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# HOUSE RESEARCH ORGANIZATION

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## daily floor report

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Tuesday, May 27, 2025  
89th Legislature, Number 76  
The House convenes at 10 a.m.  
Part One

One bill is on the Major State Calendar and 46 bills are on the General State Calendar for second reading consideration today. The list of bill digests included in Part One of the *Daily Floor Report* appears on the following page.

Individual HRO bill analyses for previous calendars and bill analyses on the Supplemental House Calendar can be found on the Dynamic Floor Report: <https://hro-dfr.house.texas.gov/floor-reports>



Gary VanDeaver  
Chairman  
89(R) - 76

# HOUSE RESEARCH ORGANIZATION

Daily Floor Report

Tuesday, May 27, 2025

89th Legislature, Number 76

Part 1

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SUBJECT: Limiting lot size and density regulation by certain municipalities

COMMITTEE: Land & Resource Management — committee substitute recommended

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

0 nays

3 absent — Lalani, Y. Davis

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

WITNESSES: None (*considered in a formal meeting May 25*)

BACKGROUND: Concerns have been raised that lot size minimums and other density regulations imposed by local governments can limit development and restrict housing supply, increasing the overall cost of a home and pricing many Texans out of the market.

DIGEST: CSSB 15 would limit certain municipalities' authority to regulate residential lot size and density.

The bill would apply only to a municipality with a population of more than 150,000 located wholly or partly in a county with a population of 300,000 or more. The bill also would apply only to a tract of land of at least five acres with no recorded map or plat that would be platted and located in an area zoned for single-family homes.

The bill would not apply to an area within a specified distance of law enforcement training centers in certain counties, airports, and military bases.

CSSB 15 would prohibit a municipality from adopting or enforcing a regulation that required a residential lot to be larger than 1,400 square feet, wider than 20 feet, or deeper than 60 feet, or, if regulating the density of residential units, a ratio that resulted in fewer than 31.1 units per acre.

The bill would prohibit a municipality from adopting or enforcing a regulation that required a small lot, meaning a residential lot of 4,000 square feet or less, to have:

- a setback greater than five feet from the front, back, or side of the property;
- covered parking;
- more than one parking space per unit;
- off-site parking;
- more than 30 percent open space or permeable surface;
- fewer than three full stories not exceeding 10 feet in height;
- a maximum building bulk; or
- a wall articulation requirement.

The bill also would prohibit any other zoning restrictions inconsistent with these limitations, including restrictions through contiguous zoning districts or uses or from the creation of an overlapping zoning district.

With respect to a small lot, a municipality could require the sharing of a driveway with another lot or permitting fees equivalent to those charged for the development of a lot that was restricted to single-family residential use. The bill would authorize a municipality to adopt or enforce a regulation with respect to a small lot that related to the protection of an aquifer and applied to land located in an aquifer recharge zone.

CSSB 15 would not prohibit a municipality from imposing restrictions that applied to all similarly situated lots or subdivisions, including requiring all subdivisions or all small lots to mitigate stormwater runoff fully. The bill also would not prohibit property owners from enforcing rules or deed restrictions imposed by a homeowners' association or other private agreements.

CSSB 15 would authorize a person adversely affected or aggrieved by a violation of the bill or a housing organization as defined by the bill to bring an action against the municipality or a municipal officer or employee for a declaratory judgment, a writ of mandamus, and injunctive

relief. The action would have to be brought in a county where the property that was the subject of the action was wholly or partly located.

The bill would take effect September 1, 2025.

NOTES:

An HRO bill analysis of CSSB 15 was originally published in the May 24 *Daily Floor Report*.

- SUBJECT:** Amending provisions on planning transportation projects
- COMMITTEE:** Transportation — committee substitute recommended
- VOTE:** 10 ayes — Craddick, M. Perez, Curry, Gámez, LaHood, Little, C. Morales, E. Morales, Patterson, Paul
- 0 nays
- 3 absent — Canales, Harris Davila, Hefner
- SENATE VOTE:** On final passage (March 19) — 27 - 4
- WITNESSES:** For — Johnny Weisman, Hunter Industries, Ltd. (*Registered, but did not testify*: Aaron Kocian, Hunter Industries, Ltd.)
- Against — Richard Thomas, DBIA; Scott Haywood, HNTB (*Registered, but did not testify*: J. McCartt, Fluor Corporation; James A. Thompson, Fort Bend Grand Parkway Toll Road Authority; Debra Richmond, Kiewit Infrastructure)
- On — (*Registered, but did not testify*: Brian Barth, Texas Department of Transportation)
- BACKGROUND:** While the Texas Department of Transportation (TxDOT) uses a unified 10-year program to guide project planning and construction, concerns have been raised about the prioritization of projects that maintain versus improve infrastructure. Some have suggested amending the law to clarify priorities and improve the process for informing legislators of key project milestones.
- DIGEST:** CSSB 35 would revise Transportation Code provisions requiring TxDOT to notify legislators of major road projects in the legislators' counties no later than 10 days after a project was scheduled for completion. The bill would add that notice also was required no later than 10 days after a major road project was selected for funding.

The bill would remove a provision requiring TxDOT to ask each legislator whether the legislator wanted to receive notices.

The bill would require TxDOT's unified transportation program, in addition to existing requirements, to identify and prioritize transportation projects that would improve or were required to maintain the state infrastructure.

In selecting and prioritizing transportation projects, TxDOT would be required to develop a plan, conduct an environmental review, and propose a design for certain projects specified in the bill, including reconstruction, expansion, and improvement of certain roads and highways. In addition to constructing these projects, TxDOT would have to ensure that a route in the state highway system, including Farm-to-Market Roads 1021 and 1472, was sufficiently maintained between Eagle Pass and Laredo.

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 unavailable detailed cost information.

**SUBJECT:** Requiring notice to property owners for certain LP-gas installations

**COMMITTEE:** Energy Resources — favorable, without amendment

**VOTE:** 10 ayes — Darby, E. Morales, Craddick, Dyson, J. Garcia, Gates, Gerdes, Guerra, Reynolds, Rosenthal

0 nays

1 absent — Dean

**SENATE VOTE:** On final passage (March 19) — 22 - 9

**WITNESSES:** For — (*Registered, but did not testify:* Billy Hill III, CenterPoint Energy)

Against — None

**BACKGROUND:** Some have suggested that requiring notice to nearby property owners when large stationary installations of liquefied petroleum gas (commonly known as LP-gas) are proposed or modified could promote public awareness, improve safety, and enhance transparency in local planning decisions.

**DIGEST:** SB 290 would require the Railroad Commission of Texas (RRC) to require an applicant for a proposed installation or modification of a stationary LP-gas installation with an aggregate water capacity of 10,000 gallons or more to mail notice containing the information required by the RRC to all owners of real property situated within 500 feet of the proposed container location.

The bill would require notice to be sent by registered or certified mail, return receipt requested, or any other form of mail that provided proof of delivery. An applicant would be required to maintain a record of the proof of delivery for a period of time as determined by the RRC.

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 vehicle registration procedures, TxDMV authority
- COMMITTEE:** Transportation — favorable, without amendment
- VOTE:** 11 ayes — Craddick, M. Perez, Curry, Gámez, Harris Davila, LaHood, Little, C. Morales, E. Morales, Patterson, Paul
- 0 nays
- 2 absent — Canales, Hefner
- SENATE VOTE:** On final passage (April 10) — 26 – 4
- WITNESSES:** For — (*Registered, but did not testify*: Steven Albright, AGC of Texas)
- Against — None
- On — (*Registered, but did not testify*: Annette Quintero, Texas Department of Motor Vehicles)
- BACKGROUND:** Some have suggested that revising certain Texas Department of Motor Vehicles (TxDMV) requirements related to the Administrative Procedure Act, vehicle registrations, and the authority of TxDMV to deny dealers access to the dealer-issued license plate database would help to clarify current law.
- DIGEST:** SB 1365 would exempt from provisions of the Administrative Procedure Act relating to declaratory judgments, court enforcement, and contested cases the refusal to issue or renew a motor vehicle registration or the cancellation, suspension, or revocation of a motor vehicle registration under applicable vehicle registration provisions or rules adopted by the Texas Department of Motor Vehicles (TxDMV).
- Registration period.** SB 1365 would require TxDMV to designate a vehicle registration period of 24 consecutive months to begin on the first day of a calendar month and end on the last day of the 24th calendar month for a passenger car or light truck that:

- was sold in Texas or purchased by a commercial fleet buyer deputized under applicable state law to perform titling and registration duties for use in Texas;
- had not been previously registered in Texas or another state; and
- on the date of sale, was of the current or preceding model year.

**Refusal.** SB 1365 would specify that TxDMV could refuse to register a motor vehicle or could cancel, suspend, or revoke a registration based on certain safety determinations only after providing notice of the proposed action to the owner of the motor vehicle for which the registration would be refused, canceled, suspended, or revoked, and providing the owner an opportunity to respond. The department could take such action without a hearing.

**Fees.** SB 1365 would specify that the additional fee for registration or renewal of an electric vehicle registration was \$200 for each 12 months of registration, rather than \$400 for the registration of a new vehicle and \$200 for a renewal. The bill also would amend provisions related to a dealer's temporary license plate to specify that there was no fee for the renewal of the same license plate.

**Denial.** The bill would allow TxDMV to deny access to the database of dealer-issued license plates to a dealer if the department determined that a dealer was obtaining or using false, tampered with, or otherwise fraudulent vehicle inspection reports as prohibited by state law and the existing notice requirements were met.

The bill would take effect September 1, 2025.

- SUBJECT: Creating permit exemption for certain flood control dams and reservoirs
- COMMITTEE: Natural Resources — favorable, without amendment
- VOTE: 10 ayes — Harris, Martinez, Ashby, Barry, C. Bell, Buckley, Fairly, J. Garcia, Romero, Villalobos
- 0 nays
- 3 absent — Gámez, M. González, Zwiener
- SENATE VOTE: On final passage (May 5) — 31 - 0
- WITNESSES: For — Ed McCarthy, Plum Creek Conservation District
- Against — None
- On — (*Registered, but did not testify*): Kim Nygren, TCEQ)
- BACKGROUND: Concerns have been raised that the permitting process for the construction of flood-control ponds in rural areas is often lengthy. Some have suggested that certain dams and reservoirs should be exempt from these permits.
- DIGEST: SB 2568 would allow a qualified local sponsor, without obtaining a permit, to:
- construct or maintain on property owned or controlled by the sponsor a dam or reservoir with normal storage of not more than 200 acre-feet of water for the purposes of erosion, floodwater, and sediment control; and
  - divert water from the dam or reservoir as needed to repair, maintain, or rehabilitate the impoundment and associated works of improvement so as to maintain the operational integrity and purpose of the dam or reservoir.

Under the bill, "qualified local sponsor" would be defined as a certain district or authority created under the state Constitution that had entered into an agreement with the U.S. Department of Agriculture's Natural Resources Conservation Service pursuant to the Watershed Protection and Flood Prevention Act to serve as a local sponsor to operate and maintain a dam or reservoir for purposes of erosion, floodwater, and sediment control.

The termination of an agreement between a qualified local sponsor and the Natural Resources Conservation Service would not affect the exemption, provided that the dam or reservoir continued to be owned or controlled by the qualified local sponsor for the purposes of erosion, floodwater, and sediment control.

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 public funding for libraries that host certain events
- COMMITTEE:** State Affairs — favorable, without amendment
- VOTE:** 9 ayes — King, Darby, Geren, Guillen, Hull, McQueeney, Metcalf, Phelan, Raymond
- 5 nays — Hernandez, Anchía, Y. Davis, Thompson, Turner
- 1 absent — Smithee
- SENATE VOTE:** On final passage (March 19) — 20 - 11
- WITNESSES:** For — Cindi Castilla, Texas Eagle Forum; Brady Gray, Texas Family Project; Megan Benton, Texas Values Action (*Registered, but did not testify*); Jonathan Saenz, Texas Values; John Bolgiano; Tom Glass; Brita Treat; Mark Treat)
- Against — Brian Klosterboer, ACLU of Texas; Miriam Laeky, Equality Texas; and 9 individuals (*Registered, but did not testify*: Mary Elizabeth, Austin Justice Coalition; Rick Ramirez, City of Austin; Clifford Sparks, City of Dallas; William Pritchett, Equality Texas; Kathy Mitchell, Equity Action; Osman Moradel, Texas AFT; and 59 individuals)
- BACKGROUND:** Some have suggested that taxpayer money should not be provided to libraries that host certain events for minors.
- DIGEST:** SB 18 would prohibit a municipal library from receiving state or other public funds if the library hosted an event at which a man presenting as a woman or a woman presenting as a man read a book or a story to a minor for entertainment and the person being dressed as the opposite gender was a primary component of the entertainment. Neither the state nor a political subdivision could provide funds to the library for the fiscal year in which the library hosted an event described by the bill.
- The bill would take effect September 1, 2025.

- SUBJECT:** Requiring political subdivision financial reporting for grant eligibility
- COMMITTEE:** Intergovernmental Affairs — favorable, without amendment
- VOTE:** 10 ayes — C. Bell, Zwiener, Cole, Cortez, Garcia Hernandez, Leo Wilson, Lowe, Luther, Spiller, Tepper
- 1 nay — Rosenthal
- SENATE VOTE:** On final passage (March 24) — 30 – 0
- WITNESSES:** None (*Considered in a formal meeting May 14*)
- BACKGROUND:** Current law requires certain political subdivisions, including municipalities, counties, and other local governmental entities, to file or publish certain financial statements and reports. Concerns have been raised that, while these statements help ensure fiscal responsibility, it can undermine public confidence and hinder effective oversight when these entities fail to meet financial reporting obligations.
- DIGEST:** SB 427 would make a political subdivision that failed to file or publish an annual financial statement or report as required by the Local Government Code ineligible to receive a state loan or grant under a state program for the political subdivision’s fiscal year in which it was required to file or publish the statement or report. Certain constitutionally-created political subdivisions and conservation and reclamation districts required to publish financial statements or reports by agencies administering state loans or grants would also be subject to these provisions.
- The bill would not apply to a political subdivision that failed to file or publish a financial statement or report because of a disaster, as defined by law. To qualify for the disaster exemption, the political subdivision would have to provide to the agency administering the state loan or grant:
- written notice detailing the circumstances of the disaster and its impact on compliance with financial reporting requirements;

- a disaster declaration issued by the governor or any confirming documentation from a federal, state, or local authority;
- a plan for compliance, including an estimated timeline for filing or publishing the required financial statement or report; and
- any additional documentation required by the agency.

Each application for a state program subject to the bill's requirements would have to include a statement notifying the applicant of the requirements and requiring the political subdivision to demonstrate compliance in the manner prescribed by the state agency administering the loan or grant.

The change in law would apply only to a financial statement or report required to be filed or published on or after January 1, 2026.

The bill would take effect September 1, 2025.

**SUBJECT:** Exempting private schools from applicability of data broker laws

**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) — 31 - 0

**WITNESSES:** For — Laura Colangelo, Texas Private Schools Association (*Registered, but did not testify*: Jennifer Allmon, Texas Catholic Conference of Bishops; Michelle Evans; Christopher Kerbow)

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

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

**BACKGROUND:** Business and Commerce Code sec. 509.002(b) lists certain entities to which regulations for data brokers who collect personal data from children do not apply.

Some have suggested clarifying that private schools are excluded from restrictions on permissible electronic devices and software applications established in the Securing Children Online through Parental Empowerment (SCOPE) Act, passed in 2023 by the 88th Legislature.

**DIGEST:** SB 1860 would amend Business and Commerce Code sec. 509.002(b) to include private schools among the entities for which the chapter regulating certain data brokers did not apply.

The bill would take effect September 1, 2025.

- SUBJECT:** Authorizing certain licensed small egg producers to sell ungraded eggs
- COMMITTEE:** Agriculture & Livestock — committee substitute recommended
- VOTE:** 8 ayes — Guillen, Guerra, Hopper, Kitzman, J. Lopez, McLaughlin, Money, Muñoz
- 0 nays
- 1 absent — Cain
- SENATE VOTE:** On final passage (April 24) — 31 - 0
- WITNESSES:** For — Judith McGeary, Farm and Ranch Freedom Alliance; Doug Havemann (*Registered, but did not testify*: Jay Crossley, Farm&City; Samuel Hooper, Institute for Justice; Steven Deline)
- Against — JC Essler, Texas Poultry Federation
- On — Philip Wright, Texas Department of Agriculture
- BACKGROUND:** Some have suggested that creating an option for ungraded egg producers to sell their eggs to wholesalers and retailers would provide consumers access to a wider variety of egg options and promote transparency in the industry.
- DIGEST:** CSSB 1864 would authorize a person who produced eggs by the person's flock to sell any quantity of ungraded eggs directly to consumers in the state, and, subject to restrictions under the bill, could sell up to 400 dozen ungraded eggs per week at wholesale in the state to:
- restaurants;
  - grocery stores with 25,000 square feet or less of retail space;
  - farmer's cooperative societies incorporated; or
  - cooperative marketing associations.

A person who sold ungraded eggs in the manner provided by the bill would be required to label the cartons of eggs with a legible label on the top panel of the carton that contained the word “ungraded,” certain information pertaining to the producer, and the date the carton was packed.

The bill would prohibit a person who produced ungraded eggs from selling the eggs at wholesale unless the person held a license as an ungraded dealer-wholesaler issued by the Texas Department of Agriculture (TDA).

The bill also would require the person who sold ungraded eggs at wholesale to:

- maintain records as required by statute;
- refrigerate the eggs within 36 hours of collecting them;
- maintain the eggs at an ambient temperature of 45 degrees Fahrenheit or below during storage and distribution; and
- follow the statutory sanitation requirements when handling eggs sold or offered for sale at wholesale.

A state agency or political subdivision could not prohibit a person exempt from the applicable licensing requirements from purchasing, reselling, or using ungraded eggs.

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, and would require TDA to adopt rules to implement the bill as soon as practicable after the effective date.

NOTES:

According to the Legislative Budget Board, the fiscal implications of the bill cannot be determined due to the unknown amounts of licensing fees and the number of egg producers that would be required to obtain a license.

- SUBJECT: Amending conveyance requirements for certain park lands
- COMMITTEE: Intergovernmental Affairs — favorable, without amendment
- VOTE: 9 ayes — C. Bell, Cole, Cortez, Garcia Hernandez, Lowe, Luther, Rosenthal, Spiller, Tepper
- 0 nays
- 1 absent — Zwiener
- 1 present not voting — Leo Wilson
- SENATE VOTE: On final passage (May 7) — 29 – 2
- WITNESSES: None (*Considered in a formal meeting May 23*)
- BACKGROUND: Some have suggested that the City of McAllen should be authorized to use city-owned park land for a development project for the city convention center without having to hold an election, which is time-consuming and costly to the taxpayers.
- DIGEST: SB 2675 would establish that provisions prohibiting the sale of park land unless an election was held did not apply to a conveyance of park land:
- owned by a municipality with a population of at least 140,000 that was located in a county that had a population of at least 800,000, was located on an international border, and did not have a municipality with a population of more than 500,000 located in the county;
  - located within one mile of a convention facility owned by the municipality; and
  - authorized to be conveyed by a resolution or ordinance adopted by the governing body of the municipality.

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

- SUBJECT:** Amending reporting requirements for DFPS child placement data
- COMMITTEE:** Human Services — favorable, without amendment
- VOTE:** 8 ayes — Hull, Manuel, A. Davis, Dorazio, C. Morales, Noble, Richardson, Slawson
- 0 nays
- 3 absent — Rose, Schatzline, Swanson
- SENATE VOTE:** On final passage (April 16) — 31 - 0
- WITNESSES:** For — (*Registered, but did not testify:* Andrea Sparks, Buckner International; Lynn Cowles, Every Texan; Christine Yanas, Methodist Healthcare Ministries; Tessa Galloso and Kate Murphy, Texans Care for Children; Stephanie Battaglia, Texas CASA; Mercedes Bristol and Denise Smith, Texas Grandparents Raising Grandchildren; Brianna Waldo, TexProtects; Steven Deline)
- Against — (*Registered, but did not testify:* Lauren Rose, Texas Network of youth Services)
- BACKGROUND:** Family Code sec. 264.017 requires the Department of Family and Protective Services (DFPS) to prepare and disseminate a report of statistics by county relating to key performance measures and data elements for child protection.
- Concerns have been raised that limited reporting on child safety placements hinders the ability of policymakers and child welfare advocates to assess the scope of system involvement and case outcomes.
- DIGEST:** SB 596 would require the report of statistics by county under Family Code sec. 264.017 relating to key performance measures and data elements for child protection to include information on the outcome of each suit affecting the parent-child relationship filed by the Department of Family

and Protective Services (DFPS) and the type of placement of the child during the pendency of the suit.

The bill would specify that the monthly report with information for the preceding month with respect to the parental child safety placements would have to be published on DFPS's website, and the number of children placed under a parental child safety placement agreement would have to be disaggregated by:

- the child's age, race, gender, ethnicity, and county of residence;
- the annualized incomes of the parent or other person with whom the child resides and the caregiver of the child; and
- whether the child had previously been in DFPS custody.

The report also would have to include the number of parental child safety placement agreements in effect on the last day of the month.

The report also would be required to contain information by child protective services region with respect to authorization agreements executed for a nonparent adult caregiver regarding a child who was the subject of an investigation of abuse or neglect, a suit filed by DFPS, or an agreement under which DFPS provided services to the child's parent, including:

- the number of authorization agreements executed;
- the number of children subject to authorization agreements, disaggregated by the child's race and gender; and
- the average duration of an authorization agreement.

The bill also would require the monthly report to contain information by child protective services region with respect to court orders for temporary authorization for care of a minor regarding a child who was the subject of an investigation of abuse or neglect, a suit filed by DFPS, or an agreement under which DFPS provided services to the child's parent, including:

- the number of orders signed;
- the number of children subject to orders, disaggregated by the child's race and gender; and
- the average duration of an order.

The bill would take effect September 1, 2025.

**SUBJECT:** Amending state preemption of certain municipal and county regulations

**COMMITTEE:** Intergovernmental Affairs — favorable, without amendment

**VOTE:** 6 ayes — C. Bell, Leo Wilson, Lowe, Luther, Spiller, Tepper  
5 nays — Zwiener, Cole, Cortez, Garcia Hernandez, Rosenthal

**SENATE VOTE:** On final passage (April 30) — 19 – 12

**WITNESSES:** For — James Quintero, Texas Public Policy Foundation (*Registered, but did not testify*); James Parnell, Dallas Police Association; James Kershaw, Harris County Deputies' Organization FOP #39; Ray Hunt, Houston Police Officers' Union; Sarah Horn, National Federation of Independent Business; JD Hale, Texas Association of Builders; Blake Roach, Texas Farm Bureau; Annie Spilman)

Against — Buck Brice, City of Corpus Christi; Nicholas Palmer, City of Dallas; Evan Reed, City of El Paso; Tiffany Hamilton Everfield, City of Port Arthur; Adam Haynes, Conference of Urban Counties; Joe Shuster, Pecos County; Bill Longley, Texas Municipal League (*Registered, but did not testify*); Mary Ibarra, ACLU of Texas; Ed Van Eenoo, City of Austin; Jennifer Rodriguez, City of College Station, City of Coppell, North Texas Commission; Logan Spence, City of Denton; Laura Mueller, City of Dripping Springs; T. J. Patterson, City of Fort Worth; Sally Bakko, City of Galveston; Ariel Traub, City of Garland, Texas; Leah Clark, City of Georgetown; Collyn Peddie and Joshua Sanders, City of Houston; Jon Weist, City of Irving; Amber Hausenfluck, City of McAllen; Joel Romo, City of Port Aransas; Audrey Zamora, City of San Antonio; Spencer Gutierrez, City of Sugar Land; Rick Thompson, County Judges and Commissioners Association of Texas; Josie Castro Garcia and Charles Reed, Dallas County Commissioners Court; Elisa M. Tamayo, El Paso County; Luis Figueroa, Every Texan; Maya Grever, Harris County Commissioners Court; Rudy Madrid, Keleberg County and County Judges and Commissioners Association of Texas; Cyrus Reed, Lone Star Chapter Sierra Club; Scott Miller, San Antonio Water System; Aaron Taliaferro, Tarrant County Administrator's Office; Ana Gonzalez, Texas AFL-CIO;

Cicely Kay, Travis County Commissioners Court; Steven Deline; Joanna Klose; Mary Selby)

**BACKGROUND:** Concerns have been raised that since the passage of the Texas Regulatory Consistency Act by the 88th Legislature in 2023, some municipalities and counties have continued to enact or maintain ordinances that conflict with state law, which has contributed to inconsistent enforcement and created confusion for voters and law enforcement.

**DIGEST:** SB 2858 would amend the Texas Regulatory Consistency Act and establish certain enforcement powers of the attorney general for violations of the Act.

**Preemption.** The bill would establish in the Election Code, Health and Safety Code, and the Penal Code that, unless expressly authorized by another statute, a municipality or county could not adopt, enforce, or maintain an ordinance, order, or rule regulating conduct that was otherwise prohibited by a provision of that code. An ordinance, order, or rule that violated this provision would be void, unenforceable, and inconsistent with that code. The bill would make conforming changes to include these provisions.

**Attorney general enforcement.** The bill would authorize the attorney general to investigate an alleged violation of the Texas Regulatory Consistency Act by a municipality or county. The attorney general could bring an action for injunctive, declaratory, or mandamus relief against a municipality or county if the attorney general determined after conducting an investigation that the municipality or county violated the act.

The attorney general could bring an action under the bill in the county in which all or a substantial part of the events giving rise to the cause of action occurred or, if the defendant was a municipality, a county in which the municipality was located. During the pendency of an action brought under these provisions, with respect to a municipality or county defending the action:

- the comptroller would be required to withhold payment of a municipality or county's share of sales and use tax collected by the comptroller;
- the municipality or county could not adopt an ad valorem tax rate that exceeded its no-new-revenue tax rate;
- the municipality or county could not adopt a budget that exceeded the total expenditures of the budget under which the municipality or county was operating at the time the attorney general brought the action; and
- the municipality or county could not receive state grant funds, and any pending application for such funds would be denied.

Exceptions to certain provisions regarding municipalities that defund their police departments would not apply to a municipality if the comptroller was withholding payments from the municipality in accordance with the bill. A county could not hold an election for reduction of funding or resources for certain primary law enforcement agencies if the comptroller was withholding payments from the county in accordance with the bill.

A municipality or county could receive state grant funds for grants provided for the purpose of disaster relief under certain circumstances or financial assistance to certain law enforcement or emergency response services.

A municipality or county defending an action brought under the bill would have the burden of proof to establish that it complied with the law that was the subject of the action. The trial court would be required to set an action brought under the bill:

- for an initial hearing within 30 days after the municipality or county defending the action was served with process for the action; and
- for a trial on the merits within 90 days after the date the municipality or county defending the action was served with process for the action, unless the municipality or county and the attorney general agreed to a later date and the court determined that holding trial at a later date was in the interest of justice.

The Fifteenth Court of Appeals would have exclusive intermediate appellate jurisdiction of an action brought under the bill. A party would be required to appeal the action within 30 days after the date the judgment was signed. An appellate court would be required to expedite an appeal of an action brought under the bill.

*Resolution of action in favor of attorney general.* If the attorney general prevailed in an action brought under the bill:

- the municipality or county defending the action could not, during the five fiscal years following the year in which the judgment became final, adopt an ad valorem tax rate that exceeded the municipality's or county's no-new-revenue tax rate or receive state grant funds; and
- the court issuing the final judgment resolving the action would be required to provide in the judgment that the state was entitled to recover a penalty equal to the balance of the suspense account maintained for the municipality or county for the purpose of distributing its share of sales and use tax collected by the comptroller that existed on the date the judgment was signed, less the amount the comptroller could retain under the bill.

The comptroller would be required to, on receipt of a copy of the final judgment in an action brought under the bill, deposit the balance of the suspense account to the credit of the general revenue fund. The comptroller could retain in the suspense account no more than 5 percent of the balance of the account as of the date the judgment was signed for the purpose of making refunds for overpayments to the account or redeeming dishonored checks and drafts deposited to the account's credit. By the fourth anniversary of the date the comptroller retained an amount in a suspense account, the comptroller would be required to deposit the balance of that retained amount, if any, to the credit of the general revenue fund.

Exceptions to provisions regarding municipalities that defund their police departments would not apply to a municipality subject to a final judgment in an action brought under the bill for six state fiscal years following the

date the judgment was signed. A county could not hold an election for reduction of funding or resources for certain primary law enforcement agencies if the county had been the subject of an adverse final judgment before the sixth anniversary of the date the judgment was signed.

*Resolution of action in favor of municipality or county.* If a municipality or county prevailed in an action brought under the bill, the comptroller would be required to immediately send to the municipality or county any balance of the suspense account held as required by the bill as of the date the final judgment resolving the action was signed, including any interest that accrued on the balance of the suspense account while it was withheld.

**Other provisions.** The bill would establish that it could not be construed to prohibit a municipality or county from building or maintaining a road, imposing a tax, or carrying out any authority expressly authorized by statute. The bill also could not be construed to prohibit a home-rule municipality from providing the same services and imposing the same regulations that a general-law municipality was authorized to provide or impose.

Additionally, the bill would not affect the authority of a municipality or county to conduct a public awareness campaign and to repeal or amend an existing ordinance, order, or rule that violated the provisions of the bill for the limited purpose of bringing that ordinance, order, or rule in compliance with the bill.

Every provision, section, subsection, sentence, clause, phrase, or word in the bill to every person, group of persons, or circumstances would be severable from each other.

The Texas Supreme Court would have exclusive and original jurisdiction over a challenge to the constitutionality of the bill or any part of the bill and could issue injunctive or declaratory relief in connection with the challenge.

The bill would take effect September 1, 2025.

- SUBJECT:** Requiring the Post Oak Savannah GCD to enter certain agreements
- COMMITTEE:** Natural Resources — favorable, without amendment
- VOTE:** 9 ayes — Harris, Martinez, Ashby, Barry, C. Bell, Fairly, J. Garcia, Romero, Villalobos
- 1 nay — Buckley
- 3 absent — Gámez, M. González, Zwiener
- SENATE VOTE:** On final passage (May 14) — 28 - 3
- WITNESSES:** For — Keith Schroeder, Burleson County (*Registered, but did not testify*: Robby Cook, Post Oak Savannah Groundwater Conservation District; Dana Pate, Samsung)
- Against — (*Registered, but did not testify*: Ross Cummings, BlueWater Systems)
- BACKGROUND:** Some have suggested that Milam County should have the authority to use a portion of groundwater export fees collected by the Post Oak Savannah Groundwater Conservation District (GCD) to support county infrastructure improvements, such as county roads, which are used both for public use and the district’s ability to access and inspect groundwater wells.
- DIGEST:** SB 3058 would require the Post Oak Savannah Groundwater Conservation District to enter into an agreement with a county to make improvements or develop programs or infrastructure under the bill. The agreement would have to be approved by a majority of board members and renewed annually.
- The district would be authorized to use groundwater export fees to improve county roads as necessary for the district to inspect wells registered with, permitted, or monitored by the district and develop

environmental programs and infrastructure related to groundwater in the district.

The bill would take effect September 1, 2025.

- SUBJECT: Authorizing emergency disclosure of electronic customer data
- COMMITTEE: Criminal Jurisprudence — committee substitute recommended
- VOTE: 8 ayes — Smithee, Wu, Bowers, Cook, Little, Louderback, Moody, Virdell
- 2 nays — Money, Rodríguez Ramos
- 1 absent — J. Jones
- SENATE VOTE: On final passage (April 29) — 27 - 4
- WITNESSES: None (*considered in a formal meeting May 22*)
- BACKGROUND: Concerns have been raised that current law may limit a service provider's ability to share electronic customer data with law enforcement in life-threatening emergencies when no criminal investigation is underway.
- DIGEST: CSSB 816 would authorize a provider of an electronic communications service or a remote computing service to disclose electronic customer data to a law enforcement agency if:
- the provider, in good faith, believed an immediate life-threatening situation existed requiring disclosure to assist in preventing death or serious bodily injury; and
  - an AMBER Alert or Silver Alert had been issued regarding the person exposed to the life-threatening situation.

The bill would establish that a person did not have a cause of action against such a provider, or its officers, employees, or agents, for making a disclosure under these circumstances.

The bill would take effect September 1, 2025.

**SUBJECT:** Amending postponement requirements for property appraisal hearings

**COMMITTEE:** Ways & Means — favorable, without amendment

**VOTE:** 9 ayes — Meyer, Button, Capriglione, Hickland, Muñoz, V. Perez, Troxclair, Turner, Vasut

0 nays

4 absent — Martinez Fischer, Bernal, Gervin-Hawkins, Noble

**SENATE VOTE:** On final passage (May 13) — 30 - 1

**WITNESSES:** For — None

Against — None

**BACKGROUND:** Concerns have been raised that property owners protesting multiple property valuations may be scheduled for overlapping appraisal review board (ARB) hearings, which can limit their ability to fully participate.

**DIGEST:** SB 1163 would extend the entitlement of one postponement of a protest hearing before the appraisal review board (ARB) from a property owner or person who had not designated an agent to represent the owner at a hearing to a property owner or a person designated by the owner as the owner’s agent.

SB 1163 would establish that a reference to “good cause” included that the property owner or the owner’s agent was unable to attend the scheduled hearing because the owner or agent was appearing before a different panel of the same ARB at the time of the scheduled hearing. A property owner’s agent would not include a person who was a property tax consultant.

The bill would take effect September 1, 2025.

- SUBJECT:** Requiring proper labeling of catfish, creating penalties
- 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 9) — 30 - 0
- WITNESSES:** For — Amanda Saha, Texas Aquaculture Association, Saha Fish, and Catfish Farmers of America; Christopher Kerbow (*Registered, but did not testify*: Gavin Saha, Saha Fish; Drew Fuller, Texas Farm Bureau; Ilissa Nolan, The Catfish Institute and Catfish Farmers of America)
- Against — None
- On — Kelsey Streufert, Texas Restaurant Association (*Registered, but did not testify*: Timothy Stevenson, Department of State Health Services; Steven Deline)
- BACKGROUND:** Concerns have been raised that imported seafood from countries with different environmental and safety standards and regulations can create competitive challenges for local producers. Some have suggested that requiring proper labeling of catfish could help promote fair competition for domestic producers and help consumers make informed choices while supporting Texas aquaculture.
- DIGEST:** CSSB 1484 would authorize a food service establishment, food service supplier, wholesaler, distributor, or wholesale distributor that offered a food product for sale to represent and identify the product as catfish only if the product contained catfish and did not contain another similar fish. The bill would prohibit a food service establishment that sold a product

containing a fish similar to catfish that was not catfish from representing the product as catfish.

The bill would establish an additional requirement that a food service supplier, wholesaler, distributor, or wholesale distributor ensure that the species and country of origin of the fish contained in the product were conspicuously identified in the description of the product on its packaging or container.

CSSB 1484 would authorize the Department of State Health Services (DSHS), a public health district, or a county that required an entity to which the bill applied to hold a license or permit to operate in the state under the Texas Aquatic Life Act and provisions regulating certain food service establishments to impose an administrative penalty against the license or permit holder for a violation of the bill and to determine the amount of the penalty based on the seriousness of the conduct.

The bill would consider each day a violation continued or occurred as a separate violation for purposes of imposing an administrative penalty under the bill, and would establish as an affirmative defense that a food service establishment demonstrated in good faith that it believed the fish purchased and offered for sale was catfish.

An entity that violated the bill or its rules would be liable for a civil penalty to the state, a public health district, or a county that required a license or permit to operate in the state under the Texas Aquatic Life Act and provisions regulating certain food service establishments.

The bill would require the court to determine the amount of the penalty to be imposed based on the seriousness of the conduct, and would consider each day a violation continued or occurred as a separate violation for purposes of imposing a civil penalty.

The bill would authorize the attorney general, the district or county attorney, or the municipal attorney of the municipality in which the violation was alleged to have occurred to bring an action to recover a civil penalty, and would establish as an affirmative defense to liability in a civil

action that a food service establishment demonstrated in good faith that it believed the fish purchased and offered for sale was catfish.

CSSB 1484 would establish that a person could be subject to either an administrative or civil penalty for a violation of the bill, but not both.

The bill would take effect September 1, 2025.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of \$307,814 to general revenue related funds through the biennium.

- SUBJECT:** Prohibiting certain uses of certain PFAS-based firefighting foams
- COMMITTEE:** Environmental Regulation — favorable, without amendment
- VOTE:** 6 ayes — Landgraf, K. Bell, Bumgarner, Oliverson, Reynolds, Toth  
0 nays  
3 absent — Ordaz, Anchía, Morales Shaw
- SENATE VOTE:** On final passage (April 24) — 31 - 0
- WITNESSES:** For — Bailey Bass, Environment Texas (*Registered, but did not testify*); Leticia Gutierrez, Air Alliance Houston; Rick Ramirez, City of Austin; Spencer Gutierrez, City of Sugar Land; Denisce Palacios, Climate Cabinet; Jen Crownover, Comal County and County Judges and Commissioners Association of Texas; Rick Thompson, County Judges and Commissioners Association of Texas; Cyrus Reed, Lone Star Chapter Sierra Club; Adrian Shelley, Public Citizen; Emily Lindley, Texas Association of Manufacturers; Kenneth Flippin, Texas Chapter US Green Building Council; Hector Rivero, Texas Chemistry Council; Ty Embrey, Water Environment Association of Texas (WEAT); Steven Deline  
  
Against — None
- BACKGROUND:** Some have suggested that prohibiting the use of PFAS-based firefighting foams for training or testing purposes could reduce firefighters' exposure to cancer-causing chemicals and help prevent environmental contamination.
- DIGEST:** SB 1898 would prohibit a person from discharging a Class B firefighting foam designed to extinguish flammable liquid fires that contained intentionally added perfluoroalkyl and polyfluoroalkyl chemicals during the training of firefighters or during testing, including calibration testing, conformance testing, or fixed foam system testing, unless the discharge or use:

- was otherwise required by law or a rule or order of the applicable state agency or political subdivision or necessary to meet applicable National Fire Protection Association standards; and
- occurred in a testing facility that had implemented appropriate containment, treatment, and disposal measures to prevent the release of the foam into the environment.

The bill would require a person to use a non-fluorinated firefighting training foam or other non-fluorinated surrogate during the training of firefighters. Training that used a non-fluorinated firefighting training foam or other non-fluorinated surrogate under the bill would have to be conducted in a manner that ensured collection of the used foam or surrogate, regardless of the foam or surrogate type.

The bill explicitly would not prohibit or restrict:

- the manufacture, sale, or distribution of firefighting foam that contained intentionally added perfluoroalkyl and polyfluoroalkyl chemicals; or
- the discharge or use of firefighting foam that contained intentionally added perfluoroalkyl and polyfluoroalkyl chemicals during emergency firefighting operations.

The bill would take effect September 1, 2025.

**SUBJECT:** Prohibiting referral payments to unlicensed group homes

**COMMITTEE:** Human Services — favorable, without amendment

**VOTE:** 10 ayes — Hull, Manuel, A. Davis, Dorazio, C. Morales, Noble, Richardson, Rose, Slawson, Swanson

0 nays

1 absent — Schatzline

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

**WITNESSES:** For — (*Registered, but did not testify:* Andrea Earl, AARP Texas; M. Paige Williams, Dallas Criminal District Attorney John Creuzot; Santiago Franco, Harris County Commissioners Court; James Kershaw, Harris County Deputies' Organization FOP #39; Mike Lee, Harris County Sheriff's Office; Ray Hunt, Houston Police Officers' Union; Bryan Flatt, Texas Municipal Police Association (TMPA); John Mckiernan-Gonzalez)

Against — None

**BACKGROUND:** Concerns have been raised that medical professionals sometimes receive financial compensation for referring patients leaving the hospital to a group home, which are largely unregulated in Texas, creating incentives that could compromise patient trust and safety.

**DIGEST:** SB 1777 would prohibit a health care provider or employee or contractor of a health care provider from accepting any form of payment for referring a potential resident to a group home if the group home was owned or operated by a person who did not hold a license or permit for the home issued in accordance with applicable state laws or local regulations. The bill would create a class B misdemeanor offense (up to 180 days in jail and/or a maximum fine of \$2,000) for a health care provider or employee or contractor of a health care provider who violated the bill.

The bill would take effect September 1, 2025.



**SUBJECT:** Expanding landlord duty to repair certain accessibility conditions

**COMMITTEE:** Trade, Workforce & Economic Development — favorable, without amendment

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

2 nays — Luther, Richardson

1 absent — Talarico

**SENATE VOTE:** On final passage (May 7) — 26 - 5

**WITNESSES:** For — (*Registered, but did not testify:* Andrea Earl, AARP Texas; Jay Crossley, Farm&City; Roxanne Jones, United Ways of Texas; Steven Deline)

Against — None

**BACKGROUND:** Some have suggested that landlords should make a diligent effort to repair or remedy an elevator, ramp, or handrail on a tenant's route to, or inside, the dwelling.

**DIGEST:** SB 1802 would expand the requirement for a landlord to repair or remedy conditions in a residential tenancy to include conditions arising from the landlord's failure to maintain in good operating condition a ramp, elevator, or handrail located on the route to, from, or inside the tenant's dwelling.

The bill also would expand landlord liability to a tenant to include conditions arising from the failure to maintain in good operating condition or provide a functionally equivalent alternative to such features. If a landlord was liable to a tenant under these provisions, the bill would authorize the landlord to provide the tenant with alternative housing accommodations at no cost until the condition was repaired or until the end of the tenant's lease term.

The bill would specify that nothing in these provisions could be construed to require a landlord or property owner to provide alternative housing or relocation assistance.

The bill would take effect September 1, 2025.

- SUBJECT:** Amending appeal requirements for water, drainage, or sewer rate changes
- COMMITTEE:** Natural Resources — favorable, without amendment
- VOTE:** 7 ayes — Harris, Ashby, Barry, C. Bell, Buckley, Gámez, J. Garcia,  
2 nays — M. González, Zwiener  
4 absent — Martinez, Fairly, Romero, Villalobos
- SENATE VOTE:** On final passage (April 28) — 29 - 2
- WITNESSES:** For — Heath Armstrong, Valero Energy (*Registered, but did not testify*:  
Jeff Emerick, Texas Association of Business; Kyle Bush, Texas  
Association of Manufacturers; Tulsí Oberbeck, Texas Oil and Gas  
Association; Shayne Woodard, Valero Energy)  
Against — Paulette Guajardo, City of Corpus Christi (*Registered, but did  
not testify*: Leah Clark, City of Georgetown)  
On — Connie Corona, Public Utility Commission of Texas
- BACKGROUND:** Water Code sec. 13.043(b) allows ratepayers of certain utilities and  
districts to appeal a decision of one of these entities affecting their water,  
drainage, or sewer rates to the Public Utility Commission (PUC). Sec.  
13.043(c) requires an appeal to be initiated by filing a petition signed by  
the lesser of 10,000 or 10 percent of those ratepayers for review with PUC  
and the entity providing service under certain timelines.  
Concerns have been raised that these provisions do not distinguish  
between residential, commercial, or large-quantity water customers, even  
though a municipally owned utility may charge different rates to each  
customer class.
- DIGEST:** SB 2692 would amend Water Code sec. 13.043(c) to allow a petition for  
review to alternatively be signed by 10 percent of ratepayers in the same

customer class whose rates had been changed and who were eligible to appeal.

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

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of \$1,200,778 to general revenue related funds through the biennium.

- SUBJECT:** Establishing a property right in DNA, providing protections
- 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 (March 26) — 31 – 0
- WITNESSES:** For — Michelle Evans, Texans for Vaccine Choice; Stephen Pustilnik, MD (*Registered, but did not testify*: Jose Melendez, Texas Public Policy Foundation; Steven Deline)
- Against — (*Registered, but did not testify*: Danielle Lobsinger Bush, Texas Healthcare and Bioscience Institute)
- On — Jennifer Litton, MD, Max Weber, The University of Texas MD Anderson Cancer Center (*Registered, but did not testify*: Maureen Milligan, Teaching Hospitals of Texas)
- BACKGROUND:** Concerns have been raised that, as the use of genetic testing and DNA-based products grows, there is limited oversight of how companies use, store, or share DNA collected from individuals.
- DIGEST:** CSSB 315 would establish that individuals had an exclusive property right to their unique DNA. The bill would prohibit a person, without the informed written consent of the individual or a representative, from:
- collecting a DNA sample from an individual;
  - performing a genetic test on an individual’s DNA sample;
  - retaining or altering an individual's DNA sample; or

- selling, transferring, or making available an individual's DNA sample to another person.

The bill would not apply to DNA samples collected for:

- the purpose of medical diagnosis and treatment;
- the purpose of determining paternity;
- law enforcement purposes, including identifying a perpetrator, investigating a crime, or identifying a missing, unidentified, or deceased person;
- medical examiner purposes, including the performance of an inquest to determine the cause of death;
- research conducted in accordance with federal policy for the protection of human subjects, the good clinical practice guidelines issued by the International Council for Harmonization of Technical Requirements for Pharmaceuticals for Human Use, or the U.S. FDA policy for the protection of human subjects; or
- use, analysis, storage, or transfer by institutions of higher education.

The bill also would not apply to entities that were a covered entity or business associate subject to the privacy, security, and breach notification rules under the Health Insurance Portability and Accountability Act, that offered genetic testing products or services through a health care provider, or were a health care provider.

A person who violated the bill would be liable to the state for a civil penalty in an amount not more than the amount of any profits made from the violation, as calculated under the bill. The amount of the civil penalty would be based on the seriousness of the violation, economic harm, history of violations, deterrence needs, corrective efforts, and any other matter that justice could require. The attorney general could institute an action for a civil penalty, injunctive relief, or both, and could recover related legal fees and costs.

The bill would create a class A misdemeanor (up to one year in jail and/or a maximum fine of \$4,000) offense for violations committed with criminal negligence.

The bill would take effect September 1, 2025.

- SUBJECT:** Prohibiting scrutinized companies from submitting public contract bids
- COMMITTEE:** Homeland Security, Public Safety & Veterans' Affairs — favorable, without amendment
- VOTE:** 6 ayes — Hefner, Canales, Dorazio, Isaac, Louderback, McLaughlin  
0 nays  
5 absent — R. Lopez, Cortez, Hickland, Holt, Pierson
- SENATE VOTE:** On final passage (May 5) — 30 - 1
- WITNESSES:** For — Christopher Holton, Center for Security Policy  
Against — None
- BACKGROUND:** Concerns have been raised that state and local governments working with technology companies of foreign adversaries could provide opportunities for bad actors and lead to economic and technological dependencies on these countries.
- DIGEST:** SB 1585 would prohibit a scrutinized company from submitting a bid for a contract or entering into a contract with a governmental entity relating to an information or communications technology or service.
- A “scrutinized company” would mean a company or a wholly owned subsidiary or majority-owned subsidiary of a company that was identified on certain federal lists related to communications equipment and services that posed certain risks.
- “Information or communications technology or service” would mean a product or service that was designed to facilitate, by electronic means, the processing, storage, retrieval, communication, transmission, or display of information or data, and allowed a foreign adversary to:
- store data;

- communicate independently of the product or service;
- independently control systems; or
- independently engage in two-way communication, including remote and unauthorized access.

The bill would define “foreign adversary” to mean the People’s Republic of China or a country listed on the federal list of entities subject to license requirements for exports and reexports because there was reasonable cause to believe the country posed a significant risk to U.S. national security or foreign policy interests.

**Exceptions.** A governmental entity would be authorized to enter into a contract relating to an information or communications technology or service with a scrutinized company if the governmental entity, with the approval of the governor, determined:

- the only vendors available to provide the information or communications technology or service were scrutinized companies;
- the cost to Texas of finding and contracting with a vendor that was not a scrutinized company would be so disproportionately high that the use of a vendor that was a scrutinized company would be overwhelmingly in the best interest of this state; or
- any goods or services that originated with a scrutinized company and could be used in the performance of the contract constituted a de minimis amount of the total value of the goods and services provided under the contract and posed no risk to the security of the state.

**Verification required.** A vendor submitting a bid for a contract relating to an information or communications technology or service would be required to include in the bid a written verification that the vendor:

- was not a scrutinized company;
- would not contract with a scrutinized company for any aspect of its performance under the contract; and
- would not procure products or services from or that originated with a scrutinized company for use in the performance of the contract.

A governmental entity would be prohibited from entering into a contract relating to an information or communications technology or service with a vendor that failed to provide the required verification.

**False verification.** A governmental entity that determined that a vendor holding a contract with the entity was ineligible for the contract because the vendor's written verification was false would be required to notify the vendor that it was in violation of the bill. The notice would have to include the basis for the entity's determination of the violation.

Within 60 days after a vendor received such a notice, the vendor could provide a written response to the governmental entity with evidence that the vendor's verification was not false and that the vendor was not in violation of the bill. If a vendor did not provide a response in this manner, the entity's determination would become a final determination.

Within 60 days after the governmental entity received a vendor's response, the governmental entity would be required to review the response and notify the vendor of the entity's final determination based on the evidence provided by the vendor.

A governmental entity, on making a final determination that a vendor violated the bill, would be required to refer the matter to the attorney general, a district attorney, or a county attorney, as applicable, for enforcement under the bill and notify the comptroller of the final determination.

**Contract termination for false verification.** If a governmental entity made a final determination that a vendor violated the verification requirements, the entity would be required to immediately terminate the contract without further obligation to the vendor.

A vendor that violated the bill would be prohibited from responding to a solicitation for or being awarded a contract for goods or services by any governmental entity until five years after the date the vendor received a final determination from a governmental entity.

**Debarment by comptroller.** On receiving notice of a final determination, the comptroller would be required to bar the vendor from participating in state contracts for five years after the date the vendor received the final determination of the violation.

**Civil penalty.** A vendor that violated the bill would be liable to the state for a civil penalty in an amount equal to the greater of twice the amount of the contract terminated or the amount of loss suffered by the state from terminating the contract.

The attorney general would be authorized to bring an action to recover a civil penalty imposed and to recover reasonable attorney's fees and court costs in bringing an action.

**Criminal penalty.** A vendor that violated the provisions of the bill would commit a state-jail felony (180 days to two years in a state jail and an optional fine of up to \$10,000).

SB 1585 would take effect September 1, 2025.

- SUBJECT:** Amending provisions governing censorship by a social media platform
- COMMITTEE:** State Affairs — favorable, without amendment
- VOTE:** 8 ayes — King, Darby, Geren, Hull, McQueeney, Metcalf, Phelan, Raymond
- 5 nays — Hernandez, Anchía, Y. Davis, Thompson, Turner
- 2 absent — Guillen, Smithee
- SENATE VOTE:** On final passage (April 28) — 22 - 9
- WITNESSES:** None (*considered in a formal meeting May 15*)
- BACKGROUND:** Civil Practice and Remedies Code ch. 143A prohibits a social media platform from censoring a user, a user’s expression, or a user’s ability to receive the expression of another person based on viewpoint or a user’s location in the state.
- Some have suggested that state law prohibiting social media platforms from infringing on users’ free expression could be strengthened by allowing a user who prevailed in an action against a social media platform for viewpoint censorship to recover attorney’s fees and actual or statutory damages in addition to the declaratory and injunctive relief afforded under current law.
- DIGEST:** SB 1626 would add to the remedies that could be recovered by a user who proved that a social media platform violated the prohibition under Civil Practice and Remedies Code ch. 143A with respect to the user:
- reasonable attorney’s fees; and
  - either actual damages or statutory damages of \$100,000 if the user’s expression was censored or \$1,000 if the user’s ability to receive another person’s expression was censored.

SB 1626 would amend the statutory definition of “social media platform” to specify that electronic mail, as excluded from the definition, included direct messaging or other electronically conveyed mail. The bill also would exclude from the definition an online service, application, or website that primarily provided banking, financial, transportation, or sales services, services related to the playing or creation of video games, or another service that was not a communications service.

SB 1626 also would establish that Civil Practice and Remedies Code ch. 143A did not apply to a social media platform’s newsfeed, homepage, or any other service that was:

- intended to convey a particularized message very likely to be understood by the viewer;
- not a common carrier service;
- not strongly analogous to a common carrier service; or
- not primarily providing transmission of users’ expression.

The bill also would establish that nothing in the chapter could be interpreted to permit a social media platform to discriminate in the carriage of users’ expression by disseminating the platform’s own commentary or expression in a manner that delayed or otherwise diminished the visibility of, delayed or otherwise denied equal access to, or otherwise censored a user’s expression on the basis of viewpoint in violation of the chapter.

The bill would take effect September 1, 2025.

**SUBJECT:** Requiring online posting of certain nursing education reports

**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 (May 12) — 30 - 0

**WITNESSES:** None (*Considered in a formal meeting May 19*)

**BACKGROUND:** Concerns have been raised that nursing students and licensed nurses do not have easy access to certain nursing education data from the Texas Center for Nursing Workforce Studies.

**DIGEST:** SB 2058 would require the Texas Board of Nursing and the Texas Higher Education Coordinating Board to post prominently on the home pages of their respective websites links to the most recent nursing education reports produced by the Texas Center for Nursing Workforce Studies.

The bill would take effect December 31, 2025.

**SUBJECT:** Prohibiting the improper disposal of consumer energy storage modules

**COMMITTEE:** Environmental Regulation — favorable, without amendment

**VOTE:** 7 ayes — Landgraf, Anchía, K. Bell, Bumgarner, Oliverson, Reynolds, Toth  
0 nays  
2 absent — Ordaz, Morales Shaw

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

**WITNESSES:** For — Kenneth Flippin, Texas Chapter US Green Building Council  
(*Registered, but did not testify*: Leticia Gutierrez, Air Alliance Houston; Matthew Bentley, Ikea US Retail LLC; Cyrus Reed, Lone Star Chapter Sierra Club; Adrian Shelley, Public Citizen; Taylor Sims, Recycling Council of Texas; Steven Deline)  
Against — None  
On — (*Registered, but did not testify*: Charly Fritz, Texas Commission on Environmental Quality)

**BACKGROUND:** Some have suggested that establishing guidelines for the recycling and disposal of consumer energy storage modules could help mitigate fire risks.

**DIGEST:** SB 2050 would prohibit a person from placing a consumer energy storage module in a mixed municipal solid waste, mixed metal recycling collection, or municipal mixed recyclable material collection facility or curbside collection receptacle. The prohibition would not apply to the placement of a consumer energy storage module in a facility or receptacle in accordance with a local program that provided for the collection for recycling of a consumer energy storage module at a facility or by curbside collection.

The bill would not apply to lead-acid batteries, alkaline batteries, or batteries that the Texas Commission on Environmental Quality (TCEQ) by rule determined were safe for disposal.

An individual consumer would not be subject to civil, administrative, or criminal liability under enforcement provisions of the Water Code for a violation of the bill that was inadvertent or incidental to noncommercial household use of a consumer energy storage module.

The owner or operator of a solid waste disposal facility, mixed metal recycling collection facility, or municipal mixed recyclable material collection facility:

- would not be subject to civil, administrative, or criminal liability under the Water Code if a person placed a consumer energy storage module in the owner's or operator's facility or a consumer energy storage module otherwise arrived at the facility through the collection of solid waste or recyclable material for disposal or recycling; and
- would have no duty to locate or remove a consumer energy storage module placed in or otherwise collected by the owner's or operator's facility.

The bill would require TCEQ, by rule, to identify businesses or facilities where an individual consumer, steward organization, or other person could place or deliver a consumer energy storage module for recycling or disposal. TCEQ also would have to, by rule, identify types of batteries that TCEQ determined were safe for disposal for purposes of the bill.

The bill would take effect September 1, 2025.