- one member who was a representative of a hospital located in an urban area of this state in a county with a population of less than four million;
- one member who was a representative of a public hospital;
- one member who was a representative of a private hospital;
- one member who was a statistician;
- one member who was a public health expert; and
- any other member determined necessary by the executive commissioner.

The work group would be required to meet periodically at the call of the presiding officer, who would be elected by the group from among the membership.

By November 1, 2027, HHSC would be required to prepare and submit to each standing committee of the Legislature with primary jurisdiction over mental health a written report summarizing the results of the study. The report would have to evaluate the effect of bed registries and include recommendations for increasing public awareness of bed registries and leveraging financial incentives and legislative, regulatory, or contractual mechanisms to expedite the entry of data for bed registries. The report also would have to assess the effect of hospital reimbursements in increasing bed availability, evaluate psychiatric treatment capacity in relation to bed availability, and include any other information HHSC considered necessary.

On November 1, 2028, the work group would be abolished and these provisions would expire. The bill would take effect September 1, 2025.

SUBJECT: Expanding retirement benefits for law enforcement and custodial officers

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

VOTE: 5 ayes — Lambert, Plesa, Bumgarner, Hayes, Schoolcraft

0 nays

4 absent — Bryant, L. Garcia, Holt, Vo

SENATE VOTE: On final passage (April 2) — 31 - 0

WITNESSES: For — Wesley Hensley; Cody Smirl (*Registered, but did not testify*: Ben Wright, Blet/Txslb; Chris Jones, Combined Law Enforcement Associations of Texas (CLEAT); Robin Foster, Harris County Deputies' Organization FOP Lodge 39; Ray Hunt, Houston Police Officers' Union; Carlos Ortiz, San Antonio Police Officers Association; Leonard Aguilar, Texas AFL-CIO; Robert Sunley, James Quinn, Wayne Rubio, and John Combs, Texas Attorney General Peace Officers Association; Mitch Landry, Texas Municipal Police Association (TMPA); Tyler Sheldon, Texas State Employees Union; Ann Bishop, TPEA; Luis Cadena; Steven Deline; David Fugitt; Stanley Roper; Brian Seales)

Against — None

On — (*Registered, but did not testify*: Robin Hardway, Employees Retirement System of Texas)

BACKGROUND: Concerns have been raised about recruitment and retention challenges at certain state agencies employing law enforcement and custodial officers. Some have suggested expanding eligibility for the Law Enforcement and Custodial Officer (LECO) Supplemental Retirement Fund to include officers at these agencies.

DIGEST:

SB 1737 would amend and make confirming changes to provisions related to service retirement benefits payable by the Employment Retirement System of Texas (ERS) to certain law enforcement and custodial officers.

Expanded eligibility. The bill would expand ERS's definition of custodial officer to include a member of the retirement system who was employed by the Texas Juvenile Justice Department (TJJD) in a position in which the member's service was creditable as a custodial officer.

The bill also would expand the definition of law enforcement officer to include a member of the retirement system who had been commissioned as a peace officer by the comptroller or attorney general and licensed as such by the Texas Commission on Law Enforcement (TCOLE).

TJJD would be required to adopt standards for determining eligibility for service credit as a custodial officer employed by the department, based on the need to encourage the early retirement of persons whose duties are hazardous. TJJD also would have to determine a person's eligibility to receive credit as a custodial officer, which could not be appealed.

To receive credit for custodial officer service under the TJJD, an individual would have to perform service as a juvenile correctional officer or in a position where the primary duties included the custodial supervision of, or other close, regularly planned contact with, youth in the custody of the department.

To be eligible to retire and receive a service retirement annuity, a member would have to be at least 55 years old and have at least 10 years of service credit as a law enforcement officer or custodial officer.

Certification. The bill would require any governmental agency that employed or ceased to employ a law enforcement or custodial officer, rather than certain specific agencies, to certify this information to ERS.

Applicability. A law enforcement officer or custodial officer who was not already a member when hired by TJJD, the comptroller, or attorney general on or after September 1, 2022, could establish service credit only for service performed on or after the bill's effective date.

Any member who was employed by TJJD, the comptroller, or attorney general as a law enforcement officer or custodial officer on December 1, 2024, who earned service credit before the bill's effective date, could have that credit counted to determine the benefits payable from the law enforcement and custodial officer supplemental retirement fund.

Other provisions. As soon as practicable after the effective date of the bill, the ERS board of trustees, in consultation with TJJD, the comptroller, and the attorney general, would be required to adopt rules necessary to implement the bill and TJJD, the comptroller, and the attorney general would be required to certify the necessary information to credit custodial and law enforcement officers in accordance with the bill. The making and collecting of member deductions under the bill would begin with the first pay period after the bill's effective date.

ERS report. ERS would be required to implement the bill only if the Legislature appropriated a sufficient amount of money to fund its implementation without increasing ERS's actuarial liabilities. The ERS board of trustees would be required to make and publish a report by October 1, 2025, detailing its findings on the amount appropriated by the Legislature and a statement regarding whether ERS would implement the bill based on the findings.

The bill would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of about $40.2 million to general revenue related funds through the biennium.

SUBJECT: Expanding contract requirements between certain contractors and DFPS

COMMITTEE: Human Services — favorable, without amendment

VOTE: 7 ayes — Hull, Manuel, Dorazio, C. Morales, Noble, Richardson, Slawson

0 nays

4 absent — A. Davis, Rose, Schatzline, Swanson

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

WITNESSES: For — (*Registered, but did not testify*: John Litzler, Baptist General Convention of Texas Christian Life Commission; Andrea Sparks, Buckner International; Diana Forester, Texans Care for Children; Stephanie Battaglia, Texas CASA; Brianna Waldock, TexProtects; Sam Stinnett, Upbring; Eve Margolis)

Against — None

On — (*Registered, but did not testify*: Hollie Mims, DFPS Resource Witness; Steven Deline)

BACKGROUND: Some have suggested that allowing the Department of Family and Protective Services to reclaim or reassign case management responsibilities from a single source continuum contractor without requiring a full contract termination could give the agency greater flexibility to respond to performance issues and ensure continuity and quality of care for children and families.

DIGEST: SB 1589 would require that, in addition to existing provision requirements, a contract with a single source continuum contractor for community-based care services in a catchment area include terms allowing the Department of Family and Protective Services, at its sole discretion, to:

- reclaim the case management authority over any or all of the cases in a catchment area from the single source continuum contractor; or
- transfer the case management authority over any or all of the cases in a catchment area from the single source continuum contractor to another single source continuum contractor.

The bill would take effect September 1, 2025.

SUBJECT: Amending limitations for physician non-compete clauses

COMMITTEE: Public Health — favorable, without amendment

VOTE: 9 ayes — VanDeaver, Campos, Bucy, Collier, Cunningham, Frank, Olcott, Pierson, Shofner

0 nays

4 absent — Johnson, J. Jones, Schofield, Simmons

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

WITNESSES: None

BACKGROUND: The Business and Commerce Code addresses the enforceability of physician non-compete clauses in an employment contract that prevent a doctor or other health care provider from practicing medicine within a defined area. Some have suggested amending the law for physician non-compete clauses to reduce litigation, safeguard the integrity and mobility of the health care workforce, and promote competition.

DIGEST: SB 1318 would establish that a covenant not to compete relating to the practice of medicine was not enforceable unless the covenant provided for a buyout of the covenant by the health care practitioner in an amount that was not greater than the practitioner's total annual salary and wages at the time of termination of the practitioner's contract or employment, rather than at a reasonable price or an amount determined by the parties through arbitration or by an arbitrator.

The bill would also require the covenant to expire not later than the one-year anniversary of the date the contract or employment was terminated. The covenant could apply to no more than a five-mile radius from the location at which the physician primarily practiced before the contract or employment terminated, as specified in the covenant.

The bill would specify that, for the purposes of covenants not to compete, the practice of medicine did not include managing or directing medical services in an administrative capacity for a medical practice.

The bill would make conforming changes to relevant statutory provisions.

The bill would take effect September 1, 2025.

SUBJECT: Increasing bond amount for judges in certain proceedings

COMMITTEE: Judiciary & Civil Jurisprudence — favorable, without amendment

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

0 nays

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

WITNESSES: For — Guy Herman, Statutory Probate Courts of Texas (*Registered, but did not testify*: Lauren Hunt, Texas Real Estate and Probate Institute; Steven Deline)

Against — None

BACKGROUND: Government Code sec. 25.006 requires certain judges presiding over guardianship and probate proceedings to execute a bond in the amount of $100,000 or $250,000, depending on the size of the county.

Concerns have been raised that the amount required under these provisions is not sufficient to provide judges protection from personal liability when they are sued for negligence in the monitoring of a guardian.

DIGEST: SB 387 would amend Government Code sec. 25.006 to increase the bond that a judge presiding over guardianship proceedings in a constitutional or statutory county court must execute to $500,000, regardless of the county size. The bill also would eliminate an exception to the general bond and insurance requirements for a judge of a statutory county court who did not preside over guardianship proceedings.

The bill would take effect September 1, 2025.

SUBJECT: Prohibiting certain deadline extensions for plugging inactive wells

COMMITTEE: Energy Resources — committee substitute recommended

VOTE: 9 ayes — Darby, E. Morales, Dean, J. Garcia, Gates, Gerdes, Guerra, Reynolds, Rosenthal

0 nays

2 absent — Craddick, Dyson

SENATE VOTE: On final passage (April 22) — 30 – 1

WITNESSES: None

BACKGROUND: Some have suggested that establishing clearer limits on how long inactive well plugging deadlines may be extended and requiring operators to demonstrate a history of compliance or provide financial assurances could reduce the number of orphaned wells, ease the burden on the Railroad Commission of Texas, and help protect public health and nearby communities.

DIGEST: CSHB 1150 would prohibit an operator from obtaining an extension of the deadline for plugging an inactive well by complying with the conditions for such an extension that were prescribed under current law if the well had been inactive for more than 15 years and was completed more than 25 years before the date the operator submitted the request for the extension.

The bill would authorize the Railroad Commission of Texas (RRC) to grant an extension of the deadline for plugging an inactive well if:

- on request of the operator, RRC by order determined that the operator's demonstrated history of returning inactive wells to operation warrants the granting of the extension;
- the inactive well was included in a compliance plan submitted to and approved by RRC or RRC’s delegate in which the operator

committed to plugging or restoring the inactive well to operation by September 1, 2040; or

- the operator of the inactive well filed with RRC an individual performance bond in an amount that was not less than the full cost calculation for plugging an inactive well, as established by RRC, that ran with and covered the lifetime of the well, regardless of a change in the operator.

When considering whether to approve an operator's compliance plan, RRC or a delegate would have to consider certain factors, including the age and length of inactivity of the well, the operator's percentage of inactive wells compared to total well count, the operator's record of compliance, and any potential hazards to the health and safety of the public or the environment posed by the inactive well.

If RRC or its delegate denied an operator's request for the approval of a compliance plan under the bill, the operator could request a hearing from RRC regarding that determination.

The bill would require RRC to adopt rules requiring each operator involved in the transfer of an inactive well to jointly submit to RRC a written affirmation stating the well was in compliance with the bill, the transfer was a business practice performed in good faith, and the operator to whom the inactive well was transferred would ensure continued compliance with the bill.

An extension granted under these provisions would not be transferable to another operator. RRC would be required to establish an administrative penalty for a violation of the bill in an amount determined by RRC.

The bill would require RRC to submit an annual report by December 1 to the governor, lieutenant governor, and Legislature detailing certain information, including:

- the number, age, and duration of inactivity for inactive wells;
- extensions granted to plug inactive wells;
- wells plugged in the past year, broken down by operator and RRC-funded efforts;

- inactive wells returned to production or repurposed;
- a summary of inactive well operators based on compliance status;
- non-renewed or unapproved organization reports, including well counts and related financial security; and
- the annual cost to plug an inactive well.

For each inactive well for which 15 years had elapsed from the date on which the relevant well completion report was filed with RRC, an operator would have to submit an annual report to RRC with information regarding the results of a successful fluid level test or hydraulic pressure test of the well conducted in accordance with RRC rules. The report would be required to include appropriate documentation of the results of the test.

In adopting rules under the bill, RRC would be required to consider the risk to public safety or the environment, certain wellbore and wellhead integrity, and certain regional risk considerations.

The bill would take effect September 1, 2025.

SUBJECT: Establishing judicial centers of excellence program

COMMITTEE: Judiciary & Civil Jurisprudence — committee substitute recommended

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

0 nays

SENATE VOTE: On final passage (April 28) — 28 – 3 (Hagenbuch, Hughes, Parker nay)

WITNESSES: For — Sylvia Holmes (*Registered, but did not testify*: Guy Herman, Statutory Probate Courts of Texas; Lee Parsley, Texans for Lawsuit Reform; Jay Dickens; Kennen Dickens)

Against — None

On — Megan LaVoie, Office of Court Administration

BACKGROUND: Some have suggested that codifying an initiative by the Texas Judicial Council, known as the centers for excellence program, would encourage high performance among justices and judges by recognizing and supporting quality work done by courts across the state.

DIGEST: CSSB 1574 would require the Texas Judicial Council (TJC) by rule to develop a centers of excellence program to identify, support, and recognize justices and judges who excel in serving their communities and in representing the judiciary. In awarding a center of excellence recognition to a justice or judge, TJC would have to consider:

- a justice's or judge's governance, access, fairness, case flow management, and court operations; and
- the compliance of the justice's or judge's court with statutory or procedural requirements for judicial reporting, court security, fee collection, indigent defense, and guardianship fraud and abuse prevention.

A justice or judge of an appellate court, district court, statutory county court, statutory probate court, county court, justice court, or municipal court would be eligible for recognition as a center of excellence and could apply for recognition on a form and in the manner prescribed by TJC.

The bill would take effect September 1, 2025.

SUBJECT: Providing for certain retired, former justices and judges as visiting judges

COMMITTEE: Judiciary & Civil Jurisprudence — favorable, without amendment

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

0 nays

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

WITNESSES: None

BACKGROUND: Concerns have been raised that a backlog in the courts has effectively delayed due process for some defendants. Some have suggested that revising eligibility requirements for a former or retired justice or judge to serve as a visiting judge could help alleviate some overburdened courts.

DIGEST: SB 2127 would amend the requirements for a former or retired judge or appellate court justice or judge to be eligible for assignment to active service in a court by lowering the minimum number of months of prior judicial service required from 96 to 72. A judge would be required to certify a willingness not to hear any matter involving a current or former client for the duration of the assignment.

For a judge to be assigned to a district or county court, rather than having to certify a willingness not to appear as an attorney for two years in any court in the state, the bill would require the judge to certify a willingness not to appear as an attorney for two years in any court in the administrative judicial region in which the judge was assigned.

For a justice or judge to be assigned to an appellate court, rather than having to certify a willingness not to appear as an attorney for two years in any court in the state, the bill would require the justice or judge to certify a willingness not to appear as an attorney for two years in any appellate court in the state or any lower court in the same jurisdiction where the justice or judge was assigned.

The bill also would amend the definition of a retired judge by lowering the minimum number of months of prior judicial service from 96 to 72 if the person had retired under the Texas County and District Retirement System.

The bill would take effect on the 91st day after the last day of the legislative session.

SUBJECT: Designating the Doug Pitcock Aggie Expressway

COMMITTEE: Transportation — favorable, without amendment

VOTE: 10 ayes — Craddick, M. Perez, Canales, Curry, Hefner, LaHood, C. Morales, E. Morales, Patterson, Paul

1 nay — Little

2 absent — Gámez, Harris Davila

SENATE VOTE: On final passage (April 24) — 25 – 6

WITNESSES: None

BACKGROUND: Some have suggested that the life and legacy of Doug Pitcock should be formally honored to memorialize his service to Texas.

DIGEST: SB 3034 would designate the portion of State Highway 249 in Grimes and Montgomery Counties between its intersection with State Highway 105 and its southern intersection with Farm-to-Market Road 1774 as the Doug Pitcock Aggie Expressway. 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: Eliminating the Criminal Justice Legislative Oversight Committee

COMMITTEE: State Affairs — favorable, without amendment

VOTE: 13 ayes — King, Hernandez, Anchía, Darby, Y. Davis, Geren, Hull, McQueeney, Metcalf, Phelan, Raymond, Thompson, Turner

0 nays

2 absent — Guillen, Smithee

SENATE VOTE: On final passage (April 10) — 29-1

WITNESSES: None (*Considered in a formal meeting on May 15*)

BACKGROUND: Some have suggested that the oversight functions of the Criminal Justice Legislative Oversight Committee have largely been absorbed by standing committees in the House and Senate, making the committee unnecessary.

DIGEST: SB 860 would repeal statutory provisions establishing the Criminal Justice Legislative Oversight Committee and make conforming changes to remove references to the committee.

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 an affirmative defense to prosecution for certain victims

COMMITTEE: Criminal Jurisprudence — favorable, without amendment

VOTE: 11 ayes — Smithee, Wu, Bowers, Cook, J. Jones, Little, Louderback, Money, Moody, Rodríguez Ramos, Virdell

0 nays

SENATE VOTE: On final passage (May 7) — 31 - 0

WITNESSES: For — Amber McCray, Street Grace; Ross Jackson, Texas Public Policy Foundation (*Registered, but did not testify*: Justin Keener, Doug Deason; Courtney Chavez, Lone Star Justice Alliance; Jennifer Allmon, Texas Catholic Conference of Bishops; Molly Voyles, Texas Council on Family Violence; Steven Deline)

Against — None

BACKGROUND: The Penal Code defines duress for purposes of a defense to criminal prosecution. Some have suggested that the current definition of duress is insufficient to address the experience of a victim of trafficking or compelled prostitution, who may be compelled to commit a crime by tactics that do not always involve immediate force or threat.

DIGEST: SB 1278 would establish an affirmative defense to prosecution for actors who were victims of trafficking of persons or compelling prostitution who engaged in the conduct due to coercion, duress, or threats of serious bodily injury or death to the actor or a member of the actor's family or household.

The bill would not apply if the coercion, duress, or threat would not have caused a reasonable person to engage in the conduct or the actor was merely provided an opportunity to engage in the conduct. The bill would allow information relevant to the identification of a defendant's status as a victim of trafficking of persons or compelling prostitution to be offered to establish the affirmative defense.

The bill would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, the fiscal implications of the bill cannot be determined due to the lack of data to estimate the prevalence of offense circumstances in which the affirmative defense would be applicable under the bill.