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HOUSE RESEARCH ORGANIZATION

daily floor report

Thursday, August 28, 2025
89th Legislature, Second Called Session, Number 9
The House convenes at 1:30 p.m.

Four bills are on the General State Calendar and one resolution is on the Resolutions Calendar for second reading today. The list of bills analyzed in today's *Daily Floor Report* appears on the next page.

Dynamic Floor Report: https://hro-dfr.house.texas.gov/floor-reports

Alma Allen
Vice Chairman
89(2) - 9

HOUSE RESEARCH ORGANIZATION

Daily Floor Report

Thursday, August 28, 2025

89th Legislature, Second Called Session, Number 9

SUBJECT: Requiring certain single-sex multiple-occupancy spaces in public facilities

COMMITTEE: State Affairs — favorable, without amendment

VOTE: 9 ayes — King, Darby, Geren, Guillen, Hull, McQueeney, Metcalf, Raymond, Smithee

3 nays — Hernandez, Anchía, Turner

3 absent — Y. Davis, Phelan, Thompson

SENATE VOTE: On final passage (August 19) — 19 - 11

WITNESSES: For — Jack Finger, San Antonio Family Association; Cindy Asmussen, Southern Baptists of Texas Convention; Cindi Castilla, Texas Eagle Forum; Teresa Thomas, Moms for America; Mary Elizabeth Castle, Mariana Kadirvel, Texas Values; Megan Benton, Texas Values Action; Jennifer Fleck, Travis County GOP; Lauren Pena, Travis County Republican Party; Dan Chandler; CJ Grisham; Daniel Hunt; Denise Seibert; Jake Wilson (*Registered, but did not testify*: Chelsey Youman, Alliance Defending Freedom; Jonathan Covey, Texas Values; Michelle Evans, Williamson County Republican Party; Ashley Fordinal; Perla Hopkins; Thomas Parkinson)

Against — Andrew Hendrickson, ACLU of Texas; Raquel Willis, Gender Liberation Movement; Michael Wilmore Crumrine, Lesbian and Gay Peace Officers Association; Anna Nguyen, PFLAG Austin; Keats Miles-Wallace, Texas Impact; Emmett Schelling, Transgender Education Network of Texas; Stacy Suits, Travis County Constable Pct 3; Celia Israel, Travis County Tax Assessor; and 11 individuals (*Registered, but did not testify*: Ash Hall, Blair Wallace, ACLU of Texas; Angela Hale, Austin LGBT Chamber of Commerce; Raven e. Freeborn, Avow; Yaneth Flores, Avow Texas; Carlos Crumley, Timothy Crumley, CommonSense Wellness Network, IPA, LLC; Cole Weaver, CWA Local 6154; Angela Hale, Dallas LGBT Chamber of Commerce; Elisa M. Tamayo, El Paso County; Miriam Laeky, Brad Pritchett, Equality Texas; Ana O'Quin, Girls Empowerment Network; Maude Shepherd, HK Gray, Jane’s Due Process;

Morgan Walker, Lambda Legal; Erika Galindo, Lilith Fund; Grace Brooks, Darcy Caballero, Shellie Hayes-McMahon, Maria Lumbreras, Planned Parenthood Texas Votes; James Jackson, PRIDENTON; Kamyon Conner, TEA Fund; Oluchi Omeoga, TENT; Amber Jones, Texas AFL-CIO; David Sanchez, Veronikah Warms, Texas Civil Rights Project; Angela Hale, Texas Competes Action; Levi Fiedler, Texas Freedom Network; Rocio Fierro-Perez, Texas Freedom Network; Kyle Riley, Texas Impact; James Hallamek, Texas State Teachers Association; Michelle Venegas-Matula, Texas Unitarian Universalist Justice Ministry; Chloe Wilkinson, Texas Young Democrats; Melodia Gutierrez, The Human Rights Campaign; Landon Richie, Asher Thye, Transgender Education Network of Texas; Heron Greenesmith, Transgender Law Center; Julie Wheeler, Travis County Commissioners Court; Anita Knight, TX IMPACT, AAUW; Candice Holloway, Vada Counseling; and 442 individuals)

On — Molly Voyles, Texas Council on Family Violence; Nicole Lusardi, Texas Hospital Association (*Registered, but did not testify*: Maureen Milligan, Teaching Hospitals of Texas)

DIGEST:

SB 8 would establish requirements for multiple-occupancy private spaces to be designated for use only by individuals of one biological sex, for inmates to be housed in correctional facilities according to their sex, and for family violence shelters designated for female victims to provide services only to individuals of the female sex and their children under age 17. The bill would also establish provisions related to civil penalties, enforcement procedures, civil actions brought under the bill.

Multiple-occupancy private spaces. SB 8 would require political subdivisions and state agencies to designate each multiple-occupancy private space in the entity's buildings for use only by individuals of one biological sex, either male or female.

Under the bill, a "multiple-occupancy private space" would mean a facility designed or designated for simultaneous use by multiple individuals, in which an individual could be in a state of undress in the presence of another, regardless of curtains or partial walls for privacy, including a restroom, locker room, changing room, or shower room.

For purposes of the bill, “female” would mean an individual who naturally had or would have, or had or would have had but for a congenital anomaly or a disruption, a reproductive system designed to produce, transport, and provide eggs for fertilization. “Male” would mean an individual who naturally had or would have, or had or would have had but for a congenital anomaly or a disruption, a reproductive system designed to produce, transport, and utilize sperm for fertilization.

The bill would define a “political subdivision” as a governmental entity, including a county, municipality, special purpose district or authority, public school district or open-enrollment charter school, or junior college district. A “state agency” would include a department, commission, board, office, council, authority, or other agency within state government, including an institution of higher education.

The bill would require political subdivisions and state agencies to take every reasonable step to ensure that an individual did not enter such private spaces that were designated for the opposite sex. The bill would specify that these requirements did not prohibit a political subdivision or state agency from:

- adopting a policy necessary to accommodate a disabled individual, young child, or elderly individual who required assistance when using a multiple-occupancy private space;
- establishing a single-occupancy private space, family restroom, or changing room; or
- changing the designation of a multiple-occupancy private space to exclusive use by individuals of the sex opposite to the sex previously designated.

A designation of a multiple-occupancy private space under the bill would not apply to an individual entering the space for a custodial, maintenance, or inspection purpose, to render medical or other emergency assistance, to accompany and provide assistance for an individual who needed assistance in using the facility, for law enforcement purposes, or to render necessary assistance in preventing a serious threat to proper order or

safety. A designation also would not apply to a child nine years old or younger who was accompanied by an individual caring for the child.

Correctional facilities. SB 8 would require the Texas Department of Criminal Justice (TDCJ) to ensure inmates were housed in a correctional facility, including a dormitory or cellblock, according to the inmate's sex. TDCJ would have to adopt rules to implement this requirement, including rules to ensure that implementation complied with state and federal law.

Family violence shelters. Under SB 8, a family violence shelter that has contracted with the Health and Human Services Commission and is designed specifically for female victims could only provide services to an individual of the female sex and an individual 17 years old or younger who was the child of a female individual receiving services at the shelter.

Civil penalties. SB 8 would establish that a political subdivision or state agency that violated the bill was liable for a civil penalty of $5000 for the first violation and $25,000 for a subsequent violation. Each day of a continuing violation would constitute a separate violation.

Attorney general enforcement. Under SB 8, a Texas resident could file a complaint with the attorney general against a political subdivision or state agency for a violation under the bill only if the resident provided written notice describing the violation to the political subdivision or state agency and the violation was not cured within three business days of the notice being received. The complaint would have to include a copy of the written notice and the resident's sworn statement or affidavit describing the violation and indicating the resident had provided the required notice.

The bill would require the attorney general to investigate the complaint to determine whether legal action was warranted before bringing such an action against a political subdivision or state agency. The entity subject to the complaint would have to provide any information requested by the attorney general related to the complaint, including supporting documents and a statement on whether the entity had complied or intended to comply with SB 8's requirements. Upon determining that legal action was warranted, the attorney general would be required to provide to the

appropriate officer of the political subdivision or state agency charged with the violation a written notice:

- describing the violation and location of the multiple-occupancy space found to be in violation;
- stating the amount of the proposed penalty for the violation; and
- requiring the political subdivision or state agency to cure the violation within 15 days of receiving notice to avoid the penalty, unless a court had previously found the entity liable for a violation.

If a political subdivision or state agency had not cured the violation within 15 days of receiving notice from the attorney general or was previously found liable by a court for a violation, the attorney general could bring an action to collect the civil penalty authorized under the bill. The attorney general also could file a petition for a writ of mandamus or apply for other appropriate equitable relief. The action could be brought or filed in a district court in the county in which the principal office of the political subdivision or state agency was located. The attorney general could recover reasonable expenses incurred in obtaining relief. A civil penalty collected by the attorney general under the bill would be deposited in the Compensation to Victims of Crime Fund.

Private cause of action. Under SB 8, a person affected by a violation of the bill could bring a civil action and would be entitled to declaratory relief, injunctive relief, and court costs.

Appellate jurisdiction. The Fifteenth Court of Appeals would have exclusive jurisdiction over any appeal arising out of a civil action brought under the bill.

Immunity. SB 8 would provide for the immunity of the state, political subdivisions, and government officers and employees in any type of legal action that challenged the validity of any provision of the bill or sought to prevent or enjoin the enforcement of the bill or hearing, adjudicating, or docketing an action brought for a violation of the bill. Such immunity would not apply if it had been abrogated or preempted by federal law or if immunity had been waived in accordance with the bill. The bill would prohibit an attorney representing the state, a political subdivision, or an

officer, employee, or agent of the state or a political subdivision from waiving such immunity or taking an action that would result in a waiver.

Jurisdiction. SB 8 would establish that a state court did not have jurisdiction to consider and could not award relief or any type of writ that would pronounce any provision of the bill invalid or unconstitutional or restrain the enforcement of the bill or hearing, adjudicating, docketing, or filing a civil action brought under the bill. A court could not certify a claimant class or a defendant class in a civil action that sought such relief.

Fee shifting. A person who sought relief to prevent any other person from bringing an action to enforce a stature, ordinance, rule, regulation, or other law that regulated access to certain spaces based on an individual's sex, or who represented a litigant seeking such relief, would be liable to pay the costs and attorney's fees of the prevailing party.

Construction and severability. The bill would specify that it could not be construed to prevent a litigant from asserting the invalidity or unconstitutionality of its provisions or application as a defense to liability in an action, claim, or counterclaim brought under the bill. The bill also would provide for the severability of its provisions and applications.

SB 8 would apply only to a cause of action that accrued on or after the bill's effective date. The bill would take effect 91 days after the end of the legislative session.

SUPPORTERS SAY:

SB 8 would protect the safety, privacy, and dignity of women and children in private spaces at public facilities. A growing number of Texans are concerned that they are losing the basic expectation of privacy in spaces traditionally separated by sex, as there have been many instances of women having to share private spaces such as bathrooms and locker rooms with biological males, which can be dangerous and traumatizing. SB 8 would protect privacy in spaces in which women are particularly vulnerable, including prisons and shelters, by restoring sex-based boundaries rooted in longstanding, commonsense societal norms and biology.

The bill would not be intended to exclude transgender people from public spaces but to provide fairness in access to multi-use private spaces. Because gender identity is based on inner experience, it is subjective and thus can be easily exploited, and should not be prioritized over objective biological reality and the right to sex-separated private spaces. The bill's approach is balanced and flexible, allowing for several exceptions and accommodations for people with disabilities, young children, or older adults who need assistance, while establishing a clear statewide standard for public facilities and providing for strong enforcement.

SB 8 would not prohibit anyone from using public facilities but would simply require them to use spaces corresponding to a person's biological sex, or single-occupancy spaces, which also could accommodate intersex individuals. The bill would not lead to intrusive or invasive enforcement efforts, such as inspection, because these would not be considered "reasonable steps" for compliance under the bill.

CRITICS SAY:

SB 8 is unnecessary because there is no outstanding problem of transgender men, or men posing as transgender, assaulting or accosting women in bathrooms or other facilities. Transgender people are more likely to be victims of assault than perpetrators, and the bill would increase this vulnerability. Enforcement of the bill would be difficult, since complaints could be based simply on appearance, which could encourage invasive attempts to determine a person's sex, violating privacy and dignity. Similarly, the bill's exceptions for children ages 9 and under could cause confusion based on how old a child appeared to be. Additionally, the bill's definitions of sex make no provision for intersex people, further complicating enforcement.

Under SB 8, not only transgender people but also others who do not fit gender stereotypes for appearance could face increased harassment in bathrooms and other spaces addressed in the bill. The bill would require visibly masculine transgender men to use women's restrooms, which would not make women feel more comfortable. The requirements under the bill would be discriminatory and would not make women safer, but would endanger transgender Texans by exposing them to harassment and potential violence in vulnerable spaces. The bill also could cause

transgender people to avoid using restrooms in public spaces, leading to potential health problems such as urinary tract infections.

SB 8 would make already marginalized transgender Texans and visitors feel unwelcome in public spaces. The passage of the bill would likely negatively affect the mental health of transgender people in the state, who are already at greater risk of suicidal ideation and suicide. SB 8 also could have negative economic effects on the state by making it harder for companies to hire transgender individuals and discouraging sporting events, conventions, and other gatherings from coming to Texas.

The bill's definitions of sex could conflict with federal anti-discrimination laws, and housing prison inmates solely according to biological sex could violate the Prison Rape Elimination Act, which allows facilities discretion about where to place transgender individuals based on specific situations. Such conflicts also could place federal funding for programs in Texas at risk. SB 8's private right of action does not provide a cure period or allow for a defendant to recover costs, which could promote frivolous lawsuits and strain judicial resources. The penalties for agencies and political subdivisions that violated the bill could deplete much-needed local government financial resources.

OTHER CRITICS SAY:

SB 8 should clearly exempt family violence shelters on public property from the bill's provisions on multi-occupancy private spaces. The bill also should be amended to ensure that it would not prevent women fleeing violence with male children who may be older than 17 and have special needs from going to a family violence shelter. Additionally, SB 8 should provide an exception from its multi-occupancy restrictions for patient care areas in public hospitals. Creating fully sex-segregated environments in hospitals would be difficult and expensive.

Concerns about privacy could be better addressed by providing more single-occupancy bathrooms and other facilities in public buildings.

SUBJECT: Prohibiting manufacture and provision of abortion-inducing drugs

COMMITTEE: State Affairs — committee substitute recommended

VOTE: 8 ayes — King, Darby, Geren, Guillen, Hull, McQueeney, Metcalf, Smithee

4 nays — Hernandez, Anchía, Raymond, Turner

3 absent — Y. Davis, Phelan, Thompson

WITNESSES: For — Katlyn Marburger, Brenham & Bryan Pregnancy Center; Susan Chapel, Pregnancy Assistance Center North; Jana Pinson, Pregnancy Center of the Coastal Bend; Mark Lee Dickson, Right To Life Across Texas; Cindy Asmussen, Southern Baptists of Texas Convention; Samantha Furnace, Ashley Leenerts, Brittani Oglesbee, John Seago, Ashley Solano, Texas Right to Life; and 7 individuals (*Registered, but did not testify*: Chelsey Youman, Alliance Defending Freedom; Jack Finger, San Antonio Family Association; Cindi Castilla, Texas Eagle Forum; Lauren Pena, Travis County Republican Party; Michelle Evans, Williamson County Republican Party; Ashley Fordinal; Isabella Garcia; CJ Grisham; Perla Hopkins)

Against — Michael Olson, Catholic Diocese of Fort Worth, Texas Catholic Conference of Bishops; Shellie Hayes-McMahon, Planned Parenthood Texas Votes; Kyleen Wright, Texans for Life; Joe Pojman, Ph.D., Texas Alliance for Life; Heather De La Garza-Barone, Texas Hospital Association; Kyle Riley, Texas Impact; Dr. Debbie Fuller, Dr. Zeke Silva, Texas Medical Association; Kim Batchelor; Shelley Hall; Kaitlyn Kash; Lauren Miller (*Registered, but did not testify*: Blair Wallace, ACLU of Texas; Yaneth Flores, Raven Freeborn, Blake Rocap, Avow Texas; Miriam Laeky, Brad Pritchett, Equality Texas; Cathy Torres, Frontera Fund; Ana O'Quin, Girls Empowerment Network; Lucie Arvallo, HK Gray, Maude Sheperd, Jane's Due Process; Morgan Walker, Lambda Legal; Erika Galindo, Lilith Fund; Anna Nguyen, PFLAG Austin; Grace Brooks, Darcy Caballero, Maria Lumbreras, Planned Parenthood Texas Votes; Kamyon Conner, TEA Fund; Amber Jones,

Texas AFL-CIO; Lisa Kaufman, Texas Civil Justice League; Veronikah Warms, Texas Civil Rights Project; Levi Fiedler, Texas Freedom Network; Keats Miles-Wallace, Texas Impact; Michelle Venegas-Matula, Texas Unitarian Universalist Justice Ministry; Landon Richie, Transgender Education Network of Texas; Anita Knight, TX Impact, AAUW; and 374 individuals)

On — Jeff Haas, Abolish Abortion Texas (*Registered, but did not testify*: Maureen Milligan, Teaching Hospitals of Texas)

BACKGROUND:

47 U.S.C. Section 230(c) establishes that no provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider. No provider or user of an interactive computer service shall be held liable on account of:

- any action voluntarily taken in good faith to restrict access to or availability of material that the provider or user considers to be obscene, lewd, lascivious, filthy, excessively violent, harassing, or otherwise objectionable, whether or not such material is constitutionally protected; or
- any action taken to enable or make available to information content providers or other the technical means to restrict access to such material.

Texas Civil Practice and Remedies Code ch. 27, related to actions involving the exercise of certain constitutional rights, has the stated purpose of encouraging and safeguarding the constitutional rights of persons to petition, speak freely, associate freely, and otherwise participate in government to the maximum extent permitted by law and, at the same time, protect the rights of a person to file meritorious lawsuits for demonstrable injury.

DIGEST:

CSHB 7 would prohibit the manufacture and provision of abortion-inducing drugs. The bill would be cited as the Woman and Child Protection Act.

Abortion-inducing drug prohibitions. CSHB 7 would prohibit a person from:

- manufacturing or distributing an abortion-inducing drug in Texas; or
- mailing, transporting, delivering, prescribing, or providing an abortion-inducing drug in any manner to or from any person or location in the state.

The bill would not prohibit:

- speech or conduct protected by the First Amendment;
- conduct a pregnant woman took in the course of aborting or attempting to abort her unborn child;
- the manufacture, distribution, mailing, transport, delivery, prescribing, provision, or possession of an abortion-inducing drug solely for one or more of the permitted purposes involving a medical emergency or certain other conditions; or
- conduct a person took under the direction of a federal agency, contractor, or employee to carry out a duty under federal law, if prohibiting that conduct would violate the doctrine of preemption or intergovernmental immunity.

Applicability and construction. The bill would not apply to, and a civil action under the bill could not be brought against:

- a hospital;
- a health care facility licensed, owned, maintained, or operated by this state;
- a health care provider, other than a provider against whom a qui tam action could be brought;
- a physician, other than a physician against whom a qui tam action could be brought;
- a physician group;
- an internet service provider or the provider's affiliates or subsidiaries;
- an internet search engine; or

- certain cloud service providers.

The bill also would not apply to, and a civil action could not be brought against, a person who manufactured, distributed, mailed, transported, delivered, prescribed, provided, or possessed abortion-inducing drugs in Texas solely for the purpose of treating a medical emergency, removing an ectopic pregnancy, removing a dead, unborn child whose death was caused by spontaneous abortion, or a purpose that did not include performing, inducing, attempting, or assisting an abortion, other than an abortion that was not a medical emergency.

The bill could not be construed to require the actual performance, inducement, or attempted performance of an abortion for a person to bring a civil action authorized by the bill.

Exclusive enforcement, effect of other law. The abortion-inducing drug prohibition established by the bill could only be enforced through a qui tam action. No other direct or indirect enforcement of the bill could be taken or threatened by the state, a political subdivision of the state, a district or county attorney, or any officer or employee of the state or a political subdivision against any person, by any means whatsoever.

The bill would not preclude or limit the enforcement of any other law or regulation against conduct that was independently prohibited by the other law or regulation and that would remain prohibited by the other law or regulation in the absence of the bill.

Qui tam action authorization. A person, other than the state, a political subdivision of the state, or an officer or employee of the state or a political subdivision, would have standing to bring and could bring a qui tam action against a person who violated or intended to violate the bill. An action brought under the bill would be required to be brought in the name of the qui tam relator, who was an assignee of the state's claim for relief. The transfer of the state's claim to the qui tam relator would be absolute. A qui tam relator could not bring an action under the bill if the action was preempted by 47 U.S.C. Section 230(c). A qui tam action could not be brought against:

- a woman for using, obtaining, or seeking to obtain abortion-inducing drugs to abort or attempt to abort her unborn child;
- a person acting under the direction of a federal agency, contractor, or employee who was carrying out a duty under federal law if the imposition of liability would violate the doctrine of preemption or intergovernmental immunity;
- a transportation network company or a driver for using such a company's digital network to provide a digitally prearranged ride;
- a delivery network company or a delivery person for using such a company's digital network to provide a digitally prearranged delivery;
- an air carrier conducting domestic or flag operations or a foreign air carrier conducting scheduled operations;
- a person to whom the bill did not apply and whom a civil action could not be brought under the bill;
- a health care provider or physician, unless the qui tam relator pled and proved that the provider or physician engaged in conduct that violated the bill while located outside of the state; or
- a pharmaceutical manufacturer, distributor, or common carrier, unless the qui tam relator pled and proved that the defendant failed to adopt and implement a policy to not distribute, mail, transport, deliver, provide, or possess abortion-inducing drugs other than for one or more of the permitted purposes.

A qui tam action could not be brought by any person who:

- impregnated a woman through conduct constituting sexual assault or aggravated sexual assault;
- committed an offense for which an affirmative finding of family violence was made;
- provided an abortion-inducing drug to a pregnant woman for the purpose of performing, inducing, or attempting an abortion with the woman's consent or knowledge;
- had been convicted of an offense relating to stalking; or
- acted in concert or participation with a person described above.

An action brought under the bill could not be litigated on behalf of a claimant class or a defendant class, and a court could not certify a class in the action. In an action brought under the bill, a qui tam relator or a defendant against whom an action was brought could not, without the consent of the person to whom the information belonged, publicly disclose or improperly obtain:

- any personally identifiable information of a pregnant woman who sought or obtained an abortion-inducing drug from a defendant against whom a qui tam action was brought;
- any information protected from public disclosure under the Health Insurance Portability and Accountability Act (HIPPA) of 1996; or
- any personal data of a pregnant woman who sought or obtained an abortion-inducing drug from a defendant against whom a qui tam action was brought that was protected from public disclosure under federal or state law.

A court could not order in response to the filing of a petition by a qui tam relator the taking of a deposition of a woman who was the subject of a violation of the prohibition, unless the woman consented to the deposition.

Defenses. It would be an affirmative defense to an action brought under the bill that the defendant was unaware that the defendant was engaged in prohibited conduct and took reasonable precautions to ensure the defendant would not violate the bill.

It also would be an affirmative defense to an action that:

- the imposition of civil liability on the defendant would violate the defendant's rights under federal law, including the U.S. Constitution, or under the Texas Constitution;
- the defendant had standing to assert the rights of a third party and demonstrated that the imposition of civil liability on the defendant would violate the third party's rights; or
- the imposition of civil liability on the defendant would violate limits on extraterritorial jurisdiction imposed by the U.S. Constitution or the Texas Constitution.

The defendant would have the burden of proving an affirmative defense by a preponderance of the evidence.

The following would not be defenses to an action brought under the bill:

- a defendant's ignorance or mistake of law, including the mistaken belief that the requirements or provisions of the bill were unconstitutional or had been unconstitutional;
- a defendant's reliance on a state or federal court decision that was not binding on the court in which the action had been brought;
- a defendant's reliance on a federal agency rule or action that had been repealed, superseded, or declared invalid or unconstitutional, even if the rule or action had not been repealed, superseded, or declared invalid or unconstitutional when the cause of action accrued;
- the laws of another state or jurisdiction, including an abortion shield law, unless the Texas Constitution or federal law compelled the court to enforce that law;
- non-mutual issue preclusion or non-mutual claim preclusion;
- sovereign immunity, governmental immunity, or official immunity, other than those applicable to certain hospitals, political subdivisions, physicians, or health care professionals;
- a claim that enforcement of the bill or imposition of civil liability against the defendant would violate the constitutional or federally protected right of third parties; or
- consent to the abortion by the claimant or the unborn child's mother.

Statute of limitations. The bill would allow a person to bring an action not later than the sixth anniversary of the date the cause of action accrued.

Remedies. If a qui tam relator prevailed in an action, the court would have to award to the relator injunctive relief sufficient to prevent the defendant from violating the drug prohibition established by the bill, an amount of at least $100,000 for each violation, and costs and reasonable attorney's fees. In awarding such an amount, the court would be required to ensure that

the qui tam relator received the entire amount awarded for an action in which the relator:

- was a woman who was pregnant at the time the woman obtained or received an abortion-inducing drug in violation of the bill; or
- the father, sibling, or grandparent of the unborn child with which the woman was pregnant.

For an action in which the qui tam relator was a person not described above, the court would be required to ensure that the relator received $10,000 of the total amount awarded, and the remainder of the amount awarded was held in trust by the relator for the benefit of a charitable organization designated by the realtor that the realtor or a family member did not receive payment or financial benefit.

A court could not grant the award or attorney's fees in response to a violation of the prohibition if the defendant demonstrated that a court had previously ordered the defendant to pay such an award in another action for that particular violation and the court order had not been vacated, reversed, or overturned.

A court could not award costs or attorney's fees under the Texas Rules of Civil Procedure or any other rule adopted by the Texas Supreme Court to a defendant against whom an action was brought under the bill. This provision would not preclude a court from awarding sanctions under relevant Civil Practice and Remedies Code provisions or sanctioning a litigant or attorney for frivolous, malicious, or bad-faith conduct.

Coordinated enforcement prohibited. The state, a political subdivision of the state, or an officer or employee of the state or a political subdivision could not:

- act in concert or participation with a qui tam relator bringing an action;
- establish or attempt to establish any type of agency or fiduciary relationship with a qui tam relator bringing an action;

- attempt to control or influence a person's decision to bring an action or that person's conduct of the litigation; or
- intervene in an action.

This provision would not prohibit the state, a political subdivision, or an officer or employee from filing an amicus curiae brief in an action if the relevant entity did not act in concert or participation with the qui tam relator.

Jurisdiction, applicability of state law. CSHB 7 would establish that Texas courts would have personal jurisdiction over a defendant sued under the bill to the maximum extent permitted by the Fourteenth Amendment of the U.S. Constitution, and that the defendant could be served outside this state. State law would apply to an action to the maximum extent permitted by the Texas Constitution and federal law. Any contractual provision that required or purported to require application of the laws of a different jurisdiction, or that required or purported to require a qui tam action to be litigated in a particular forum, would be void based on this state's public policy and would not be enforceable in any court. Civil Practice and Remedies Code ch. 27 would not apply to an action brought under the bill.

The bill would establish that the Fifteenth Court of Appeals had exclusive appellate jurisdiction over any appeal or original proceeding arising out of an action brought under the bill in a Texas court.

A court could not apply the law of another state or jurisdiction to any qui tam action brought under the bill unless the Texas Constitution or federal law compelled the court to apply that law.

Effect of clawback provisions. The bill would define "clawback provision" as any law of another state or jurisdiction that authorized the bringing of a civil action against a person for:

- bringing or engaging in an action authorized by the bill;
- bring or engaging in an action that alleged a violation of the bill;

- attempting, intending, or threatening to bring or engage in such an action; or
- providing legal representation or any type of assistance to a person who brought or engaged in such an action.

If an action was brought or a judgment was entered against a person under a clawback provision based wholly or partly on the person's decision to engage in conduct described in this section, that person would be entitled to injunctive relief and damages from any person who brought the action or obtained the judgment or who sought to enforce the judgment. This relief would be required to include:

- compensatory damages;
- costs, expenses, and reasonable attorney's fees incurred in bringing an action; and
- additional amounts consisting of the greater of twice the sum of the damages, costs, expenses, and fees or $100,000.

The relief would also have to include injunctive relief that would restrain each of the relevant parties who brought the action under the clawback provision from bringing further actions against certain involved persons, from continuing to litigate any actions brought under a clawback provision, and from enforcing or attempting to enforce any judgment obtained in any actions brought under a clawback provision against those persons.

Except as otherwise provided by federal law, state law would apply to:

- conduct described for purposes of a "clawback provision";
- an action brought against a person for engaging in such conduct;
- an action brought under a clawback provision against a Texas resident; and
- an action brought under this section that would entitle a person to the injunctive relief and damages described.

In certain clawback provision actions, the court would be required to, on request, issue a temporary, preliminary, or permanent injunction that

would restrain each defendant in the action, each person in privity with the defendant, and each person with whom the defendant was in active concert or participation from:

- bringing an action under any clawback provision against a claimant or prosecutor, a person in privity with the claimant or prosecutor, or a person providing legal representation or any type of assistance to the claimant or prosecutor; and
- continuing to litigate an action under any clawback provision that had been brought against a claimant or prosecutor, or a person providing legal representation or any type of assistance to the claimant or prosecutor.

The doctrines of res judicata and collateral estoppel would preclude a defendant against whom a judgment was entered in the specified clawback provision actions and each person in privity with the defendant from litigating or relitigating any claim or issue under any clawback provision against a claimant, prosecutor, or person in privity with the claimant or prosecutor that had been raised or could have been raised as a claim, cross-claim, counterclaim, or affirmative defense under federal or Texas rules of civil procedure. A Texas court could not enforce an out-of-state judgment obtained in an action brought under a clawback provision unless federal law or the Texas Constitution required the court to enforce the judgment.

It would not be a defense to an action described above that:

- the claimant failed to seek recovery in an action brought against the claimant under a clawback provision; or
- a court in a preceding action brought against the claimant declined to recognize or enforce this section or held any provision of this section invalid, unconstitutional, or preempted by federal law.

Civil Practice and Remedies Code ch. 27 would not apply to an action brought under this section. The Fifteenth Court of Appeals would have exclusive intermediate appellate jurisdiction over any appeal or original proceeding arising out of a civil action brought under this section in a Texas court.

Severability, effect. It would be the intent of the Legislature that every provision, section, subsection, sentence, clause, phrase, or word of CSHB 7 was severable from each other.

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

SUPPORTERS SAY:

CSHB 7 would protect women and unborn children in the state by providing a necessary prohibition and enforcement tool to address the use of abortion-inducing drugs that have been increasingly sent into the state despite Texas' prohibition on elective abortions. Since *Roe v. Wade* was overturned by the U.S. Supreme Court in 2022, medication abortion has become a predominant method of abortion nationwide. "Shield laws," which have allowed states with such laws, including California, Massachusetts, New York, and Washington, to provide legal protections for healthcare practitioners and pharmaceutical manufacturers providing abortion services to patients in states where it is illegal, have made it easier for these drugs to be sent into Texas without legal ramifications. This has allowed thousands of abortion pill orders to be filled in Texas from out-of-state providers. By authorizing private civil actions against this practice, CSHB 7 would allow Texans to hold violators accountable, deter the flow of abortion-inducing drugs into the state, and provide a mechanism to close loopholes and enforce laws that otherwise cannot reach out-of-state actors.

By curtailing the influx of abortion-inducing drugs, the bill would protect women from serious health risks that can arise when abortion-inducing drugs are taken without medical supervision. Abortion pills are often mailed directly to women without any prescriptions, instructions, contact information, or directions for follow-up care, leaving those taking the medication unprepared for unknown side effects and dangerous complications, such as hemorrhage, which require immediate medical attention and can be fatal. Women are often mailed pills of an unknown substance with no way to verify whether it is an abortion-inducing drug or poses other safety risks as well. The drugs also have been used coercively, with reports of traffickers or abusive partners administering the pills to women without a woman's consent or knowledge. The bill would provide

women with legal recourse against these harms and ensure they were not left to undergo a dangerous medical procedure without proper medical instruction.

CSHB 7 also would create protections to help ensure that women who underwent an abortion or an attempted abortion were not subject to further psychological trauma or abuse during the legal process. The bill would prohibit individuals filing suit from illegally surveilling women or from disclosing the identity and personal information of a woman who sought an abortion. The bill also would prevent convicted abusers or individuals with histories of domestic violence, stalking, or sexual assault from seeking legal action under the bill, further protecting vulnerable women. Additionally, CSHB 7 would prohibit pre-suit depositions of women without their consent, limiting opportunities for harassment and protecting privacy. These provisions would focus the bill's enforcement on those who distributed the drugs while safeguarding women from being drawn into unnecessary legal proceedings.

Furthermore, the bill would avoid creating financial incentives for opportunistic litigation. While plaintiffs could recover $10,000 in damages, the bulk of the award, $90,000, would go to a charity unless the plaintiff was the injured party or a relative specified by the bill. This structure would ensure that litigation enabled by the bill would not be driven by personal profit while still providing accountability for violators.

CSHB 7 would provide Texas with a clear and narrowly tailored way to enforce its abortion laws, offer vital protections for women from coercion and unsafe practices, and safeguard the state's ability to respond to the spread of illegal abortion-inducing drugs.

CRITICS SAY:

CSHB 7 would remove a legal mechanism by which women in Texas could obtain medication abortions, effectively blocking access to a safe form of reproductive medical care. The drugs mifepristone and misoprostol, which are commonly used in medication abortions, have been FDA-approved for decades and are safely used in over 80 countries. Additionally, clinical research has shown that these medications can be safely taken at home during the first trimester without direct physician supervision. By restricting access, the bill would remove an essential

healthcare option and drive women to seek unsafe or unregulated abortion care alternatives, increasing the likelihood of serious harm or death.

The bill would make women experiencing pregnancy complications less safe and could worsen maternal health outcomes in Texas, which already has some of the highest maternal mortality and morbidity rates in the nation. Abortion-inducing drugs are often used when a woman has experienced a miscarriage to prevent infection and potential sepsis. The medication is also used to help induce labor and treat postpartum hemorrhages and ectopic pregnancies. Since the state's abortion ban took effect in 2022, maternal deaths, cases of sepsis, and infant mortality have all risen. Limiting access to these medications could compound these problems by hindering one of the safest ways to manage early pregnancies and complications. At a time when maternal health indicators are worsening, the state should be expanding maternal-related healthcare options, rather than restricting them.

CSHB 7 also could have a chilling effect on the use of medications that physicians regularly prescribe and use in these essential procedures, as the threat of lawsuits and substantial financial penalties could deter physicians from prescribing them even when medically necessary. This could delay or deny patients timely, lifesaving care and undermine physicians' ability to practice sound medical judgment. Physicians are already subject to civil and criminal liabilities under the law. By creating an additional and redundant cause of action, the bill would increase the risks physicians must undergo to provide necessary prenatal care. The absence of added legal protections for medical providers could heighten uncertainty and deter doctors from offering medically appropriate treatment, ultimately increasing health risks for women. Additionally, by placing the burden of proof on providers, the bill could discourage physicians from providing legally permissible care.

The bill would impose especially heavy burdens on rural Texans, who already face significant barriers to healthcare access. Many rural clinics have closed, and hospitals are often miles away. As public transportation is limited, residents often must depend on family, church members, or community networks to reach care. Penalizing those who assist women in accessing medication abortion, even from states where it remains legal, could disincentivize and cut off these support systems. Furthermore, it

would prevent women who don't have access to a nearby physician from obtaining abortion-inducing drugs through the mail, even for necessary and legal medical purposes. For rural women with few options, this could result in life-threatening delays and worse health outcomes.

CSHB 7 would expand civil enforcement in ways that could invite harassment and abuse. The bill would allow individuals with no personal connection to a patient to bring lawsuits and collect damages, creating a system where strangers could profit from deeply personal healthcare decisions. This could turn courts into tools for harassment, potentially forcing women into litigation against their will and subjecting them to public scrutiny. CSHB 7 also could pose constitutional challenges with a similar private enforcement mechanism to the state's 2021 abortion ban, which is still being decided in the courts over whether this procedure undermines due process for defendants and removes enforcement power from the executive branch. Attempting to override other states' shield laws could also raise legal concerns.

In addition, the bill could raise concerns under the Religious Freedom Restoration Act. By imposing penalties and restrictions on certain reproductive healthcare decisions, CSHB 7 could be seen as targeting or silencing religious perspectives that do not prohibit abortion, creating additional legal conflict while doing little to improve care or outcomes for Texans.

OTHER CRITICS SAY:

CSHB 7 does not go far enough to curtail the demand for elective abortions in Texas, since most abortions are sought voluntarily and without coercion. The bill should be amended to provide equal protections for unborn children and ensure that women seeking abortions are held accountable under the law. Without such provisions, CSHB 7 would deter distributors but leave broader abortion access unaddressed. The bill also should ensure that its provisions do not unnecessarily confuse or unintentionally weaken other strong prolife laws in the state.

SUBJECT: Establishing confidentiality of certain law enforcement agency files

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

VOTE: 7 ayes — Hefner, Hickland, Holt, Isaac, Louderback, McLaughlin, Pierson

0 nays

4 absent — R. Lopez, Canales, Cortez, Dorazio

WITNESSES: None *(Considered in a formal meeting on August 26)*

BACKGROUND: Under Occupations Code sec. 1701.4535, the Texas Commission on Law Enforcement (TCOLE) is required to adopt a model policy related to a license holder's personnel files maintained by the head of a law enforcement agency. The file is required to contain any letter, memorandum, or document relating to:

- a commendation, congratulations, or honor bestowed on the license holder;
- any misconduct by the license holder if the misconduct resulted in disciplinary action by the employing agency; and
- the periodic evaluation of the license holder by a supervisor.

An agency is prohibited from placing in the license holder's personnel file a letter, memorandum, or document relating to alleged misconduct by the license holder for which the employing agency determines that there is insufficient evidence to sustain the charge of misconduct.

DIGEST: CSHB 15 would require the head of a law enforcement agency or a designee to maintain a department file for agency use on each Texas Commission on Law Enforcement (TCOLE) license holder employed by the agency. The department file would be required to contain any letter, memorandum, or document relating to the license holder not included in a personnel file maintained by the agency under Occupations Code sec.

1701.4535, including any files relating to alleged misconduct for which the agency determined there was insufficient evidence to sustain the charge of misconduct.

A law enforcement agency hiring a license holder would be entitled to review the contents of the license holder's department file maintained by each previous law enforcement agency employer before hiring a license holder through a pre-employment procedure established by TCOLE.

A law enforcement agency would be required to provide the contents from a license holder's department file to TCOLE, including completion of any investigations of alleged misconduct within 30 days after the license holder separated from the agency. The agency would also have to provide the contents of the department file upon request by TCOLE as a part of an ongoing investigation related to the license holder.

The department file maintained under the bill would be subject to disclosure only as required by law, including certain laws on law enforcement interactions with the public on racial profiling and the body-worn camera program, discovery procedures, and independent investigations of death occurring in a county jail. Otherwise, the department file would be confidential and not subject to disclosure under the Public Information Act.

CSHB 15 would prohibit a law enforcement agency from releasing any information from a license holder's department file to any other agency or person requesting information relating to the license holder. The agency would be required to refer the requesting agency or person to the agency head or designee.

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

SUPPORTERS SAY:

CSHB 15 would protect peace officers from reputational harm and unfair bias that can be personally and professionally damaging to officers by creating a confidential department file for each officer with documents related to alleged misconduct for which a law enforcement agency determines there is insufficient evidence to sustain the charge of

misconduct. There is currently no standardized procedure for determining public disclosure of documents related to unsubstantiated allegations of officer misconduct, which agencies are required to investigate. Additionally, the confidentiality of such information is currently only applicable to officers employed by the Department of Public Safety (DPS) or a political subdivision that has adopted Local Government Code ch. 143, which outlines confidentiality policies. By providing for the confidentiality of these files for all TCOLE license holders, the bill would promote fairness for peace officers who are too often subject to bad-faith or politically-motivated accusations and defamation. Misconduct that resulted in suspension, termination, or demotion would appropriately remain publicly accessible under the bill.

The bill would ensure that alleged misconduct files were still accessible to law enforcement agencies for hiring decisions and to TCOLE for oversight purposes. This would allow agencies to conduct thorough background checks of officers before hiring, and employing agencies to evaluate incident reports. CSHB 15 also would further clarify and codify how law enforcement agencies manage officer records in alignment with TCOLE's model policies. The bill would aid law enforcement agencies in being responsible employers and allow a police department supervisor to document critical assessments of officers without concern of premature public disclosure, since some reports may be projections and unverified.

CSHB 15 would preserve transparency by ensuring that completed investigations and formal reprimands continued to remain publicly accessible through officer personnel files. While the bill would exempt department files from disclosure under the Public Information Act, the bill would not bar the files from disclosure as required by other laws, such as the Michael Morton Act relating to discovery in a criminal case, or the Sandra Bland Act, which protects people with mental illnesses who are arrested and diverted to treatment.

While some have argued that CSHB 15 could restrict public access to information about the Robb Elementary School shooting in Uvalde, the bill would not affect the outcome of the investigation, as CSHB 15 would not change disclosure requirements for body-worn camera footage and public access to some Uvalde files would remain unchanged by the bill.

CRITICS SAY:

By exempting law enforcement agency department files established under the bill from public disclosure, CSHB 15 would seal records of police officer misconduct that did not lead to disciplinary action, potentially limiting transparency and accountability in cases involving failures in police response, such as the Uvalde school shooting, or instances of officer misconduct, police brutality, sexual discrimination, or wrongful death.

While the bill's intention would be to standardize personnel and department files for efficient hiring practices and to protect officers from unjustified negative attention, CSHB 15 could shield bad actors and undermine public trust in law enforcement. Police officers entrusted with public safety should be held to the highest standards of accountability and not safeguarded from scrutiny. The bill could create an incentive among law enforcement agencies not to hold officers accountable to avoid having to make certain information accessible to the public. The bill also could create loopholes, especially in small law enforcement agencies with few officers and lacking internal affairs units, allowing officers to hide records from public oversight. Additionally, there is not sufficient evidence of a pervasive problem with the release of police misconduct information to justify the changes proposed under the bill.

The bill would obscure important police records from public disclosure, including potential records of officer misconduct during the Uvalde school shooting, and could reframe the legal basis for access to this information that Uvalde families have waited several years for. By requiring all documents relating to officers outside of the personnel file to be included in a confidential department file, the bill could restart court proceedings on whether certain documents related to the Robb Elementary School shooting must be released, further delaying or preventing disclosure for families who deserve transparency.

Many exceptions to the Public Information Act already exist that prevent or delay the release of police conduct data. The bill would make it even harder for victims of police misconduct and their families to access information, as disclosure would require filing a lawsuit, often necessitating costly legal representation. CSHB 15 should include an

exception for journalists who rely on public records to uncover evidence, inform the public, and even assist law enforcement agencies in solving a crime. The bill also should ensure that the Public Information Act's existing provision that allows disclosure of information related to an accused who is deceased or incapacitated remains unchanged to preserve the closure of "the dead suspect loophole."

CSHB 15's language requiring all documents relating to a license holder not included in personnel files to be a part of department files is too broad. This language could be interpreted by a court to include written, audio, video, and digital information, making many important accountability documents harder to reach. It also could be used to withhold body camera footage of a traffic stop, call log, or incident report, which could create inconsistencies in the application of the law. While the bill includes provisions to allow for the release of body camera footage in accordance with certain laws, authorizing rather than requiring disclosure in these circumstances could still limit transparency. Moreover, the bill would not provide a standard for what could be considered an unsubstantiated claim.

CSHB 15 would limit the effectiveness of offices of police oversight and police review commissions by denying access to sealed documents, hindering their ability to provide independent evaluations and foster meaningful dialogue between law enforcement and the community. Additionally, CSHB 15 would exclude a civilian board from deciding what information could be disclosed to the public.

The Legislature should consider authorizing an interim study to recommend modifications to CSHB 15 that would help to create a system that addresses current abuses while resolving concerns about conflicting legal requirements under the bill. Additionally, CSHB 15 should require an outside third party to decide which records of misconduct should be placed in department files and what should remain public, rather than allowing self-enforcement among law enforcement agencies, to ensure transparency and accountability.

SUBJECT: Amending youth camp safety requirements, advisory committee

COMMITTEE: Public Health — committee substitute recommended

VOTE: 11 ayes — VanDeaver, Campos, Cunningham, Frank, Johnson, J. Jones, Olcott, Pierson, Schofield, Shofner, Simmons

0 nays

2 absent — Bucy, Collier

WITNESSES: For — Nichole Christoph and Rania Mankarious, Crime Stoppers of Houston; Kori Delapena, Texas Water Safety Coalition; Dan Chandler (*Registered, but did not testify*: Jason Sabo, Children at Risk; Stefanie Page, Texas Pediatric Society; Nelda Hunter, The Campaign For Camp Safety; Thomas Parkinson; Brad Schlueter)

Against — (*Registered, but did not testify*: Gordy Carmona; Mark Henson; Shannon Rose; Valerie Rose)

On — Jennifer Poteat, Colin's Hope; Timothy Stevenson, Department of State Health Services; Daniel Neal

DIGEST: CSHB 265 would amend the Texas Youth Camp Safety and Health Act provisions related to reporting abuse or neglect at a youth camp, the qualifications and composition of the youth camp advisory committee members, and requirements for youth camp operators.

Report of abuse or neglect. The bill would require a youth camp staff member or volunteer who had reasonable cause to believe a child's physical or mental health or welfare had been adversely affected by abuse or neglect by any person to immediately make a report as required by law.

Youth camp operators. Before an adult individual could serve as a youth camp staff member or volunteer who had unsupervised contact with a camper, CSHB 265 would require a youth camp operator to conduct an annual criminal history record check on the individual and ascertain whether the individual was registered as a sex offender under the sex

offender registration program by consulting the sex offender database maintained by the Department of Public Safety (DPS).

The bill also would require an operator to ensure each adult camp staff member successfully completed at least one hour of training in first aid and cardiopulmonary resuscitation provided by an accredited training organization or licensed health care professional.

Advisory committee. The bill would amend the composition of the youth camp advisory committee by requiring that the committee consist of 11, rather than 9, members. The bill also would replace existing requirements that at least two members of the committee were members of the general public and that the other members were experienced camping professionals who represented the camping communities of the state with the requirement that the committee consist of:

- one emergency management director or coordinator for a political subdivision;
- one law enforcement professional;
- one pediatrician, primary care physician, pediatric advanced practice registered nurse, or pediatric physician's assistant;
- one child psychologist;
- one child abuse prevention expert;
- one water safety expert;
- two youth camp operators;
- one parent or legal guardian of a child who was a camper at a Texas youth camp in the two years preceding the appointment date; and
- two members of the general public.

The bill would remove the requirement for the Health and Human Services Commission (HHSC) executive commissioner to, in attempting to reflect the geographic diversity in the state when making appointments to the advisory committee, consider the proportion to the number of camps licensed by the Department of State Health Services (DSHS) in each geographic area.

The bill would establish that an individual, excepting the two appointed youth camp operators, was ineligible for appointment to the advisory

committee if the individual was affiliated with any youth camp or related within the second degree of consanguinity or affinity to someone affiliated with a youth camp. The bill also would establish that youth camp advisory committee meetings were subject to the Open Meetings Act.

CSHB 265 would replace the requirement for DSHS to consult parents, youth camp operators, and appropriate public and private officials and organizations in developing rules with a requirement that the executive commissioner, in consultation with the advisory committee, conduct a comprehensive review and revision of the youth camp rules by April 1, 2026.

On the bill's effective date, the terms of the youth camp advisory committee members serving immediately would expire, and the executive commissioner would be required to open the application process to appoint new committee members as provided by the bill.

Other provisions. CSHB 265 would repeal provisions in the Health and Safety Code regarding exemptions and waivers for certain youth camps, requirements for DSHS to consult with camp operators before adopting licensing fees, exceptions to the imposition of penalties for violations corrected during investigation, and daily caps on administrative penalties for camp violations.

Effective date. CSHB 265 would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, the bill would take effect 91 days after the last day of the legislative session.

SUPPORTERS SAY:

CSHB 265 would strengthen youth camp safety in the state by enhancing oversight and accountability, updating camp safety standards, and requiring DSHS to review all youth camp rules in consultation with the youth camp advisory committee. Parents entrust camps with their children's safety and well-being, and the devastating July 4 flooding in the Texas Hill Country that claimed the lives of more than two dozen campers at Camp Mystic, among dozens of other deaths, brought to light important gaps in current protections. By implementing more safeguards, the bill would help prevent avoidable harm and restore public confidence in youth camp safety.

The bill would create a more balanced, comprehensive, and evidence-based youth camp advisory committee by adding child safety experts, emergency management officials, law enforcement, and a water safety expert alongside camp operators. Swimming and water sports are among the riskiest activities for children, and including expertise in aquatics safety would help ensure that camp policies addressed one of the leading causes of camp-related injuries and accidental deaths among youth. Broader representation also would ensure that safety policies were guided by expertise and the best interests of children rather than operational convenience.

CSHB 265 would repeal the "cure first" provision in current law that allows certain operators to cure a problem during an annual inspection and shields camp operators from an immediate violation. The bill also would eliminate certain exemptions that have allowed some camps to avoid regulation. No other regulated entity in Texas is afforded this leniency, and removing these loopholes would hold all camps to the same safety standards.

Additionally, the bill would put consistent safeguards in place for children by requiring background checks and sex offender screenings for all youth camp staff and volunteers with unsupervised access to youth, as well as CPR and first aid training for all adult staff. These basic safety measures would ensure that every camp is prepared to keep children safe.

CRITICS SAY:

While CSHB 265 would take important steps to improve oversight of youth camps, the bill should further ensure that child injury prevention expertise is included in the advisory and rulemaking process to address the most significant causes of injuries that occur in camp settings. The bill also should be expanded to apply to other youth-serving programs that could be outside the statutory definition of a youth camp, since parents entrust those programs with their children in the same way, and consistent guidelines could further enhance protections.