



Texas Legislative Study Group

An Official Caucus of the Texas House of Representatives

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| LSG Floor Report for POSTPONED BUSINESS - Monday, April 17, 2023 | | | | |
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| HB 1024 | Relating to the value of residential dwelling offered or awarded as a prize at a charitable raffle. | Licensing & Administrative Procedures 8 Ayes, 0 Nays, 0 PNV, 3 Abs | Charitable organizations like St. Jude Hospital work to help families throughout the U.S. without charging for care. To fund its operations, St. Jude's hosts various raffles to raise money. One of the events they host is the annual St. Jude's Dream Home giveaway, where they offer a home as a raffle prize. Current law restricts the maximum value of a home awarded as a prize through a charity raffle to \$250,000. This monetary cap has not increased since 2005 to keep up with inflation and current home prices. HB 1024 would increase the statutory cap of a residential dwelling that can be offered or awarded as a prize at an organization's charitable auction from \$250,000 to \$1 million. | Favorable |
| HB 2374 | Relating to the authority of a political subdivision to regulate an energy source or engine. | State Affairs 10 Ayes, 1 Nays, 0 PNV, 2 Absent | HB 2374 is a direct response to local efforts to combat climate change and reduce greenhouse gas emissions by regulating gas-powered lawn equipment and small engines as well as banning the construction of new gas stations. HB 2374 bans municipalities from adopting regulations that directly or indirectly limit the use, sale, or lease of an engine based on its fuel source. Additionally, HB 2374 prohibits local governments or political subdivisions from enacting or enforcing ordinances that restrict access to an energy source, including fuel service stations. Under HB 2374, local governments retain the authority to adopt ordinances relating to engines provided such measures are not preempted by state or federal statute and effectively prohibit the use, sale, or lease of engines or specific fuel sources. HB 2374 eliminates local government's authority to regulate gas-powered lawn equipment in efforts to improve air quality. Operating a typical lawn mower for one hour emits as much smog-forming pollution as driving a new light-duty car about 300 miles. An hour of using a typical leaf blower emits as much as an 1100-mile drive. HB 2374 is a costly prohibition in a state where four metropolitan areas currently do not meet federal ozone pollution standards, impacting the health of millions of Texans. | Unfavorable |
| HB 112 | Relating to workplace violence prevention in certain health facilities. | Public Health 11 Ayes, 0 Nays, | On a daily basis, an average of 57 nurses are assaulted at work, ranging from verbal abuse to physical harm. These attacks come from patients, their families, and coworkers, and are a major reason why many nurses leave the profession early. | Favorable |

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| Rogers Klick Bonnen | | 0 PNV, 0 Absent | <p>HB 112 seeks to address this issue with the creation and implementation of statewide standards for preventing violence in health care facilities. Under the bill, health care facilities would be required to establish a committee charged with developing a violence prevention plan that meets rules set by the Health and Human Services Commission (HHSC).</p> <p>Each committee must include at least one registered nurse providing direct care to patients and one employee providing security services at the facility. Health care systems with multiple facilities can establish a single committee in certain situations, but they must ensure that data related to violence prevention is tracked for each facility in the system.</p> <p>Under HB 112, violence prevention plans must include a definition of workplace violence, a system for reporting and investigating violent incidents, and annual training for employees. Anyone who violates the bill’s provisions may be subject to disciplinary action by the appropriate licensing agency. Plans must also encourage employees to share information about workplace violence and provide protection against retaliation. HB 12 requires the committee to evaluate the violence prevention plan annually and report its results to the facility’s governing body.</p> <p>Health care professionals should not fear for their safety while at work. HB 112 aims to protect Texas health care workers from violence and hold those who exhibit abusive behavior accountable.</p> | |
| HB 540 By: Longoria | Relating to the award of library construction grants by the Texas State Library and Archives Commission. | Culture, Recreation, and Tourism 7 Ayes, 0 Nays, 0 PNV, 2 Absent | <p>Funding for new libraries along the Texas border was appropriated by the 86th Legislature. However, the current statute prohibits using state grants to construct public libraries. Additionally, the current statute complicates state matches for current and potential federal funding opportunities.</p> <p>HB 540 strikes the language that prohibits the use of state grants to fund library construction. The bill also authorizes TSCLA to use state, federal, and other funds to award grants for new library construction, and for renovation and rehabilitation of existing libraries. Libraries are a vital resource for Texas communities and should be properly supported.</p> | <u>Favorable</u> |
| LSG Floor Report for Constitutional Amendments Calendar - Monday, April 17, 2023 | | | | |
| HJR 3 By: Bonnen | Proposing a constitutional amendment renaming the national research university fund as the Texas University Fund, providing for | Higher Education 10 Ayes 0 Nays 0 PNV 1 Absent | <p>HJR 3 is the accompanying constitutional amendment needed for HB 1595. HB 1595 modifies the National Research University Fund (NRUF) by renaming it the Texas University Funding (TUF) and restructuring the funding mechanisms to be performance-based.</p> <p>HJR 3 would amend the Constitution, changing the name of the National Research University Fund (NRUF) to the Texas University Fund (TUF) and constitutionally dedicate \$3.5 billion from the general revenue fund to the TUF. HJR 3 also allows for use of the interest accrued from the earnings of the Economic Stabilization Fund (ESF) as an ongoing revenue source for the TUF.</p> | <u>Favorable</u> |

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| | <p>the appropriation of certain investment income from the economic stabilization fund to the Texas University Fund, excepting appropriations to and from the Texas University Fund from the constitutional limit on the rate of growth of appropriations, and appropriating money from the general revenue fund to the Texas University Fund to be spent for purposes of providing funding to certain public institutions of higher education to achieve national prominence as major research universities and drive the state economy.</p> | | | |
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| LSG Floor Report For General State Calendar – Monday, April 17, 2023 | | | | |
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| <p>HB 1595 By Bonnen</p> | <p>Relating to the administration and investment of, and distribution and use of money from, certain constitutional and statutory funds to support general academic teaching institutions in achieving national prominence as major research universities and driving the state economy; redesignating the national research fund as the Texas University Fund.</p> | <p>Higher Education 10 Ayes 0 Nays 0 PNV 1 Absent</p> | <p>The population of Texas has seen a dramatic surge, surpassing 30 million. While this brings exciting opportunities to the state, this growing population also strains the educational institutions in Texas. Currently, institutions in the University of Texas and Texas A&M systems can leverage the Permanent University Fund (PUF) and the Available University Fund (AUF), funding established by the Texas Constitutions. The 2024-2025 state budget (CSHB 1) allocated nearly \$3 billion from the AUF and PUF for these two systems. This left emerging research universities, non-research universities, and non-emerging research universities without a permanent fund at that scale to advance their efforts. Other universities – the University of Houston, Texas Tech University, University of Texas at Dallas, and University of Texas at Arlington – are eligible to receive appropriations from the National Research University Fund (NRUF); however, the eligibility requirements are challenging for them to comply with. HB 1595 seeks to address the strain on non-PUF educational institutions due to the growing population by modifying the National Research University Fund (NRUF).</p> <p>HB 1595 modifies the NRUF by redesignating it to the Texas University Funding (TUF) and restructuring the Comprehensive Research Fund and the Core Research Fund to be performance-based.</p> <p>Redesignation of the NRUF The purpose of the NRUF is to provide funding to emerging universities so they may grow in achieving national recognition for research. The redesignation under HB 1595 of the NRUF to the Texas University Fund (TUF) allows for funding to be allocated to specific, eligible institutions so they may achieve this national prominence and drive the state economy.</p> <p>This redesignation of the NRUF from emerging research universities to eligible institutions under the TUF will provide funding to promote increased research capacity, ultimately helping to drive the economy as more universities will gain national recognition, attracting more research professionals.</p> <p>Eligibility The TUF would make Texas State University, Texas Tech University, the University of Houston, and the University of North Texas eligible for yearly funding – plus any other other general institution if they meet the following criteria: are not entitled to PUF funding for the Texas A&M and the University of Texas systems; spend a minimum of \$20 million in federal and private research funds per fiscal year, with potential for increased future spending due to inflation; and have awarded a minimum average of 45 research doctoral degrees every academic year for the past three years. Eligibility for other institutions not explicitly included in TUF is contingent on sufficient funds.</p> | <p><u>Favorable</u></p> |

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| | | | <p>TUF funding operates on a tier system, where 75% of funding is allocated to the Permanent Endowment for Education Research (PEER), and 25% is appropriated to performance funding. Universities must meet both the PEER and performance funding requirements to receive funding from TUF.</p> <p>PEER separates universities into two levels based on funding expended for research. Universities are eligible for level-one-based funding if they spend more than \$45 million on federal and private research expenditures during fiscal year 2024, which may increase for inflation in succeeding years. Level-two-based funding is for institutions eligible for TUF but do not meet level-one PEER funding requirements. These institutions are allocated half of what institutions receive under level-one funding.</p> <p>Achieving level-one funding for these institutions is contingent upon legislative appropriations. Performance funding is based on the university’s ability to meet minimum performance standards. Allocations are based on three-year averages of federal and private research expenditures and research doctoral degrees awarded.</p> <p>The bill authorizes the Legislative Budget Board (LBB) and THECB to work jointly in determining and reporting the amounts to which each eligible institution is entitled.</p> <p>HB 1595 requires the institutions to use the money in a manner aligning with the state’s goals for higher education and may be used for the following purposes: faculty support and salaries, equipment or library materials, graduate stipends, support research, access to new technology and patent development, and increasing the number of research doctoral graduates.</p> <p>H.B. 1595 reforms the way Texas funds institutional research, which could accelerate progress toward achieving the goals of Building a Talent Strong Texas strategic plan and help address the rapidly evolving needs of the Texas economy.</p> | |
| <p>HB 54</p> <p>By: Thompson, Senfronia Lalani Davis Rose Morales, Christina</p> | <p>Relating to the personal needs allowance for certain Medicaid recipients who are residents of long-term care facilities.</p> | <p>Human Services</p> <p>6 Ayes, 1 Nay, 0 PNV, 2 Absent</p> | <p>Medicaid recipients in long-term care facilities receive a certain amount of their social security income (SSI) for personal needs — known as a personal needs allowance (PNA). This allowance can be used for goods and services not covered by Medicaid or provided by their facility, like toiletries, shoes, clothing, haircuts, or cell phones. The PNA has remained the same for at least the past 15 years.</p> <p>HB 54 increases the minimum PNA from \$60 per month to \$85 per month. The bill also directs the Health and Human Services Commission (HHSC) executive commissioner to adjust the PNA amount biennially for inflation using the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W). HB 54 would increase efficiency by allowing the PNA to adjust biennially without having to wait for Legislative action and improve the quality of life for this population The bill allows for the delayed implementation of the bill if a federal waiver is required.</p> | <p><u>Favorable</u></p> |

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| <p>HB 3805</p> <p>By: Canales Burrows Moody Geren King, Tracy</p> | <p>Relating to the program categories in the unified transportation program.</p> | <p>Transportation</p> <p>11 Ayes, 0 Nays, 0 PNV, 2 Absent</p> | <p>The Unified Transportation Program (UTP) is the Texas Department of Transportation’s (TxDOT) 10-year plan that guides transportation projects across the state. There are currently twelve UTP funding categories for statewide strategic goals that authorize the funding distribution. In 2021, TxDOT released a Texas-Mexico Border Transportation Master Plan for transportation development and security operations on Texas’ international border. Even though the plan has received significant funding in previous sessions, it does not have a funding category specified in the UTP.</p> <p>HB 3805 requires the Texas Transportation Commission to include a new funding category in the UTP for improving border security and establishing international trade corridors. Projects assigned to this category must either provide better security for the movement of goods, expedite the transit of goods via state highway border crossings, or mitigate congestion affecting other modes of transportation – like airports or railroad crossings – within 60 miles of an international border crossing.</p> <p>Trade through the Texas-Mexico border has already quadrupled between 1994 and 2019. By 2050, cross-border trade is expected to support 20 million jobs in the U.S. and Mexico and generate nearly \$1.2 trillion in GDP. HB 3805 will aid this effort and create more robust international trade routes on the Texas-Mexico border.</p> | <p><u>Favorable</u></p> |
| <p>HB 1912</p> <p>By: Button Neave-Criado Plesa Bhojani</p> | <p>Relating to student buildings fees at The University of Texas at Dallas.</p> | <p>Higher Education</p> <p>9 Ayes, 0 Nays, 0 PNV, 2 Absent</p> | <p>The University of Texas at Dallas (UTD) has observed a significant increase in its student population that necessitates more space and buildings. UTD offered a referendum to its student body to increase the student union fees to finance the construction, which received a majority vote in favor.</p> <p>HB 1912 increases the maximum student union fee UTD may charge from \$60 to \$100 for the fall and spring semesters and from \$40 to \$50 for the summer sessions. UTD may not increase these fees by more than 10% of the amount of the preceding year’s fee. HB 1912 reflects the desires voiced by students while increasing available space to meet the growing needs of the university, which could attract future students and improve campus operation. The bill’s changes would take effect during the Fall 2024 semester.</p> | <p><u>Favorable</u></p> |
| <p>HB 3059</p> <p>By: King, Tracy</p> | <p>Relating to the export fee charged for the transfer of groundwater from a groundwater conservation district.</p> | <p>Natural Resources</p> <p>8 Ayes, 0 Nays, 0 PNV, 3 Absent</p> | <p>There are 98 groundwater conservation districts (GCDs) across Texas to help manage, conserve, and protect the state’s water resources. Population growth is straining our water resources and putting pressure on GCDs. The current export fee structure has not been updated in 15 years. It is insufficient to meet costs or demands amidst rapidly rising material costs, large groundwater export contracts, increased demand for more export projects, and the need to maintain wells significantly affected by development and the oil and gas industry.</p> <p>HB 3059 addresses this by uncoupling the fee structure and increasing the maximum fees GCDs can charge for water exported from their districts. In a tax-based district, HB 3059 authorizes GCDs to impose an export fee capped at 20 cents per one thousand gallons of water. In a fee-based district, HB 3059 authorizes GCDs to impose an export rate not to exceed the greater of 20 cents per thousand gallons or a 50% surcharge in addition to their production fee.</p> | <p><u>Favorable</u></p> |

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| | | | HB 3059 authorizes GCDs to raise export fees at an automatic rate of 3% annually. Under the provisions of HB 3059, any GCD already governed by a special law regarding an export fee or surcharge may continue under that special law, or they may opt in to the rates described in the bill. | |
| HB 1415 By: Raymond | Relating to lighting equipment requirements for motor vehicles. | Transportation 11 Ayes, 0 Nays, 0 PNV, 2 Absent | Vehicles with high-mounted pulsing stop lamps that pulsate in intensity for several seconds and remain active are compliant with federal regulations. While the Transportation Code defers to federal standards regarding vehicle lighting equipment, there is no specific direction provided on how to respond to this feature. The Department of Public Safety (DPS) issued an internal memorandum informing applicable employees that certain stop lamps were compliant with federal standards. HB 1415 simply codifies this. HB 1415 explicitly states vehicles with stop lamps that vary in intensity four or fewer times over the course of two seconds are compliant with federal standards within state code. | <u>Favorable</u> |
| HB 899 By: Walle | Relating to the authority of certain counties to regulate noise levels in residential areas; creating a criminal offense. | County Affairs 6 Ayes, 3 Nay, 0 PNV, 0 Absent | Excessive noise levels can create a myriad of problems for residential areas, such as sleep loss, increased irritability, safety concerns, and disruption of peace. Current law does not permit counties to regulate noise levels in residential neighborhoods of the county’s unincorporated areas. HB 899 authorizes the commissioners' court of a county with over 3.3 million people to regulate noise levels in a residential area located in the county’s unincorporated area. Failure to comply with the commissioners court’s regulation results in a Class C misdemeanor. HB 899 will allow certain commissioners courts to prioritize the health and safety of their community. | <u>Favorable</u> |
| HB 4065 By: Rose | Relating to required reporting by the Department of Family and Protective Services regarding youth in the managing conservatorship of the department who attempt suicide. | Human Services 8 Ayes, 0 Nay, 0 PNV, 1 Absent | According to the Hogg Foundation for Mental Health, youth in the foster care system experience higher rates of trauma and adverse childhood experiences than those outside of the foster care system. This occurrence is linked to a higher likelihood of suicidal thoughts and behaviors. Currently, Texas only tracks deaths by suicide and not suicide attempts among foster youth. HB 4065 would require DFPS to include the number of children who attempted suicide while in DFPS conservatorship in its annual statistics report. Additionally, HB 4065 would add suicide attempts to the definition of a significant change in medical condition, which requires the department to notify the parent of a child in conservatorship within 24 hours. | <u>Favorable</u> |
| HB 4422 By: Canales Burrows | Relating to a study on enhancing border security outcomes through public safety, technological, and transportation infrastructure | Transportation 11 Ayes, 0 Nays, 0 PNV, 2 Absent | HB 4422 authorizes the Texas Department of Transportation (TxDOT) to conduct a study for the Unified Transportation Program’s (UTP) proposed thirteenth strategic funding category for improving border security and establishing international trade corridors, as outlined in HB 3805, 88(R). TxDOT will conduct a study focused on public safety, border security, and transportation infrastructure from international border crossings onto the Texas state highway system to ensure more safe and efficient commercial motor vehicle connectivity. TxDOT will consult the Department of Public Safety, the Texas Military Department, | <u>Favorable</u> |

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| <p>Moody Geren King, Tracy</p> | <p>improvements near Texas-Mexico border crossings.</p> | | <p>the Texas A&M Transportation Institute, local Texas-Mexico border law enforcement agencies, TxDOT-determined transportation industry representatives, and a TxDOT-selected independent nonprofit applied research organization regarding the study.</p> <p>HB 4422’s proposed study will select multiple border crossings that serve commercial vehicles and analyze transportation routes to strengthen border security initiatives, support law enforcement response efforts, enhance infrastructure and road technology, and reduce traffic congestion. The study also evaluates future transportation routes that will improve commercial vehicle movement efficiency and enhance public safety. The study will also assess current technology used to promote border security at commercial inspection facilities, identify technological upgrades or alternatives, and identify funding strategies to more efficiently process commercial motor vehicles.</p> <p>The department must report the study's findings to the Governor, Lieutenant Governor, and the Legislature. The study created by HB 4422 will assess the current state of public safety, border security, and transportation infrastructure at the border and help guide the funding to recommended projects or improvements. There are some concerns that the bill states that the study would, among other things, work to “strengthen border security initiatives that support Operation Lone Star or similar state security efforts.” However, HB 4422’s study focuses on the modernization of infrastructure, rather than any militarization efforts, to improve border security which is a state goal of OLS. Effective border trade can help to enhance border security by enabling authorities to better monitor and regulate the movement of goods and people across the border.</p> | |
| <p>HB 1846 By: Ashby Lopez, Janie</p> | <p>Relating to the skills test required for a commercial driver's license for certain commercial learner's permit holders.</p> | <p>Transportation 11 Ayes, 0 Nays, 0 PNV, 2 Absent</p> | <p>Texas has a growing shortage of Commercial Driver’s License (CDL) holders amidst increasing demand for highway freight. CDL training schools in Texas can attract out-of-state students with a Commercial Learner’s Permit and put them through entry-level driver training without providing the exam for full licensure. Instead, out-of-state students must return to their home states to take the exam, reducing the likelihood of them returning to join the Texas workforce. Currently, the Texas Department of Public Safety (DPS) is allowed, but not required, to provide the skills exam to students from other states.</p> <p>HB 1846 requires DPS to administer a CDL skills exam to students who hold a commercial learner’s permit issued by another state or jurisdiction and send the results of the skills exam to the state or jurisdiction that issued the permit.</p> | <p><u>Favorable</u></p> |
| <p>HB 2384 By: Leach Murr Johnson, Julie Moody</p> | <p>Relating to court administration, including the knowledge, efficiency, training, and transparency requirements for</p> | <p>Judiciary & Civil Jurisprudence 8 Ayes, 0 Nays, 0 PNV,</p> | <p>Voters have limited access to judicial candidate information when voting in elections. While judges already complete initial training and continuing education courses, this is not legally mandated. Judges also do not have certification options to learn about judicial administration. HB 2384 seeks to remedy these problems by requiring that judges provide information to voters when running for office, have mandated training requirements, and can receive training in judicial administration.</p> <p>HB 2384 adds information requirements for candidates to get on the ballot for certain judicial offices, including</p> | <p><u>Favorable</u></p> |

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| | <p>candidates for or holders of judicial offices.</p> | <p>1 Absent</p> | <p>chief justice or a justice of the supreme court, presiding judge or judge of the court of criminal appeals, the chief justice or a justice of a court of appeals, district judge, and judge of a statutory county court. Additional application information must include their bar number for Texas and other states they were licensed to practice law. Candidates must also disclose past sanctions or censures filed against them by the State Commission on Judicial Conduct (SCJC) or past disciplinary sanctions filed by the Texas state bar or similar entities. Candidates must provide summaries of their legal practice and courtroom experience from the past five years and disclose any Class A or Class B convictions from the past ten years. HB 2384 provides additional application requirements for specific judicial positions and judicial candidates without prior experience in any judicial office. HB 2384 also includes enforcement procedures should someone provide false information while applying for one of these positions.</p> <p>HB 2384 requires the Texas supreme court to establish rules for judges to complete at least 30 hours of judicial training within the first year of office and 16 hours of training annually. There are deferrals or exemptions for people with medical or physical disabilities who cannot complete the training within these timeframes. The SCJC must enforce educational requirements by issuing orders to suspend any judge who does not comply. If a judge does not comply with education requirements for more than one year, they are subject to removal from office by the attorney general, with evidence provided by the SCJC.</p> <p>HB 2384 requires that the Office of Court Administration of the Texas Judicial System (OCA) administrative director develop standards for identifying courts that need additional assistance with these requirements. Performance reports must include disaggregated performance measures for each appellate court, district court, statutory county court, statutory probate court, and county court.</p> <p>HB 2384 also establishes a specialty certification in judicial administration for attorneys and requires the Texas Board of Legal Specialization to make this available to judges. This certification requires completing 21 hours of continuing legal education annually to maintain the certificate. Judges who hold this certification or any other specialty certifications may be eligible for additional compensation. HB 2384 requires the OCA to provide an annual report of performance measures for each appellate court, district court, statutory county court, statutory probate court, and county court. HB 2384 outlines what information will be in this annual report and requires the Texas Judicial Council to adopt rules so the OCA can collect the information for this report.</p> <p>HB 2384 requires judicial training and increases transparency in judicial elections. It allows voters to make educated decisions, requires that judges complete training and continuing education, and creates a specialty certification in judicial administration.</p> | |
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| <p>HB 2416 By: Paul Thompson, Ed</p> | <p>Relating to creation of the gulf coast protection trust fund to be administered by the General Land Office.</p> | <p>Natural Resources 8 Ayes, 0 Nays, 0 PNV, 3 Absent</p> | <p>The 87th Legislature established the Gulf Coast Protection District (GCPD) to partner with the U.S. Army Corps of Engineers (USACE) on critical infrastructure projects that protect the people, environment, and businesses along the Texas Gulf Coast from natural disasters. The GCPD contains approximately 5,220 square miles covering Chambers, Galveston, Harris, Jefferson, and Orange counties.</p> <p>HB 2416 establishes the gulf coast protection trust fund, a trust fund outside of the Comptroller’s treasury, to fund necessary infrastructure to protect territory within the GCPD. The fund would be administered by the General Land Office (GLO), which is responsible for developing a long-term strategy for protecting and enhancing the coastal environment and economy. The funds are only to be used to develop the necessary infrastructure to protect the gulf coast within the Gulf Coast Protection District. The fund would consist of gifts, grants, donations, or other sources as designated by the Legislature. The GLO is authorized to invest, reinvest, or direct the investment of available money in the fund in alignment with the state code that regulates state depositories and how state agencies may invest.</p> <p>There is concern regarding the GLO’s history of discriminatory practices towards low-income communities of color. After Hurricane Harvey, the GLO’s distribution of disaster recovery funds resulted in an investigation by the U.S. Department of Housing and Urban (HUD), which ultimately determined that the GLO had violated Title VI of the Civil Rights Act of 1964, substantially and predictably disadvantaging minority residents. There are many important projects in the pipeline on the Gulf Coast that are needed to protect against storm surges. The administration of the gulf coast protection fund must work to consider disadvantaged communities in the Gulf Coast region.</p> | <p><u>Favorable with Concerns</u></p> |
| <p>HB 2713 By: Dean</p> | <p>Relating to the consideration of employee compensation and benefits in establishing the rates of electric utilities.</p> | <p>State Affairs 10 Ayes, 1 Nays, 0 PNV, 2 Absent</p> | <p>Currently, the Public Utility Commission (PUC) is not required to consider employee compensation (a combination of base pay, benefits, and performance-based incentives) when establishing electric rates. This makes it difficult for electric utilities to compete with non-regulated industries that provide more robust compensation packages to attract and retain highly-skilled and experienced employees.</p> <p>HB 2713 aims to address this by requiring the PUC to presume that total compensation expenses are “reasonable and necessary” when establishing electric utility rates. HB 2713 mandates that compensation expenses must be consistent with market compensation studies conducted three years before initial rate establishment. Additionally, the provisions of HB 2713 do not provide for post-employment benefits, incentives based on financial metrics, compensation of executive officers or CEOs, or metrics that hurt customers’ interests as determined by PUC.</p> <p>Electric utility companies help ensure lights are on, homes are cool, and businesses are open, ultimately powering the Texas economy and the lives of Texans. HB 2713 facilitates the delivery of efficient, reliable electricity by ensuring electric utilities are able to compensate highly skilled, current, and potential employees competitively.</p> | <p><u>Favorable</u></p> |

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| <p>HB 1760 By: Hefner</p> | <p>Relating to the prosecution of the offense of possessing a weapon in certain prohibited places associated with schools or postsecondary educational institutions.</p> | <p>Committee Safety-Select 7 Ayes, 3 Nays, 0 PNV, 3 Absent</p> | <p>It is an offense for someone to knowingly, intentionally, or recklessly possess a firearm or other prohibited weapon on the premises of a school or educational institution or any grounds or building in which a school activity is taking place, unless the person has a concealed handgun with a license to carry. School activities frequently occur outside of school grounds, such as field trips, band competitions, or athletic events. There are reported concerns that someone lawfully carrying a firearm or a weapon in the same area as a school sponsored activity could be charged with an offense.</p> <p>HB 1760 narrows the applicability of the offense to apply only to grounds or premises owned or controlled by a school, or a public or private higher education institution. Applicable schools would not include private, vocational, or home school programs not accredited by the Texas Educational Agency (TEA).</p> | <p><u>Unfavorable</u></p> |
| <p>HB 73 By: Murr King, Tracy O. Price Bailes Darby</p> | <p>Relating to limitation of certain liability of owners, lessees, and occupants of land in connection with livestock and agricultural land.</p> | <p>Judiciary & Civil Jurisprudence 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p> | <p>Landowners may experience property damage outside of their control, including fence cuttings and broken gates, which can lead to livestock getting loose and causing harm. Currently, landowners and lessees, farmers, and ranchers are liable for damages when trespassers enter their property or when natural disasters or events outside their control happen. This subjects landowners and lessees to lawsuits for damages they are not responsible for, adding a financial burden because they must pay for repairs and legal costs.</p> <p>HB 73 would exempt ranchers, farm owners, landowners, and lessees from liability for damages arising from an incident involving livestock or their land, and for any injury or damage to a person or property, if the damages that occur were the result of:</p> <ul style="list-style-type: none"> • A trespasser or third party who, without permission, caused damage to a fence or gate with a vehicle or by other means • Wildlife or an act of God • Law enforcement <p>A landowner would need to repair their fence or gate in a reasonable period of time to qualify for these liability exemptions, which means landowners can still be held liable for damages if they are negligent.</p> <p>HB 73 would give landowners reasonable time to fix their fences and gates and remove the additional financial strain of a lawsuit.</p> | <p><u>Favorable</u></p> |
| <p>HB 1287 By: Guillen Ortega Flores Hernandez Plesa</p> | <p>Relating to adjusting for inflation the maximum amount of a motor vehicle excluded in determining eligibility for the supplemental nutrition assistance</p> | <p>Human Services 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p> | <p>A vehicle's fair market value (FMV) is used to determine Supplemental Nutrition Assistance Program (SNAP) eligibility. Household vehicles that exceed certain values may lead to a person being denied SNAP benefits. Currently, up to \$15,000 can be excluded from the household's main vehicle's FMV, and up to \$4,650 from the FMV of each additional vehicle. These amounts are not adjusted for inflation and may not reflect market realities.</p> <p>HB 1287 requires the Executive Commissioner of the Health and Human Services Commission (HHSC) to determine biannually whether the maximum exclusion amount of a motor vehicle's FMV should be adjusted for inflation. If the HHSC Executive Commissioner determines an adjustment should be made, they must submit</p> | <p><u>Favorable</u></p> |

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| | program. | | <p>their recommendations to the Legislative Budget Board (LBB). The LBB has final authority to approve. HB 1287 requires the HHSC provide the one-time inflationary adjustment of the maximum exemptions for the 2024-2025 biennium. HB 1287 allows for delayed implementation should its provisions require federal waiver or authorization.</p> <p>HB 1287 seeks to allow fairer SNAP eligibility determinations for lower-income Texans. SNAP helps 3,440,700 Texas residents, or 11% of the state population.</p> | |
| HB 1662 By: Burns | Relating to certain requirements and procedures regarding the posting of a school district's employment policy on the district's Internet website. | Public Education 10 Ayes, 0 Nays, 0 PNV, 3 Absent | <p>The 87th Legislature passed HB 750, which required school districts to make their employment policy and any forms referenced (such as personal leave policy or compensation plans) available on their website or a designated administrative office. Since its enactment, several school districts have failed to adhere to its provisions. Without access to this information, employees cannot follow proper district-specific procedures and could face adverse outcomes. For example, there have been instances when an employee's grievance is considered untimely and discarded because the district did not post the employee policy online. Therefore, the employee was unaware of relevant grievance timelines.</p> <p>HB 1662 addresses this situation by specifying the required documents that must be available to district employees online and considers grievances filed against the district as timely if they fail to adhere to the bill's provisions. District employees should have access to policies and procedures pertinent to their job and be permitted to seek recompense for the district's negligence.</p> | <u>Favorable</u> |
| HB 587 By: Patterson | Relating to the cremation of deceased veterans with a United States flag or Texas state flag and the incineration of those flags through the cremation process. | Defense & Veterans' Affairs 9 Ayes, 0 Nays, 0 PNV, 0 Absent | <p>Many veterans or fallen soldiers have American or state flags posted on their caskets to represent the ultimate sacrifice they've made. Current law prohibits a state flag from being buried or allowed to touch the ground once it is no longer useful or has been "retired." The preferred method is to burn the flags in a dignified and ceremonial way, yet many flags are made from synthetic materials that release harmful toxic fumes when incinerated.</p> <p>HB 587 requires cremation rules adopted by the Texas Funeral Service Commission (TFSC) to allow a veteran to be cremated with a state or U.S. flag at the veteran's or an authorized agent's request. The rules must also establish guidelines for crematory sanitation and the release and disposal of the incinerated flag's ashes. HB 587 allows a non-veteran to be cremated with a U.S. or state flag at an authorized crematorium one week before and one week after the following holidays: Memorial Day, Flag Day, or Independence Day. HB 587 requires crematoriums to maintain a record of each incinerated flag and keep these records for a minimum of 10 years. These records are subject to inspection by the TFSC.</p> <p>HB 587 aims to provide the necessary clarification for how crematoriums can respectfully dispose of synthetic Texas and U.S. flags.</p> | <u>Favorable</u> |
| HB 1038 | Relating to a biennial report on state | Pensions, Investments, | The Texas Comptroller of Public Accounts produces annual financial reports of major lending programs such as the Veterans Housing Assistance Program, the State Infrastructure Bank, and the Rural Water Assistance Fund. | <u>Favorable</u> |

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| <p>By: Landgraf</p> | <p>lending and credit support programs.</p> | <p>and Financial Services 7 Ayes, 0 Nays, 0 PNV, 2 Absent</p> | <p>However, the reports aggregate multiple state lending programs into single line items, sometimes with other asset types included. HB 1038 requires the Bond Review Board to submit to the legislature and post on the board’s website a biennial report on all state lending programs and credit support programs that includes the total amount of state money lent and debt supported by each program as applicable. The report must also include an estimate of the costs of default associated with the program and a citation to the law that authorized the program. HB 1038 will improve transparency for state lending and credit support programs.</p> | |
| <p>HB 92 By: Landgraf Cain Harris, Cody Kitzman Cortez</p> | <p>Relating to the authority of a municipality, county, or property owners’ association to prohibit or regulate certain activities on residence homestead property.</p> | <p>Agriculture & Livestock 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p> | <p>Access to basic human needs, such as food, electricity, and clean water, are often diminished during periods of widespread crisis. HB 92 intends to ensure Texas residents the ability to meet their own basic human needs. HB 92 prohibits municipalities, counties, or property owners’ associations (POAs) from adopting or enforcing prohibitions of certain activities on residence homesteads, including: growing fruits or vegetables; raising or keeping a maximum of 6 chickens or 6 rabbits; or installing solar energy devices, rainwater harvesting systems, or standby electric generators for on-site use. POAs are also forbidden from prohibiting cottage food production - selling foods like candy, canned jams or jellies, or pickled foods for profit - out of one’s residence. Municipalities, counties, and POAs are authorized to impose “reasonable regulations” such as having visible growing areas to be maintained in good condition. However, the regulations can not effectively prohibit growing produce nor raising or keeping chickens or rabbits in a residence’s backyard. Municipalities, counties, and POAs are authorized to impose “reasonable regulations” on the raising or keeping of chickens or rabbits to control odor, noise, safety, or sanitary conditions, so long as the regulations do not effectively prohibit it. HB 96 provides specific regulations that could be imposed, such as barring raising or keeping a rooster or requiring adequate fencing or shelter to keep animals contained. HB 92 explicitly outlines that its provisions do not inhibit a POA from regulating the size of an animal shelter or the material used for its construction as long as it does not effectively prohibit it. This provision specifically applies to animal shelters visible from the street, another lot, or a common area. HB 92 also explicitly outlines that its provisions do not require a POA to permit the growing of produce or raising or keeping chickens or rabbits on common areas or association-owned property. HB 92 exempts condominiums from the municipality and county provisions. HB 92 exempts a condominium council of owners governed by the Condominium Act and a unit owners’ association governed by the Uniform Condominium Act from the property owners’ association provisions. HB 92 requires that Texas voters pass a constitutional amendment, HJR 9, to take effect. HB 92 seeks to ensure homestead owners retain their rights to farm and sustain themselves while keeping public health and safety in</p> | <p><u>Will of the House</u></p> |

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| | | | mind. Although HB 92 intends to enable Texans to provide for themselves during crisis periods, the bill does not specify that which may lead to unintended consequences for local government regulators. | |
| HB 916 By: Ordaz Slawson Frank Rose Howard | Relating to health benefit plan coverage of prescription contraceptive drugs. | State Affairs 7 Ayes, 0 Nays, 1 PNV, 1 Absent | <p>Research shows that increasing peoples’ ability to engage in family planning efforts leads to better outcomes for pregnant people, their families, and the children they have. A recent study conducted at UCSF Bixby Center found a 12-month supply of birth control decreased unplanned pregnancy by 30% when compared to one or three months. HB 916 introduces policy reflecting this finding by mandating health insurance plans that cover prescription contraceptive drugs to allow enrollees to obtain a 12-month supply at one time.</p> <p>Under HB 916, enrollees would receive a 3-month supply the first time a contraceptive drug is prescribed and a 12-month supply for every subsequent prescription. HB 916 mandates health benefit plans follow this prescription schedule even if enrollees were initially on a different health benefit plan when they first received the drug. HB 916 specifies that enrollees can only obtain one 12-month supply annually.</p> <p>HB 916 removes barriers to consistent access to contraceptive drugs, enabling Texans to plan when or if they expand their families based on their unique circumstances. Studies show that uninterrupted access to prescription contraceptives reduces unintended pregnancies and adverse health outcomes for both people who give birth as well as their children. These factors, ultimately, facilitate economically stable families and reduce financial strain on individuals, families, the healthcare system, and taxpayers by empowering people to decide when and if to have children. HB 916 bolsters Texans’ ability to take proactive family planning measures in a state where access to reproductive healthcare is severely limited.</p> | <u>Favorable</u> |
| HB 473 By: Hull | Relating to parental rights regarding a threat assessment of a student conducted by a public school's threat assessment and safe and supportive school team. | Youth Health and Safety 7 Ayes, 0 Nays, 0 PNV, 2 Absent | <p>In 2019, following two tragic mass shootings in Parkland, Florida, and Sante Fe, Texas, the 86th Texas Legislature passed SB 11. This bill mandated the creation of threat assessment teams in public and open-enrollment charter schools across Texas. These teams were tasked with developing a process of assessing threats of violence or harmful behavior made by students. In the 2020-2021 school year, roughly 34,000 assessments occurred, with around 50% concluding that there was some level of risk. Currently, a parent or guardian of a child determined to pose a threat to themselves or others must be notified, but a notification is not required at the start of the assessment process itself. Some parents have expressed that they should be notified before an assessment is conducted on their child.</p> <p>HB 473 seeks to remedy this by mandating public school districts and open-enrollment charter schools to notify a student’s parent or guardian before conducting a threat assessment. Additionally, HB 473 requires the parent or guardian be provided an opportunity to participate in the assessment either in-person or remotely and to submit information regarding the student. HB 473 requires the assessment team to provide the parent or guardian with the team’s conclusions upon completion of the assessment.</p> <p>Often, a parent has a much deeper understanding of their child’s behavior than a school. As such, it is sensible to include a parent in an assessment of their child, so they are provided the opportunity to contribute pertinent</p> | <u>Favorable with concerns</u> |

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| | | | information. However, concerns have been raised that getting a parent involved may exacerbate the situation for some children, such as LGBTQ students in crisis, students experiencing abuse at home, and Black children, who are flagged at disproportionately high rates for these assessments. Some stakeholders expressed concerns that notifying parents and waiting for a confirmation may expend valuable time during a crisis situation. However, this bill does not explicitly require schools to wait for a confirmation of message receipt. | |
| HB 465 By: Thierry | Relating to a pilot program to provide Medicaid coverage of doula services. | Human Services 6 Ayes, 1 Nay, 0 PNV, 2 Absent | <p>Doulas are non-medical birth advocates trained to provide non-medical education, coaching, and emotional and physical support to pregnant women and mothers. The National Library of Medicine found that women who received doula care during childbirth had significantly lower chances of having a cesarean delivery by 52.9% and of experiencing postpartum depression or anxiety by 57.5%. The Texas Maternal Mortality and Morbidity Review Committee recommended increasing access to doula support during childbirth and postpartum.</p> <p>HB 465 requires the Health and Human Services Commission (HHSC) to establish a pilot program to provide Medicaid reimbursement for doula services. The HHSC Commissioner will consult with the Perinatal Advisory Council to determine the necessary qualifications to be considered a doula and which services will be covered through the program. HB 465 requires HHSC to establish the pilot program in the most populous county in the state with the highest maternal and infant mortality rate. HHSC is required to publish on their website an annual report on the program’s costs and participants’ birth outcomes. HB 465 requires HHSC to create a program summary report and submit it to the Texas Legislature by September 1, 2028. The report will focus on the program’s results, including effectiveness in reducing maternal morbidity rates and racial disparities in health outcomes, feedback from the participating doulas and those receiving services, and a recommendation on whether the program should be discontinued or expanded.</p> <p>HB 465 seeks to improve birth outcomes and maternal health for pregnant moms and babies, while reducing health care costs to the state. However, doulas have voiced a concern with the necessity of a pilot program when some doula groups are already working with Medicaid managed care organizations to begin offering services to Medicaid members.</p> | <u>Favorable</u> |
| HB 1323 By: Talarico Lujan Raney Cook | Relating to the measures to encourage eligible students to claim certain tuition and fee exemptions at public institutions of higher education for students who are or have been in foster or other residential | Public Education 9 Ayes 0 Nays 0 PNV 2 Absent | <p>The Texas State College Tuition Waiver program provides tuition waivers for current or former foster youths. While this opportunity can be instrumental for these students, it is underutilized, with only 60% of eligible students taking advantage of the waivers. This underutilization is primarily attributed to a lack of awareness and the waiver’s tedious application process. HB 1323 seeks to address the underutilization of the program by increasing outreach initiatives and improving the application process.</p> <p>HB 1323 would require the Texas Education Agency (TEA) and the Higher Education Coordinating Board (THECB) to distribute informational materials on the Texas State College Tuition Waiver program to each residential child care facility, designated caregivers of foster children, adoptive parents of children formerly in foster or residential care, and all schools in Texas.</p> | <u>Favorable</u> |

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| | care. | | <p>HB 1323 would require the Department of Family and Protective Services (DFPS) and THECB to work jointly on making the application process easier for students. The improved process must include an online application for the program, reduce unnecessary data collection, data entry, and duplication to reduce the administrative burden when determining eligibility, and requires DFPS to verify program eligibility and submit verification documents to colleges.</p> <p>HB 1323 could address current and former foster youths’ financial barriers when attending college by making them more aware of the assistance available to them. Students who utilize this program are three times more likely to graduate college than foster youths who do not use the waivers, making it vital that they know the program and can navigate its process efficiently.</p> | |
| <p>HB 1898 By: Jetton Rose Price Allison Thompson, Senfronia</p> | <p>Relating to a grant program to fund the provision by children's hospitals of mental and behavioral health services to children in this state.</p> | <p>Youth Health and Safety</p> <p>8 Ayes, 0 Nays, 0 PNV, 1 Absent,</p> | <p>In recent years, the Texas Legislature has made bold investments in mental healthcare, paying particular attention to the children’s mental health. Nevertheless a gap remains in the continuum of care for youth who face mental health struggles, particularly those who require inpatient psychiatric care. Currently, many Texas hospitals are struggling to adapt to the increased demands due to the COVID-19 pandemic and other mental health concerns. Children visiting Texas emergency rooms expressing suicidal ideation have increased by 59% from 2017 to 2021, underscoring an incredible need for mental health care for Texas youth. Mental healthcare facilities have expressed a struggle with intake referrals from emergency rooms, leading to long wait times for youth in crisis situations.</p> <p>HB 1898 seeks to address this by establishing a grant program that provides certain children’s hospitals funding, modeled after the statute that established the Federally Qualified Health Center (FQHC) Infrastructure Grant Program. This bill is only applicable to the extent the legislature appropriates funds for the grant. Grants awarded by this program could be used for planning, development, capital improvements like expansions or renovations, or transitional operation services if patients require to be moved to new locations. These funds must be used for projects to expand service capacity in hospitals that serve young Texans with acute mental and behavioral health concerns. HB 1889 requires the Health and Human Services Commission (HHSC) to monitor and evaluate the use of funds provided to each hospital as well as submit a biennial report to the legislature on the performance of the program funded by the grant.</p> <p>If not addressed, the capacity needed by Texas children’s hospital’s will continue to affect our communities. The grant established by HB 1898 is a step to ensure children in Texas have access to the care they need in order to grow into adults with a bright future.</p> | <p><u>Favorable</u></p> |

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| <p>HB 2243 By: Campos</p> | <p>Relating to the provision of assistance to elderly persons in obtaining certain protective orders.</p> | <p>Human Services 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p> | <p>Elderly individuals are vulnerable to various forms of abuse, including negligence, financial exploitation, and physical abuse. Aging Texas Well found that one in every ten adults age 60 and older have experienced abuse. In 2020, Texas Adult Protective Services (APS) confirmed 52,506 cases of abuse of vulnerable adults aged 65 and older or with a disability. While temporary protective orders, or ex parte orders, may be issued for these cases, there may be delays due to the elderly individual requiring assistance in navigating the court system.</p> <p>HB 2243 will mitigate this issue by requiring the Department of Family Protective Services (DFPS) to aid this population, upon request, in navigating the process of getting an ex parte order. HB 2243 aims to protect one of our most vulnerable populations.</p> | <p><u>Favorable</u></p> |
| <p>HB 1516 By: Wilson</p> | <p>Relating to the use of unmanned aircraft by the Texas military forces.</p> | <p>Defense & Veterans' Affairs 9 Ayes, 0 Nays, 0 PNV, 2 Absent</p> | <p>Unmanned aircraft vehicles (UAV), also known as drones, may be used to capture images for operations by the U.S. military. However, this is not the case for the Texas military. HB 1516 authorizes the Texas military forces to capture images using UAVs. UAV imaging can be used by the Texas military during natural disasters, for search and recovery, and border security.</p> | <p><u>Favorable</u></p> |