



Texas Legislative Study Group

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PART 2 of 2

LSG Floor Report For General State Calendar – Wednesday, May 10, 2023				
<p>HB 3816 By: Herrero</p>	<p>Relating to the use of metal or body armor while committing an offense; increasing a criminal penalty.</p>	<p>Criminal Jurisprudence</p> <p>8 Ayes 1 Nay 0 PNV 0 Absent</p>	<p>Body armor has been used in the commission of several horrific crimes, including the 2017 Sutherland Springs shooting and the 2015 San Bernardino shooting. HB 3816 seeks to address this by enhancing the penalty for crimes in which the actor used body armor.</p> <p>HB 3816 enhances a penalty one category higher if an individual used metal or body armor during the commission of the crime. If the offense is a Class A misdemeanor, the minimum term of confinement would be increased to 180 days.</p> <p>HB 3816 will increase penalties for those that used body armor in the act of a criminal offense, and is aimed at ensuring that law enforcement has an improved chance at preventing heinous crimes. While this goal is vital, it's important to note that increasing penalties in these instances is unlikely to prevent individuals intent on committing these crimes from wearing body armor, as the incredibly harsh penalties for these horrific crimes have not stopped them from happening.</p>	<p><u>Favorable with Concerns</u></p>
<p>HB 4081 By: Clardy</p>	<p>Relating to the referral of certain proceedings to an associate judge and requests for reimbursement of all or part of the associate judge's salary.</p>	<p>State Affairs</p> <p>8 Ayes, 2 Nays, 0 PNV, 3 Absent</p>	<p>Kinney County has experienced a rise in criminal cases since Operation Lone Star (OLS) began in 2021. The Office of Court Administration (OCA) initially provided OLS \$950,000 for legal assistants and visiting judges to help clear the case backlog. HB 4081 formalizes this OLS practice of appointing associate judges to manage border security cases.</p> <p>HB 4081 allows judges to refer criminal trespass cases involving undocumented immigrants to associate judges. County commissioners can request reimbursement from the Texas Judicial Council (TJC) for associate judge salaries related to border operations. HB 4081 authorizes the TJC to implement a system for salary reimbursement.</p> <p>HB 4081 is unfavorable because it perpetuates the criminalization of undocumented immigrants. Moreover, it is yet another effort to codify harmful OLS practices in state law.</p>	<p><u>Unfavorable</u></p>
<p>HB 4253</p>	<p>Relating to a study on the coverage of certain</p>	<p>Human Services</p>	<p>Per federal law, if a mother is enrolled in Medicaid during childbirth, her newborn is automatically eligible for Medicaid coverage and remains enrolled throughout the first year of life. Nevertheless, according to the Centers for</p>	<p><u>Favorable</u></p>

OK for Distribution

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<p>By: Campos</p>	<p>infants under Medicaid.</p>	<p>8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Medicare and Medicaid Services (CMS), in 2018, more than 63,000 children in Texas experienced disruptions in their insurance coverage during their first year of life. HB 4253 aims to rectify these shortcomings and ensure that newborns are consistently covered through health insurance.</p> <p>HB 4253 mandates a study by the Health and Human Services Commission (HHSC) to assess its adherence to federal guidelines for Medicaid coverage of certain infants in Texas. The study examines key aspects, including whether Medicaid coverage is provided to infants born to mothers who were Medicaid recipients at the time of birth, the requirement for separate applications or eligibility determinations, residency conditions, the use of identification numbers, proof of citizenship, eligibility continuity until one year of age, and the necessity of redetermination before that milestone.</p> <p>Under HB 4253, HHSC is required to submit a comprehensive report to the governor, lieutenant governor, Speaker of the House of Representatives, and Legislature summarizing the study's findings and presenting recommendations aimed at improving Medicaid coverage rates and related requirements for eligible infants by September 1, 2024.</p>	
<p>HB 4087 By: Kuempel</p>	<p>Relating to the issuance of a permit authorizing the use of certain temporary on-site sewage disposal systems.</p>	<p>Environmental Regulation 6 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>Using pump and haul operations to move untreated wastewater can lead to spills and safety hazards due to increased handling and equipment malfunctions. Although the Texas Commission on Environmental Quality (TCEQ) issues permits to haulers, they don't regulate the transportation routes, and pump and haul operations have no set time limit. This can result in them becoming permanent fixtures and a threat to the surrounding environment. HB 4087 authorizes local governments to issue permits for temporary on-site sewage disposal systems for a limited time.</p> <p>HB 4087 amends the state Health and Safety Code and allows a local government entity to issue a permit for temporary on-site sewage disposal systems that work in tandem with pump and haul operations. This is specifically for properties intended for residential use that are too small to handle all wastewater. The permit will be valid for a maximum of six months, and it cannot be renewed.</p> <p>HB 4087 intends to regulate pump and haul operations and ensure they are only used as temporary solutions so that they do not pose an increased risk to safety in neighborhoods and pollution in environmentally sensitive areas.</p>	<p><u>Favorable</u></p>
<p>HB 4506 By: Cortez Garcia</p>	<p>Relating to health benefit plan coverage for treatment of autism.</p>	<p>Insurance 7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>HB 4506 updates the definition of and insurance requirements for autism spectrum disorder (ASD). The new definition of ASD provides clarity for health insurance providers and aligns with current scientific understanding based on the Diagnostic and Statistical Manual of Mental Disorders, 5th edition or later (DSM-5R). Additionally, HB 4506 mandates coverage for ASD treatment from the point of diagnosis and eliminates age-based coverage limits, specifically for individuals aged 10 or older.</p>	<p><u>Favorable</u></p>

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			The changes outlined in HB 4506 better support individuals with ASD and ensure comprehensive insurance coverage for ASD.	
HB 4090 By: Troxclair Spiller Stucky Harris, Cody Harris, Caroline	Relating to the use of revenue attributable to the imposition of a hotel occupancy tax by certain counties for certain venue projects and the period for which certain hotel occupancy taxes may be imposed.	Ways & Means 11 Ayes, 0 Nays, 0 PNV, 0 Absent	<p>The Travis County Exposition Center hosts shows and events bringing thousands nationwide. In 2022, the event Rodeo Austin alone drew more than 455,000 visitors to The Travis County Exposition Center over a two-week period, according to local news reports. Current law authorizes a supplemental hotel occupancy tax (HOT) to be imposed for sports and community venues, contingent on voter approval. Arenas, stadiums, coliseums, and municipal parks and recreation systems are approved venues for purposes of this tax but doesn't include exposition centers. Additionally, in 2019, voters approved Proposition A in Travis County, authorizing the county to collect HOT revenue in the City of Austin, and once the city pays off the bond issues for the expansion of the Austin Convention Center, HOT revenue may then also be collected from Travis County. The city has since collected sufficient funds to retire the debt but is currently holding the collected funds and continues to collect hotel tax. HB 4090 seeks to allow Travis County to use revenue derived from the hotel occupancy tax imposed for sports and community venues to finance certain venue projects at the Travis County Exposition Center and end the aforementioned practices regarding collecting HOT revenue.</p> <p>The bill's provisions apply to municipalities with a population of 750,000 or more, primarily located in a county with a population of 1.5 million or less.</p> <p>HB 4090 authorizes a county to use these HOT revenues to acquire, construct, or renovate an exposition center located in the municipality or any infrastructure construction that is part of the municipal parks and recreation system. The county may pledge the revenue to the payment of bonds to finance the project. HB 4090 sets a specific end date to impose a hotel occupancy tax for sports and community venues. This end date is determined by the earlier of the following when all obligations regarding venue projects have been paid in full, when the municipality has collected enough tax money to pay the obligations in full, or when the municipality has set aside enough money in a trust account dedicated to paying the obligations.</p>	<u>Favorable</u>
HB 4376 By: VanDeaver	Relating to self-settled asset protection trusts.	Judiciary & Civil Jurisprudence 7 Ayes, 1 Nays, 0 PNV, 1 Absent	<p>Texas does not currently have domestic asset protection trusts. Domestic asset protection trusts (DAPTs) are irrevocable trusts created by a grantor to protect the grantor's assets in the trust from certain creditor claims. These trusts allow individuals to protect and secure their assets in a way that does not defraud creditors. HB 4376 seeks to establish this trust in Texas; there are significant concerns that this trust established under HB 4376 will be the most aggressive in the U.S., fail to conform to other areas of Texas law, do not protect divorcees, and will change the rule against perpetuities only for this type of trust.</p> <p>HB 4376 establishes that a spendthrift trust, where the settlor is a beneficiary, can be considered a self-settled asset protection trust if certain conditions are met. These conditions include a written and irrevocable trust that does not require distributions to the settlor and is not intended to defraud creditors. The trust must have a trustee who resides in Texas. If the requirements are met, the trust is considered a self-settled asset protection trust and</p>	<u>Unfavorable</u>

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		<p>can protect the settlor's beneficial interest from creditors, with some exceptions.</p> <p>HB 4376 establishes that a spendthrift trust can be considered a self-settled asset protection trust under certain conditions. These conditions include allowing the settlor to prevent distributions from the trust, holding a power of appointment that cannot be exercised in favor of the settlor, being a beneficiary of a charitable remainder trust, receiving a capped percentage of the trust's value annually, receiving income or principal from a grantor retained annuity trust or unitrust. The settlor can use real property held under a qualified personal residence trust, possess a qualified annuity interest, have authorized distributions subject to another person's discretion, or use real or personal property owned by the trust.</p> <p>HB 4376 ensures that its provisions on self-settled asset protection trusts do not prohibit the settlor from exercising various powers within the trust. This includes the ability to hold powers such as removing and replacing a trustee, directing trust investments, or executing other management powers. However, the bill does prohibit the settlor from having the power to make distributions to themselves without the consent of another person. According to HB 4376, a self-settled asset protection trust is considered created when the settlor demonstrates the intention to establish such a trust in the written document, without requiring specific language for this purpose.</p> <p>HB 4376 sets out additional provisions that establish rules and safeguards for self-settled asset protection trusts. HB 4376 grants certain creditors the authority to bring claims against a trust within a specific timeframe after a transfer to the trust or after the discovery of the transfer, as outlined in the bill. The bill imposes limitations on actions for the following individuals in relation to a transfer made to a self-settled asset protection trust: the settlor's existing creditors at the time of the transfer, creditors who become such after the transfer, and individuals other than beneficiaries or settlors of the trust. In the case of multiple transfers to the self-settled asset protection trust, the bill states that subsequent transfers must be disregarded when determining if a person can initiate an action regarding a previous transfer to the trust. Furthermore, any distribution made to a beneficiary from the trust is considered to originate from the most recent transfer made to the trust.</p> <p>HB 4376 states that if a trustee of a self-settled asset protection trust distributes trust income or principal to the settlor by appointing it to a second trust, the second trust is considered a self-settled asset protection trust, meeting the bill's requirements except for self-settlement. The property transferred to the second trust is deemed transferred on the original trust's date. The bill allows a trust changing domicile to Texas to be recognized as a self-settled asset protection trust under specific conditions. Unless stated otherwise in the trust instrument, the bill's provisions govern self-settled asset protection trusts in Texas involving trust assets in Texas, a creator with a declared Texas domicile, or at least one Texas trustee performing administrative functions.</p> <p>Concerns HB 4376 states that a beneficiary of a self-settled asset protection trust must be named or clearly referred to in the</p>	
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			<p>trust instrument and excludes a spouse, former spouse, child, or dependent of the settlor from being a beneficiary of the self-settled asset protection trust unless named or clearly referred to as a beneficiary in the trust instrument. This would prevent a court from reaching the settlor’s assets for child support obligations, making this trust even more protected than the assets of a traditional third-party settled spendthrift trust. Additionally, this prevents a spouse or former spouse from being about to access the formerly-community assets of the trust in divorce cases.</p> <p>HB 4376 also would change the Texas rule against perpetuities (RAP) only for self-settled asset protection trusts. All other trusts are subject to RAP, which generally provides that all interests in the trust must vest within the trust period, or the entire trust is void. HB 4376 also creates a different system for these trusts by specifying that a RAP violation within the trust instrument will self-correct, which is inconsistent with other Texas laws on this matter.</p> <p>HB 4376 needs further study, work, and collaboration from stakeholders, including family law, trust and estate practitioners, and other individuals with relevant experience to create these trusts properly.</p>	
<p>HB 4429</p> <p>By: Landgraf Morales, Eddie</p>	<p>Relating to the duty of a school district to enter into an ad valorem tax abatement agreement under the Property Redevelopment and Tax Abatement Act for certain property.</p>	<p>Ways & Means</p> <p>10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Without question, the recent series of extreme weather events in Texas, both hot and cold, has demonstrated that Texas needs new dispatchable natural gas-fired plants because the need for reliable electricity is great. Most importantly, if natural gas-fired plants are going to be built and use tax abatement, CSHB 4429 provides an example of the right way to do that.</p> <p>CSHB 4429 allows the owner of a proposed electric generation facility to apply for tax abatement with the public school district where the facility will be located. The abatement would exempt from school district maintenance and operations (M&O) tax purposes the portion of the appraised value of qualified property in excess of \$30 million.</p> <p>CSHB 4429 defines "electric generating facility" as a natural gas-fired facility located in a reinvestment zone that provides dispatchable electric power for the ERCOT power grid and has a permit required by the Texas Commission on Environmental Quality. This includes facilities that capture, use, reuse, or store carbon dioxide emissions. "Qualified property" is defined as any property that is part of an electric generating facility and has an appraised value of \$1 billion on January 1 of the year following the year in which the facility first furnishes electricity for the power grid. This includes buildings or improvements constructed on or after January 1, 2024, and tangible personal property first placed in service in the new building or improvement or on the land where the new building or improvement is located.</p> <p>CSHB 4429 establishes time limits for a district's governing body to decide on an application for tax abatement. If the application is approved, the district must sign a written agreement with the facility owner within 90 days. The agreement would provide a tax exemption for school district M&O purposes for a 10-year period starting on January 1 after 2027. The exemption would apply to the appraised value of qualified property at the facility in</p>	<p><u>Will of the House</u></p>

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		<p>excess of \$30 million. Only facilities that meet the classification criteria as electric generating facilities under the bill are eligible for tax abatement.</p> <p>CSHB 4429 enables a district's governing body to establish a "reinvestment zone" and provide tax exemptions for properties located within it, subject to specific criteria. The governing body can create the zone if it anticipates that this will lead to primary employment growth or significant investment in the zone, which will benefit both the properties in the zone and the district as a whole.</p> <p>CSHB 4429 amends the state Government Code to permit the deduction of the total value of tax exemptions given to properties within a reinvestment zone from the taxable value of properties in a school district. This is applicable to exemptions approved after June 1, 2023, under agreements authorized by the Property Redevelopment and Tax Abatement Act.</p> <p>Plants that would qualify for abatements under CSHB 4429 are especially needed to complement our growing renewables fleet of generation. Under this CSHB 4492 framework, a plant can employ a carbon capture system to reduce CO2 and provide a fuel stock for our oil and gas industry. A plant can also use Texas' natural gas and reduce waste. CSHB 4429 differs from the Darby bill that was heard on Monday, May 8 (subject to the point of order), which would have limited liability for a producer of a contaminant. CSHB 4429 has no such liability limit and reduces flaring by using West Texas gas in the field and also reduces carbon by using it for reworking old wells and similar purposes.</p> <p>CSHB 4429 is a school property tax abatement bill that has beneficial provisions. The 10-year abatement does not start until the plant's commercial operation furnishes power to the ERCOT grid. If the plant is not built, zero dollars go into the system.</p> <p>Before the abatement begins, the developer must get an air permit from TCEQ. Construction begins in year three and will probably take three years, so production would likely start in late 2027 or early 2028. During the construction phase, all property is taxed at full value. Only property value greater than \$30 million is subject to the abatement when power is furnished to the grid, and the abatement starts. \$30 million of taxable property value will remain with the school district. After the completion of year ten, the value of the plant returns to market value, and the school property tax is fully assessed. This abatement process in CSHB 4429 is a statewide bill but will likely be limited to a few because of its \$1 Billion investment requirement.</p> <p>Those in opposition to CSHB 4492 state that it is unnecessary to provide school property tax incentives in order to attract these facilities, given Texas' prominence in the oil and gas industry and the extensive degree of infrastructure, pipelines, and opportune geography present throughout the state for electric generation. The</p>	
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			Inflation Reduction Act of 2022 already provides increased federal tax incentives for utilizing carbon capture. Decreasing local revenues for Texas public schools is the wrong approach to improving electric grid capacity.	
HB 4952 By: Slawson	Relating to the security of the electricity supply chain.	State Affairs 12 Ayes, 1 Nay, 0 PNV, 0 Absent	<p>HB 4952 is designed to improve the security of critical electric transmission substations in Texas. To achieve this goal, HB 4952 mandates the Public Utility Commission (PUC) to require utilities to report vital information about critical facilities, including locations, security measures, and contact details to the Texas Electricity Supply Chain Security and Mapping Committee. HB 4952 defines a critical facility as a substation and control center that would cause widespread instability or outages if inoperable. Additionally, the committee’s chair can share attack-related information with law enforcement and must provide the Department of Public Safety (DPS) access to data. Under HB 4952, this information would be confidential and not subject to public disclosure.</p> <p>HB 4952 is about security in the electricity supply chain, which is crucial for maintaining reliable power, ensuring public safety, and supporting economic stability.</p>	<u>Favorable</u>
HB 3159 By: Leach	Relating to the use of an accessible absentee mail system by certain voters.	Elections 8 Ayes, 0 Nays, 0 PNV, 1 Absent	<p>HB 3159 allows individuals who are eligible for early voting by mail due to disability or confinement for childbirth to utilize an approved accessible absentee mail system for receiving and casting their ballots. The system must be an electronic platform specifically designed to assist disabled voters in securely marking and submitting their ballots. The Secretary of State (SOS) is responsible for creating the necessary rules and procedures to implement this accessible absentee mail system.</p> <p>HB 3159 establishes a set of minimum standards for the system, including the safeguarding of ballot secrecy, verification of voter identity, safe and accurate operation, implementation of security measures, prevention of political advertising during the voting process, secure printing and transmission of ballots, utilization of verification methods, requirement of voter affirmation of eligibility, and prevention of saving or transmitting ballot images or records over the internet. HB 3159 mandates that the system cannot be used in elections unless it receives approval from the SOS based on these standards. It clarifies that the failure to use the official ballot envelope does not render the ballot invalid, but the voter must complete the official carrier envelope.</p> <p>Furthermore, HB 3159 authorizes the SOS to establish additional standards, modify procedures for issuing corrected ballots through the accessible absentee system, and prescribe processes for approval, design modification, and reexamination of such systems. The responsibility falls on the early voting clerk to provide the necessary voting materials and instructions to voters who utilize the accessible absentee ballot system.</p> <p>HB 3159 provides more accessible avenues for Texans to participate in the electoral process.</p>	<u>Favorable</u>

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<p>HB 4433</p> <p>By: Anchía Jones, Venton</p>	<p>Relating to the treatment of certain residence homesteads for purposes of the Tax Increment Financing Act.</p>	<p>Ways & Means</p> <p>10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>As Texas grows in popularity and draws more people, property values have risen along with property taxes. This particularly impacts legacy residents living in historic areas near commerce centers or employment areas bearing additional financial stress and facing the reality of being pushed out of these areas. These residents have lived in their areas and maintained residence homestead property tax exemptions on their properties for at least seven years, positively impacting the desirability of their areas for new residents.</p> <p>HB 4433 allows a reinvestment zone’s board of directors to establish a program enabling all residents to benefit from the zone’s designation. The county’s or municipality’s governing body that designated the zone and any affiliated community organizations may participate in the program. HB 4433 permits the zone’s board of directors to use the tax increment fund established to prevent homeowner displacement for legacy homeowners by providing annual payments on behalf of legacy homeowners to offset a rise in property taxes due to the development or redevelopment of property in the zone.</p> <p>HB 4433 provides parameters for the annual payment amount for property owners and inputs a timeline for how long the payments will last. In addition, HB 4433 increases the percentage of residential properties, excluding publicly-owned and residential properties owned by legacy homeowners, that may be permitted in an area that a municipality may designate as a reinvestment zone. Under HB 4433, 40% of the property in such an area could be used for residential properties instead of 30%.</p> <p>HB 4433 aims to create an optional program to support these legacy homeowners in designated reinvestment zones.</p>	<p><u>Favorable</u></p>
<p>HB 2086</p> <p>By: Perez</p>	<p>Relating to creating a criminal offense for interfering with a motor fuel metering device or motor fuel unattended payment terminal and the prosecution of organized criminal activity involving that conduct.</p>	<p>Criminal Jurisprudence</p> <p>8 Ayes 0 Nay 0 PNV 1 Absent</p>	<p>In response to concerns regarding a growing issue of card skimmers at gas pumps in Texas, the 86th and 87th legislatures enacted legislation to combat the issue. However, the use of manipulation devices at gas pumps has remained, and led to inaccurate fuel measurements that allow individuals to steal hundreds of gallons of gas.</p> <p>HB 2086 creates the offense of interference with a motor fuel metering device or motor fuel unattended payment terminal, which is a second degree felony. This offense applies to a person who intentionally intercepts, disrupts, modifies, or attempts to modify a motor fuel metering device or payment terminal, or who manufactures, assembles, possesses, sells, or attempts to sell a motor fuel manipulation device.</p> <p>To ensure that licensed technicians, authorized representatives of the Texas Department of Licensing and Regulation (TDLR), and law enforcement officers are not wrongfully prosecuted under the new offense, HB 2086 establishes an affirmative defense for the intentional possession of a motor fuel manipulation device by these individuals. In addition, the bill expands the offense of engaging in organized criminal activity to include committing or conspiring to commit the offense of interfering with a motor fuel metering device or payment terminal as a member of a criminal street gang.</p>	<p><u>Favorable</u></p>

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			Overall, the bill seeks to prevent manipulation and disruption of motor fuel metering devices or payment terminals and by creating penalties for those who engage in such conduct.	
HB 4780 By: Smith	Relating to early ballots voted by mail.	Elections 8 Ayes, 0 Nays, 0 PNV, 1 Absent	Concerns have been raised about the clarity and legibility of information displayed on the back of mail-in ballot carrier envelopes. HB 4780 seeks to rectify this issue by replacing the carrier envelope certificate with a signature sheet. HB 4780 proposes changes for mail-in ballots. It introduces a signature sheet in lieu of the carrier envelope. The sheet includes spaces for voter and assistant information, election identification, hotline notice, assistant's oath, and translations will be provided. The Secretary of State (SOS) must ensure that these provisions are implemented.	<u>Favorable</u>
HB 1138 By: Martinez Neave Criado	Relating to the prosecution of the criminal offense of reckless discharge of a firearm in certain municipalities and counties.	Community Safety - Select 7 Ayes, 1 Nay, 1 PNV, 4 Absent	Every year, during celebratory holidays such as New Year's Eve and the Fourth of July, individuals engage in celebratory gunfire, disregarding the potential harm it can cause and the risk of injuries or fatalities. HB 1138 aims to prevent such tragedies by introducing the offense of reckless discharge of a firearm in populous counties. HB 1138 modifies the current statute by adding the term "reckless" before "discharge of a firearm" and expands the scope of prohibited conduct to specific municipalities and counties. The bill specifically includes counties with a population of 500,000, such as Dallas and Harris County, within this amended statute. It's important to note that HB 1138 does not impact the authority of counties or municipalities to enact orders or ordinances that prohibit firearm discharge. The bill applies solely to offenses committed on or after its effective date. By doing so, HB 1138 aims to protect individuals from celebratory gunfire and hold those responsible for reckless behavior accountable	<u>Favorable</u>
HB 4641 By: Meyer Plesa	Relating to the collection of consumer debt incurred by certain individuals as a result of identity theft.	Pensions, Investments & Financial Services 8 Ayes, 0 Nays, 0 PNV, 1 Absent	Coerced debt, a type of economic abuse and identity theft, is prevalent in cases of family violence and abusive relationships. Around 40 percent of domestic violence victims in Texas report that their abuser has accumulated debt under their name, such as credit card debt. Even if a victim manages to escape the abusive situation, the coerced debt continues to negatively impact their finances. Recognizing this issue, the 87th Legislature passed HB 3529, allowing victims to take legal action against the debt incurred by their abuser as a form of identity theft. However, the process is complex and costly, particularly for victims of domestic violence, human trafficking, and disabled adults. HB 4641 aims to improve access to identity theft protection for specific victims of coerced debt and identity theft. HB 4641 prohibits a creditor, debt collector, or third-party debt collector from attempting to collect a consumer debt of portion of a consumer debt if the consumer provides certain documentation: <ul style="list-style-type: none"> • a criminal complaint alleging the consumer was a victim of identity theft under Texas, another state, or federal law and bring a statement identifying the consumer debt or portions of it that resulted from the identity theft • an official court order under Texas, federal, another state's law declaring the consumer a victim of identity 	<u>Favorable</u>

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			<ul style="list-style-type: none"> theft, or • an affidavit or unsworn declaration that consumer is a victim of the offense if they have a disability, victim of family violence or of human trafficking <p>If the consumer chooses to use an affidavit option or unsworn declaration under Chapter 32 of the Civil Practices and Remedies Code to prove they are victims of coerced debt, the bill requires additional information and supporting documentation to be included for verification and review.</p> <p>Responsibilities of collectors HB 4641 mandates that creditors, debt collectors, or third-party collectors cease collecting debt from victims of identity theft once they receive notice that the debt resulted from identity theft. They are prohibited from selling or transferring the debt, except to collect it from a responsible person other than the victim. The bill allows creditors, collectors, or third-party debt collectors to enforce the security interest of the disputed debt or a portion of it secured by personal property. HB 4641 also prohibits collectors from seeking or collecting any deficiency from victims of identity theft.</p> <p>In cases where the debt collector has a good faith reason to believe that the consumer misrepresented themselves as a victim of identity theft, HB 4641 authorizes the creditor, debt collector, or third-party debt collector to file a lawsuit in a court of competent jurisdiction to collect the debt from the consumer. However, this exception does not apply if the alleged perpetrator of identity theft is named. The bill requires the debt collector to provide clear evidence that the consumer is not a victim of identity theft in the lawsuit. If the consumer prevails, the collector is responsible for paying the consumer's court costs, attorney's fees, and damages. HB 4641 does not apply to consumer debt related to home loans.</p> <p>This bill offers a trauma-informed option for victims of family violence, human trafficking victims, and vulnerable adults to demonstrate that they are victims of coerced debt and identity theft. HB 4641 empowers state law to protect victims of identity theft and coerced debt from potential harassment and retraumatization by debt collectors.</p>	
<p>HB 4498 By: Cook Oliverson</p>	<p>Relating to the transfer and statutory novation of insurance policies from a transferring insurer to an assuming insurer through an insurance business transfer</p>	<p>Insurance 7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>The policy novation process—an agreement to replace one party to an insurance policy or reinsurance agreement with another company—for transferring insurance business blocks is currently inefficient, inconsistent, and expensive. Obtaining consent from all policyholders is often challenging with companies often using loss portfolio transfers, but liability stays with the original insurer.</p> <p>HB 4498 aims to provide better options for insurers by establishing a more efficient, cost-effective process for transferring insurance business without policyholder consent.</p>	<p><u>Favorable</u></p>

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	plan; authorizing fees.			
HB 4687 By: Campos	Relating to the administration of funding for the coordination of mental health, substance use, and public health care services in this state.	Public Health 10 Ayes, 1 Nay, 0 PNV, 0 Absent	<p>The COVID-19 pandemic has underscored the pressing need to improve public health support systems in Texas, especially in mental health, substance use, and public health. Due to shared limitations and insufficient coordination among sectors, existing systems face significant challenges. HB 4687 seeks to address these issues by establishing a framework to enhance collaboration in funding, data interoperability, and workforce training, leading to more effective and efficient support systems for Texans in need.</p> <p>HB 4687 creates the Mental Health, Substance Use, and Public Health Initiative Council to ensure the fair allocation and spending of funds to improve coordination among these sectors. The 14-member council comprises experienced professionals in multiple areas, including mental health and substance abuse, appointed by the governor, lieutenant governor, and other authorities. The comptroller serves as the presiding officer and a nonvoting member. The council's membership aims to reflect Texas' ethnic and geographic diversity. The Department of State Health Services (DSHS) provides staff and facilities to assist the council.</p> <p>HB 4687 creates the Mental Health, Substance Use, and Public Health Initiative Trust Fund, managed by the Texas Treasury Safekeeping Trust Company. Separate from the state treasury and general funds; the trust fund comprises an initial legislative appropriation, additional appropriations, interest or earnings, and gifts, grants, or donations. The bill includes responsible management and transparency provisions, requiring an annual report to the legislature detailing the council's expenditures and any extra funds in the account.</p> <p>HB 4687 requires the council to establish a grant program that enhances coordination among substance use, mental health, and public health services, especially for individuals with co-occurring disorders. Funded programs must improve coordination through evidence-based methods, research, technology, data collection, education, or capital improvements, while also offering efficient and cost-effective ways to support personnel, capital improvements, data interoperability, and long-term financial sustainability. The council must set annual grant application procedures, with unanimous approval necessary for granting awards, and adopt rules to implement the bill's provisions.</p> <p>HB 4687 is crucial for improving the coordination and efficacy of Texas's mental health, substance use, and public health services. Through a collaborative framework and the creation of the Mental Health, Substance Use, and Public Health Initiative Trust Fund, the bill strengthens support for individuals with co-occurring disorders.</p>	<u>Favorable</u>
HB 4734 By: Lopez, Janie	Relating to a study evaluating this state's business advantages, economic climate, and	International Relations & Economic Development	<p>The emerging offshore wind energy sector presents a substantial opportunity for Texas to create jobs, boost economic growth, reduce reliance on non-renewable resources, and access federal grants for industry expansion. Recognizing the potential benefits, HB 4734 aims to facilitate a comprehensive study, in collaboration with the Texas Economic Development and Tourism Office (TEDTO) and the Texas Workforce Commission (TWC), to</p>	<u>Favorable</u>

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	<p>workforce readiness, and a report on attracting offshore wind energy supply chain industries to this state.</p>	<p>7 Ayes, 1 Nay, 0 PNV, 1 Absent</p>	<p>assess the impact, opportunities, and challenges of attracting offshore wind energy supply chain industries to the state.</p> <p>HB 4734 directs the Texas Economic Development and Tourism Office (TEDTO) to collaborate with the Texas Workforce Commission in conducting a study and preparing a report that analyzes the potential economic and workforce growth opportunities and challenges associated with attracting offshore wind energy supply chain industries to Texas. The report may include recommendations for further research, policies, or investments related to the offshore wind energy supply chain.</p> <p>The study will examine various aspects, such as specific segments within the supply chain, the number and type of existing and potential jobs, potential industry growth in Texas' seaport network and other sectors, high-impact investment opportunities for maximum economic benefits, potential benefits to local tax bases and the state's economic production, and any other relevant information.</p> <p>The study's focus will be on analyzing current Texas resources compared to the workforce education, training, development, and recruitment needed for a skilled offshore wind energy supply chain workforce. This includes assessing potential benefits and opportunities for regional private sector partnerships for workforce development and exploring collaboration with neighboring states to implement complementary policies and investments. Additionally, the study will identify funding sources from federal acts to support recruitment, expansion, and workforce development. The report will ultimately develop actionable recommendations to attract and expand offshore wind energy supply chain industries in Texas.</p> <p>If necessary and appropriate, HB 4734 permits TEDTO to collaborate with a nonprofit or higher education institution to conduct the study. The report, containing the study results and recommendations for legislative or other actions, must be submitted to the legislature by December 1, 2024.</p> <p>HB 4734 aims to benefit Texans by fostering job creation, economic growth, and the transition to renewable energy resources. By thoroughly assessing the potential opportunities and challenges of attracting offshore wind energy supply chain industries, Texas can strategically position itself as a leader in this emerging sector.</p>	
<p>HB 389 By: Collier Button Thierry Ordaz</p>	<p>Relating to health benefit coverage for certain fertility preservation services under certain health benefit plans.</p>	<p>State Affairs 6 Ayes, 1 Nays, 0 PNV, 2 Absent</p>	<p>Each year approximately 7,800 Texans between the ages of 15 and 39 are diagnosed with cancer. However, lifesaving cancer treatments like chemotherapy and radiation increase the risk of infertility. Fertility preservation services, such as egg and sperm storage, are expensive and difficult for patients to access. HB 389 aims to address this by increasing access to fertility preservation services.</p>	<p><u>Favorable</u></p>

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			<p>HB 389 requires specific health benefit plans to cover the cost of fertility preservation services for individuals who will undergo medically necessary treatments that adversely impact fertility. HB 389 specifies that fertility preservation services must be consistent with established medical practices or professional guidelines published by the American Society of Clinical Oncology or the American Society for Reproductive Medicine. The provisions of HB 389 apply to certain health benefit plans with exceptions for CHIP, Medicaid, Medicaid managed care, or health benefit plans that provide coverage only for hospital expenses.</p>	
<p>HB 4953 By: Leo-Wilson</p>	<p>Relating to the procedures for the removal of certain children in the managing conservatorship of the Department of Family and Protective Services.</p>	<p>Juvenile Justice & Family Issues</p> <p>5 Ayes, 2 Nays, 0 PNV, 2 Absent</p>	<p>In situations where Texas Child Protective Services (CPS) is potentially removing a child, it is essential to try and keep the child with their parents whenever possible to avoid trauma. However, it is equally important to recognize when a situation is harmful, and the child requires removal from the home. HB 4953 attempts to address the frequent and unnecessary removal of a child from their home.</p> <p>HB 4953 prevents the Department of Family and Protective Services (DFPS) from transferring a child under monitored return from a parent's home without a hearing. Instead, the bill allows an authorized representative of DFPS, a law enforcement officer, or a juvenile probation officer to take the child and relocate them from the home in an emergency. Before removing the child from their home, HB 4953 requires DFPS, the officer, or the probation officer to acquire the approval of the child's attorney ad litem and guardian ad litem to the extent possible. In the event of an emergency relocation of a child, the court must conduct a hearing on the move and do so within three days of the child's departure from the home, following proper notification.</p> <p>HB 4953 authorizes the court to order the child to be moved from their home or terminate the monitored return or applicable transition order if the court determines certain conditions by a preponderance of evidence. The conditions are there is an immediate danger to the child's physical health or the child's safety or the child has been a victim of sexual abuse, remaining in the home would be detrimental to the child's well-being, and reasonable efforts, consistent with the circumstances and the child's safety, were made to prevent or eliminate the need to move the child.</p> <p>Concerns It is mutually agreed that mitigating traumatizing children by removing them from their homes and the structure to do so needs to be refined. However, HB 4953 makes it significantly more difficult to remove the child once they are on monitoring status by changing the removal threshold to be higher than the initial removal. Removal would be contingent on court review by a preponderance of evidence - convincing the judge that there is greater than 50% that a claim is true.</p> <p>There is also concern about requiring consent from a child's guardian ad litem and attorney ad litem before a DFPS representative, law enforcement officer, or juvenile probation officer can remove a child in an emergency without a court order. Requiring this consent could deter removing a child from a harmful environment that would</p>	<p><u>Unfavorable</u></p>

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			<p>not appear as an emergency to the attorney ad litem or guardian ad litem, thus creating another barrier of getting the child into a safer environment.</p> <p>Family reunification should be a priority in these cases, but there is a need to balance family reunification and preserve the safety and security of the child involved. HB 4953 may make removing children from potentially dangerous or harmful environments more difficult.</p>	
<p>HB 3502</p> <p>By: Leach Oliverson Leo-Wilson</p>	<p>Relating to required health benefit plan coverage for gender transition adverse effects and reversals.</p>	<p>Insurance</p> <p>5 Ayes, 3 Nays, 0 PNV, 1 Absent</p>	<p>HB 3502 mandates health benefit plans that cover gender-affirming procedures and treatments to also cover any related adverse effects, reversals, and necessary health monitoring. This coverage must be provided regardless of whether an individual was a policyholder during the procedure or treatment. The provisions of HB 3502 apply to Medicaid and CHIP but exclude self-funded plans under the Employee Retirement Income Security Act (ERISA). The coverage requirements apply to plans delivered, issued, or renewed on or after January 1, 2024, with delayed implementation for provisions requiring federal waivers or authorization.</p> <p>While it may seem reasonable to require health benefit plans to cover medical complications that arise from another covered treatment, the intent of HB 3502 is to deter health benefit plans from covering gender-affirming care for adults. As such, HB 3502 is another attack on transgender people that could reduce access to gender-affirming care for Texans—both children and adults.</p>	<p><u>Unfavorable</u></p>
<p>HB 989</p> <p>By: Howard</p>	<p>Relating to the establishment of a higher education plan for human papillomavirus education and prevention.</p>	<p>Higher Education</p> <p>8 Ayes, 0 Nay, 0 PNV, 3 Absent</p>	<p>Human papillomavirus (HPV) is one of the most common sexually transmitted infections in the country and is a major cause of cancer and The CDC estimates HPV vaccination can prevent the development of 90% of HPV-related cancers. A child should be vaccinated against HPV around the age of eleven or twelve, however, only 49.3% of Texas adolescents received at least one vaccine, and only around one-third were fully vaccinated. HB 989 aims to establish a prevention plan that enables state resources and higher education institutions to collaborate in offering vaccines and information to individuals who missed the recommended age for vaccination.</p> <p>H.B. 989 requires the Department of State Health Services (DSHS) to develop a state plan to prevent and treat HPV and its related health problems among public institutions of higher education students, which must include strategies for preventing and treatment in specific demographic groups that are disproportionately affected by the infection. DSHS must seek input from stakeholders, including concerned public advocates who have been infected; state agencies, including the Health and Human Services Commission (HHSC) and the Texas Higher Education Coordinating (THECB), advisory bodies, service providers, and statewide professional association of physicians. The plan must be reviewed and updated every five years, with biennial updates if necessary.</p> <p>THECB and DSHS must work jointly to develop a program to bring awareness, education, and understanding regarding HPV among college students. The program must include community activities for public awareness and education regarding the risk factors for HPV, the value of early detection, available screening services, and available treatment options for health problems caused by HPV. THECB and DSHS must each post the available</p>	<p><u>Favorable</u></p>

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			<p>options for prevention, treatment, detection, and information on risk factors, method of transmission, and value of early detection on their websites. HB 989 allows the THECB and DSHS to conduct a study on the current and future impact of health issues caused by HPV in Texas, and may use current resources to do so.</p> <p>Texas ranks 47th out of all 50 states in HPV immunization. HB 989 could lower HPV and cervical cancer rates by providing better access to vaccination and regular screenings.</p>	
<p>HB 1043 By: Hinojosa</p>	<p>Relating to a prohibition against covenants not to compete for certain low-wage employees.</p>	<p>Business & Industry</p> <p>6 Ayes, 3 Nays, 0 PNV, 0 Absent</p>	<p>Non-compete agreements, or "covenants not to compete," prevent employees from working for a competing company after leaving their job. These agreements are meant to prevent former employees from transferring private information from their former employer to an industry rival. However, a 2021 Federal Reserve Bank of Minneapolis report found that non-compete agreements negatively affect pay and upward mobility for lower-wage workers, hindering their ability to negotiate or seek advancement within their field. The Federal Trade Commission estimates that 30 million Americans, or one in five workers, have non-compete clauses. In addition, many low-wage workers have non-compete agreements, even though they cannot access company secrets, which makes non-compete agreements unnecessary for these workers.</p> <p>HB 1043 prohibits a private employer from requiring an employee who earns less than the greater of the federal minimum wage or \$15 per hour to enter into a covenant not to compete that would inhibit an employee from working for another employer for a specified period, in a specified geographic area, or for an employer whose work is similar to the current employer. In addition, certain state statutes for provisions and remedies to enforce covenants not to compete would not apply to a covenant not to compete under this bill.</p> <p>HB 1043 will help protect low-income workers by banning employers from mandating non-compete agreements.</p>	<p><u>Favorable</u></p>
<p>HB 3977 By: Neave Criado</p>	<p>Relating to an employer's civil liability under the Texas Workers' Compensation Act for injuries sustained by a victim of sexual assault.</p>	<p>Business & Industry</p> <p>9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Every 68 seconds, a sexual assault occurs in the United States, as reported by the Rape, Abuse, & Incest National Network (RAINN)— with 8% of rapes occurring in the workplace, per the National Sexual Violence Resource Center. There are a myriad of physical and mental impacts that can stem from sexual assault like depression, anxiety, or other mental health conditions resulting from the severe trauma. Recently, there was a case in which a woman who was sexually assaulted while at work had a civil suit stalled in court due to a workers' compensation claim filed by her employer. This situation occurred because recovery of workers' compensation benefits is the exclusive remedy of an employee covered by workers' compensation insurance coverage. However, recovery from sexual assault that occurred at the workplace requires additional benefits past what is available with workers' compensation, especially if the employee's injuries came from an employer's gross negligence.</p> <p>HB 3977 authorizes employees who are victims of sexual or aggravated sexual assault to bring a civil action against an employer if the employee's injuries arose from the employer's gross negligence.</p>	<p><u>Favorable</u></p>

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			HB 3977 acknowledges the severe impact of sexual assault on survivors, especially in the workplace. It takes a crucial step by allowing victims of sexual assault to take legal action against their employers for injuries resulting from employer negligence.	
HB 2126 By: Goodwin	Relating to information reported through the Public Education Information Management System and to parents regarding disciplinary measures or restraint used by a public school.	Criminal Jurisprudence 7 Ayes 0 Nay 0 PNV 2 Absent	<p>Texas parents have raised concerns regarding a lack of transparency in schools in relation to disciplinary statistics. School discipline can be an indicator of an increased risk for criminal behavior later in life, and there is a standing concern that disciplinary disproportionality may have a gender component. Publicly available data through the current system, Public Education Information Management System (PEIMS,) is difficult to navigate, hindering efforts to determine whether disparities exist. The Texas Education Agency (TEA) collects data on disciplinary statistics, but the system is not user-friendly. Reporting on racial, gender, and other disparities in discipline would provide greater transparency, allowing parents to make informed decisions for their children.</p> <p>HB 2126 requires each public school district and open-enrollment charter school to report the total number of disciplinary actions taken against students. This information must be disaggregated by race, ethnicity, gender, and more. The events that must be reported include incidents of corporal punishment, physical restraint, reports to law enforcement, suspensions, changes in school placement, expulsions, citations, arrests, and referrals to truancy court.</p> <p>HB 2126 mandates the TEA to collect and publish the reported data annually in a readily understandable format on its website. The TEA must also provide the report to each district and charter school. Furthermore, each district and charter school must notify annually, by email, each parent, guardian, or other person having lawful control over a student for whom the district or charter school has an email address. The commissioner of education is required to adopt rules necessary to implement the bill’s provisions relating to PEIMS reporting of disciplinary measures and the associated TEA report. Additionally, if a district or charter school adopts a policy permitting the use of corporal punishment as a disciplinary method, it must provide notice by email to each parent, guardian, or other person having lawful control over a student for whom the district or charter school has an email address. The notice must include a statement of the person’s right to prohibit the use of corporal punishment against the student, the district’s or charter school’s policy on the use of corporal punishment, the statutory definition of corporal punishment, and the procedure to prohibit the use of corporal punishment.</p> <p>HB 2126 will promote greater accountability and transparency in school disciplinary actions, with the ultimate goal of reducing the number of disciplinary incidents and improving student outcomes.</p>	<u>Favorable</u>
HB 1762 By: González,	Relating to the prosecution of the criminal offense of indecency with a	Criminal Jurisprudence 8 Ayes	The current affirmative defense for indecency with a child for individuals that are close in age, otherwise known as the Romeo and Juliet law, is only applicable to opposite-sex relationships, not same-sex ones. HB 1762 seeks to rectify this inconsistency by providing the same affirmative defense to all adolescents, regardless of sexual orientation.	<u>Favorable</u>

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<p>Mary Moody González, Jessica Jones, Venton</p>	<p>child.</p>	<p>1 Nay 0 PNV 0 Absent</p>	<p>HB 1762 removes language specifying the sex of the victim in an affirmative defense to prosecution for indecency with a child, allowing the defense to be applicable to same-sex relationships. The qualifications regarding the defense remain consistent with current qualifications for opposite-sex relationships.</p> <p>HB 1762 is a simple adjustment with a big impact. LGBTQ couples deserve the same protections afforded to straight couples, especially in their youth.</p>	
<p>HB 4602 By: Canales Thompson, Ed</p>	<p>Relating to the collection, remittance, and administration of certain taxes on motor vehicles rented through a marketplace rental provider; imposing a penalty.</p>	<p>Ways & Means 10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Car-sharing is becoming increasingly popular and enables individuals to rent out their own cars through mobile platforms. Currently, motor vehicle rental agencies collect and remit a gross rental receipts tax, which is 10% for contracts between 1 to 30 days and 6.25% for contracts over 30 days but no longer than 180 days. However, these taxes are not yet collected from these car-sharing companies and are only implemented on traditional car rental companies. HB 4602 seeks to tax marketplace rental providers at the same rate as traditional rental car companies.</p> <p>HB 4602 aims to allow marketplace rental providers to be taxed for the benefit of the municipality or county as provided by ordinance or order imposing the tax. This bill specifies that the marketplace rental provider will implement the gross receipts rental tax under HB 4602 by adding it to the rental charge for the person renting the vehicle. This bill also allows the vehicle owner who rents using a marketplace rental provider to report and pay the tax imposed to the municipality or county by fulfilling certain requirements. Marketplace rental providers are defined as a person who operates any type of marketplace by which the owner of a motor vehicle lists the owner's vehicle for rental by others in Texas, facilitates the rental of the owner's vehicle by another person, and directly or indirectly collects or processes the receipts or rental charges paid by the person renting the vehicle for the owner.</p> <p>HB 4602 penalizes marketplace providers by charging a fee of \$50 if they do not file the required report to the comptroller in a timely manner. These providers must keep four years of records on file regarding the gross rental receipts taxes and send the vehicle owner a report every month that shows the amount of tax collected, reported, and paid for each vehicle they own.</p> <p>Car-sharing companies contend that this bill will not bring parity because car rental companies do not pay taxes on the vehicles they purchase, while car-share renters do. However, this tax would only apply to those who rent these vehicles, and it should not matter if the car is rented from a car-share company or regular rental company when applying this tax. Car-sharing businesses should not be excluded from paying their fair share solely because an individual instead of a company owns the vehicle. HB 4602 ensures that all rental car companies are paying gross receipts taxes, regardless if they are traditional rental companies or car-sharing platforms.</p>	<p><u>Favorable</u></p>

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<p>HB 2180</p> <p>By: Harris, Cody Harless Jetton</p>	<p>Relating to the application of prescription drug price rebates to reduce health benefit plan enrollee cost sharing.</p>	<p>Health Care Reform, Select</p> <p>6 Ayes, 1 Nay, 0 PNV, 4 Absent</p>	<p>The rising cost of prescription drugs continues to burden many Texans, especially as patients often pay cost-sharing responsibilities based on the full list price of medicines, despite pharmacy benefit managers (PBMs) negotiating lower prices with manufacturers. To address this issue and make healthcare more accessible, HB 2180 aims to pass manufacturer rebates to the point of sale, reducing patients’ out-of-pocket expenses by calculating cost-sharing amounts based on the discounted price.</p> <p>HB 2180 requires health benefit plan enrollees' cost-sharing amounts for prescription drugs to be calculated at the point of sale, considering all rebates received or to be received by the PBM or health benefit plan issuer. The bill does not prohibit further reduction of enrollees' cost-sharing amounts. HB 2180 safeguards the confidentiality of rebate information by prohibiting health benefit plan issuers and pharmacy benefit managers from revealing it in a product-specific, class-specific, manufacturer-specific, or pharmacy-specific manner. The information is deemed a trade secret and confidential, excepted from disclosure under state public information law. Third-party contractors with access to rebate information must comply with confidentiality requirements. HB 2180 only applies to specific health benefit plans, with exceptions for Medicaid, CHIP, TRICARE, and workers' compensation.</p> <p>HB 2180 seeks to make healthcare more accessible and affordable for Texans by reducing out-of-pocket expenses for prescription drugs. However, critics argue that the bill could increase premiums. The Teacher Retirement System of Texas (TRS) says that implementing the bill would result in extra costs to the TRS-Care and TRS-ActiveCare health plans. This is because the agency's ability to use rebates as a source of revenue to lower member premiums would be limited. For the Employees Retirement System (ERS), implementing the bill would also lead to additional costs for the Group Benefits Plan (GBP). This could result in higher monthly contributions from both the state and members.</p>	<p><u>Favorable With Concerns</u></p>
<p>HB 2055</p> <p>By: Jones, Venton Harrison González, Mary Johnson, Ann</p>	<p>Relating to the repeal of the offense of homosexual conduct.</p>	<p>Criminal Jurisprudence</p> <p>9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>In 2003, the Supreme Court struck down laws that criminalized homosexuality with <i>Lawrence V. Texas</i>. This landmark case changed the landscape regarding the LGBTQ+ community across the country, but Texas laws regarding the criminality of homosexuality remained. These laws were created in response to the HIV and AIDS epidemic of the 1990s and required that educational materials for youth state that homosexual conduct is a criminal offense. HB 2055 seeks to remove this language and rid Texas of the outdated and harmful narratives inside the statute.</p> <p>HB 2055 repeals provisions that create a Class C Misdemeanor for homosexual conduct and removes provisions from the Health and Safety Code that require health education and sexual education programs for minors to state that homosexuality is a criminal offense.</p> <p>HB 2055 is a vital but small adjustment to Texas law that helps to ensure the safety of LGBTQTexans. Discrimination of any sort should not be codified, and HB 2055 strongly conveys that it’s unacceptable in Texas.</p>	<p><u>Favorable</u></p>

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<p>HB 347 By: Johnson, Jarvis Garcia</p>	<p>Relating to law enforcement agency policies regarding the placement of a child taken into possession by a peace officer during the arrest of a person.</p>	<p>Homeland Security & Public Safety 7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Children who interact with law enforcement, specifically in the context of being arrested, can be traumatized by this interaction. The same can be said when children are placed in child protective services (CPS). In Texas, when a person is arrested or detained and has a child with them, the officer may release the child to the Department of Family and Protective Services, the juvenile probation department, or to an authorized caregiver. Typically, the reasons for the arrest are minor misdemeanor or traffic offenses and do not require Child Protective Services (CPS) or DFPS involvement unless there is suspected abuse or neglect. However, there is no written policy or procedure to ensure the safe placement of a child if they are in the care, custody, or control of a person who is arrested. HB 347 would require such a policy or procedure to be created and adopted.</p> <p>HB 347 requires every Texas law enforcement agency to adopt a policy about the safe placement of a child in the care, custody, or control of an arrested person at the time of their arrest. The policy must require that an officer attempts to locate an adult identified by the arrested person to whom the officer may release the child. Before releasing the child, the officer must verify the individual is at least 18, search the National Crime Information Center (NCIC) to ensure the individual meets specific criteria, and collect information about the child’s placement to provide to the arrested person.</p> <p>If the identified person cannot be located within a reasonable time and good faith effort, the officer may release the child to a safe living arrangement. In addition, HB 347 requires law enforcement agencies to coordinate with child-care providers, nonprofit organizations, and faith-based entities in the agency’s region to develop options for safe living arrangements and develop procedures to release a child to their care. Likewise, if a safe living arrangement cannot be found within a reasonable time and good faith effort, the officer may release the child to the law enforcement agency’s victim services division to arrange the child’s release to DFPS.</p> <p>This bill does not divert officers from contacting CPS if there is suspected child abuse or neglect. In addition, HB 347 ensures that children present for an arrest are not given to CPS by default. Instead, HB 347 would ensure officers locate authorized and familiar adults to whom they can release these children.</p>	<p><u>Favorable</u></p>
<p>HB 3958 By: Smith</p>	<p>Relating to the establishment of a grant program to assist law enforcement agencies in collecting DNA samples from defendants arrested for certain felony offenses.</p>	<p>Homeland Security & Public Safety 6 Ayes, 1 Nays, 0 PNV, 2 Absent</p>	<p>The 86th Legislature passed HB 1399, which mandated defendants provide one or more DNA samples to law enforcement agencies upon their arrest for specific felony offenses. The act raised concerns in 2019, as it requires DNA samples from people who were merely arrested, not indicted or finally convicted. Some contend that the DNA requirement has helped solve and investigate older cases. The DNA requirement also imposes significant costs on local booking agencies, with no existing means to cover these expenses.</p> <p>HB 3958 establishes a grant program for funding law enforcement agencies responsible for collecting DNA samples during defendant arrests.</p>	<p><u>Will of the House</u></p>

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<p>HB 3124 By: Lalani</p>	<p>Relating to the use of cigarettes, e-cigarettes, and tobacco products on the campus of a public institutions of higher education.</p>	<p>Higher Education 7 Ayes, 1 Nay, 0 PNV, 3 Absent</p>	<p>The Campaign for Tobacco-Free Kids reports that tobacco use incurs an annual healthcare expenditure of \$10.29 billion in Texas, with \$2.1 billion spent by the state's Medicaid program. According to the National College Health Assessment conducted by the American College Health Association, the percentage of college students who reported using e-cigarettes in the past 30 days increased from 20.9 percent in 2017 to 25.5 percent in 2019.</p> <p>HB 3124 authorizes public higher education institutions to adopt a policy prohibiting the use of cigarettes, e-cigarettes, or other tobacco products on campus. HB 3124 uses the same definitions for "cigarette" and "tobacco product" found in the Tax Code and the same definition of "e-cigarette" found in the Health and Safety Code.</p>	<p><u>Favorable</u></p>
<p>HB 2846 By: Cain Schofield Slawson Murr Vasut</p>	<p>Relating to discrimination against or burdening certain constitutional rights of an applicant for or holder of a license to practice law in this state.</p>	<p>Judiciary & Civil Jurisprudence 5 Ayes, 3 Nays, 0 PNV, 1 Absent</p>	<p>In 2016, the American Bar Association adopted a model rule stating it is professional misconduct for a lawyer to discriminate on the basis of race, sex, religion, national origin, ethnicity, disability, age, and other demographics. There is a concern that the State Bar of Texas may adopt this rule and that attorneys could lose their license due to their speech or religious beliefs. HB 2846 aims to give lawyers special protections that no other person or professional in the United States has, including protections based on political ideology or societal views.</p> <p>HB 2846 prohibits a rule, policy or penalty under the State Bar Act from limiting an applicant's ability to obtain, maintain, or renew a license to practice law in Texas based on sincerely held religious beliefs or burdening the applicant's free exercise of religion, freedom of speech or expression including speech on a sincere religious belief, political ideology, societal view, and of expressive conduct, membership in any religious organization, or freedom of association. HB 2846 includes an exception to this prohibition for a state bar rule, policy, or penalty that leads to such limitations or burdens, provided it is necessary to enforce a compelling governmental purpose and is specifically tailored to achieve that purpose, or if it restricts willful expressions of bias or prejudice in connection with an adjudicatory proceeding.</p> <p>Additionally, HB 2846 grants individuals the right to assert that a rule, policy, or penalty violates the provisions as a defense in an administrative hearing or as a claim or defense in a judicial proceeding under the Uniform Declaratory Judgments Act. HB 2846 prohibits individuals from using such an assertion as a defense against allegations of sexual misconduct or prosecution of an offense. Individuals are allowed to file a lawsuit seeking injunctive relief for violating the bill's provisions.</p> <p>HB 2846 is duplicative, unnecessary, unconstitutional, and unjust. HB 2846 allows lawyers to discriminate based on their religious beliefs and violates the U.S. Constitution's Establishment Clause of the First Amendment, as the government is forbidden from granting religious exemptions that harm others. HB 2846 also establishes a new cause of action that is only available to lawyers, giving them special treatment under the law. HB 2846 is an extremely harmful piece of legislation that narrowly serves and protects lawyers at the expense of the public.</p>	<p><u>Unfavorable</u></p>

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<p>HB 2338 By: Lopez, Janie Cook</p>	<p>Relating to the amount of the reimbursement fee paid by a defendant for a peace officer's services in executing or processing an arrest warrant, capias, or capias pro fine.</p>	<p>Criminal Jurisprudence 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Since 1999, defendants have paid a \$50 fee for processing arrest warrants, capias, or capias pro fine. However, costs have increased, which has raised concerns regarding taxpayers subsidizing the costs. HB 2338 aims to address this by raising the fee for certain defendants.</p> <p>HB 2338 raises the reimbursement fee from \$50 to \$75 for defendants convicted of a felony or a Class A or Class B misdemeanor, which will cover peace officer services for executing or processing arrest warrants, capias, or capias pro fine. The fee remains at \$50 for those convicted of Class C misdemeanors.</p> <p>HB 2338 seeks to ensure that taxpayers aren't covering the costs of arrest warrants for convicted defendants.</p>	<p><u>Favorable</u></p>
<p>HB 5053 By: DeAyala Bell, Keith Toth Smith Craddick</p>	<p>Relating to the venue for the prosecution of an election offense.</p>	<p>Elections 5 Ayes, 3 Nays, 0 PNV, 1 Absent</p>	<p>HB 5053 attempts to address prosecutors' refusal to prosecute certain cases alleging election crime by allowing an election offense classified as a felony or misdemeanor to be prosecuted in the judicial district or county adjacent to the one the offense occurred in.</p> <p>HB 5053 also repeals a section of the Election Code that authorizes election offenses being prosecuted by the attorney general to be prosecuted in certain counties due to the Court of Criminal Appeals' final ruling that the attorney general cannot unilaterally pursue cases on issues like voter fraud and must get permission from local county prosecutors.</p> <p>Allowing these offenses to be prosecuted in an adjacent county does not allow a jury of one's peers and those impacted by the crime committed. Additionally, there are concerns that the bill does not include a statute of limitations. Lastly, HB 5053 feeds into the narrative that there is widespread and pervasive election fraud that is simply not addressed, which has been debunked time and time again.</p>	<p><u>Unfavorable</u></p>
<p>HB 3167 By: Moody</p>	<p>Relating to requests made under the public information law that require a large amount of personnel time.</p>	<p>State Affairs 12 Ayes, 0 Nays, 1 PNV, 0 Absent</p>	<p>Current law allows government entities to limit time and work spent on public information requests in order to discourage intentionally disruptive and burdensome requests.</p> <p>HB 3167 strengthens protections against disruptive public information requests by requiring photo identification to verify that the requestor has not exceeded the current time limits imposed on agencies fulfilling public information law requests. If requestors refuse to provide ID, their request is considered withdrawn unless assessed charges are paid. HB 3167 also prevents those who have exceeded time limits from inspecting records for others until outstanding fees are settled, and allows for the inclusion of time spent preparing statements in the time limit calculations.</p>	<p><u>Favorable</u></p>

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<p>HB 4470</p> <p>By: Isaac Troxclair Canales Dorazio Frazier</p>	<p>Relating to school marshals, including eligibility for appointment as a school marshal, and licensure and training requirements.</p>	<p>Homeland Security & Public Safety</p> <p>6 Ayes, 1 Nays, 0 PNV, 2 Absent</p>	<p>HB 1009, passed by the 83rd Legislature, allows public school districts to appoint School Marshals – school employees designated to carry a firearm and protect school premises after completing an 80-hour school marshall training. The law now includes public junior colleges as well. Since the law’s passage, only 84 school districts out of over 1,000 have opted into the program. HB 4470 attempts to increase program participation by widening marshall eligibility.</p> <p>HB 4470 authorizes school districts and junior college governing boards to appoint an honorably discharged veteran, active duty member of the US armed forces, peace officer, reserve law enforcement officer, or retired officer as a volunteer school marshall.</p> <p>Allowing volunteers to carry firearms in schools poses a series of risks. Volunteers do not have to undergo the same background screenings as employees. Additionally, available research suggests that putting more guns in schools is dangerous and ineffective.</p>	<p><u>Will of the House</u></p>
<p>HB 773</p> <p>By: Allen</p>	<p>Relating to prohibiting certain releases of a student to the student's parent after school-initiated communication by a school district or open-enrollment charter school.</p>	<p>Criminal Jurisprudence</p> <p>6 Ayes, 1 Nay, 0 PNV, 2 Absent</p>	<p>It is not uncommon for a school to contact the parent of a child who is having behavior issues for the parent to take them home. This creates a myriad of issues, like the interruption of a parent's work day, the child missing a day of education, and the school not investing in solving the root of the issue or providing resources. In addition, these early pickups disproportionately affect children of color and other marginalized groups and are often recorded as unexcused absences, which may cause truancy violations for the child. HB 773 seeks to solve this issue by prohibiting the use of these practices.</p> <p>HB 773 prohibits public school districts and open-enrollment charter schools from releasing a student to their parent before the end of the day if the release is a discipline tactic or a reaction to student behavior. Behavior that violates the district’s student code of conduct or requires a teacher to remove a student does not apply under these provisions.</p> <p>HB 773 allows such release if the student is suspended or expelled due to certain bullying behavior, serious offenses, or conduct that requires placement in an alternative setting.</p> <p>This legislation aims to reduce negative impacts on families and ensure that schools address students' underlying needs to provide more effective services and support to keep kids learning and in school.</p>	<p><u>Favorable</u></p>
<p>HB 4107</p> <p>By: Canales</p>	<p>Relating to examination requirements for purposes of certain guardianship proceedings.</p>	<p>Judiciary & Civil Jurisprudence</p> <p>9 Ayes, 0 Nays,</p>	<p>Currently, in order for a court to establish, modify, or approve guardianship for an incapacitated person, it is necessary to obtain a written letter or certificate signed by a physician. However, often after a court-ordered mental evaluation by a psychologist, a physician's signature is still required, resulting in delays and increased expenses for families. HB 4107 seeks to eliminate this hurdle by permitting courts to accept a recommendation signed by a psychologist in cases where the basis for establishing guardianship is a mental health condition.</p>	<p><u>Favorable</u></p>

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		<p>o PNV, o Absent</p>	<p>HB 4107 proposes changes that would allow licensed psychologists in Texas to provide a written letter or certificate in place of a licensed physician's signature. This alternative would be applicable for two purposes: determining a proposed ward's incapacity for a court's order to establish guardianship or determining a ward's incapacity for a court's order to modify a guardianship or fully restore a ward's capacity.</p> <p>HB 4107 also outlines the requirements for a court to grant an order completely restoring a ward's capacity or modifying a ward's guardianship. The applicant must provide a written letter or certificate from a licensed physician or psychologist that describes the nature and degree of incapacity, provides a prognosis, and states how the ward's ability to make responsible decisions is affected by their physical or mental health. The letter or certificate must also include any other information required by the court. If necessary, the court may appoint a physician or psychologist to examine the ward in the same manner as a regular examination.</p> <p>The rapidly growing segment of the population over the age of 65 years and those with dementia will lead to an increased demand for well-qualified examiners to make determinations about the ability to manage finances and to make key personal decisions about residential placement and health care. HB 4107 will streamline the process for these vulnerable individuals.</p>	
<p>HB 1568 By: Allison Garcia Thimesch</p>	<p>Relating to the licensing and regulation of child swim instruction operators; requiring an occupational license; imposing penalties, including administrative penalties; authorizing fees.</p>	<p>Licensing & Administrative Procedures</p> <p>8 Ayes, 2 Nays, o PNV, 1 Absent</p>	<p>In 2018, Mitchell Chang, a 3-year old enrolled at a swimming school, drowned during a parents' night out event. This brought much needed light to an issue within swimming schools and how they are regulated throughout the state of Texas. HB 1568 also known as "The Mitchell Chang Swim Safety Act," aims to regulate swimming schools through the Texas Department of Licensing and Regulation (TDLR) and creates provisions regarding standards, training, and licensing requirements.</p> <p>HB 1568 requires operators to obtain a license from TDLR. The licensing process involves submitting an application, fees, and meeting specific requirements set by the Texas Commission of Licensing and Regulation (TCLR).</p> <p>To ensure safety, HB 1568 mandates criminal background checks for both applicants and controlling individuals within the operator's organization. Controlling persons are those who have influence over the business's management and policies.</p> <p>HB 1568 also addresses the hiring of instructors, prohibiting operators from employing individuals with convictions for offenses against minors. Minimum safety standards are outlined, including instructor-to-student ratios, training certifications, and the availability of automated external defibrillators. Operators are required to provide basic training in water rescue techniques and first aid to all employees, and inspection reports must be made available to the public upon request.</p>	<p><u>Favorable</u></p>

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			<p>Serious incidents occurring during swim instruction must be reported to TDLR, and grounds for license denial or disciplinary action include violations, fraudulent practices, or employing individuals with certain convictions related to offenses against minors.</p> <p>Under HB 1568, TDLR is responsible for administering and enforcing implementation, while TCLR will establish rules regarding operating standards, qualifications for licensing, renewal procedures, and safety and training requirements. Failure to comply can result in administrative penalties and enforcement actions.</p>	
<p>HB 4275 By: Rogers Martinez</p>	<p>Relating to territory in an emergency services district that is annexed by a municipality.</p>	<p>Land & Resource Management</p> <p>9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Emergency services are essential in ensuring the safety and well-being of Texas residents, particularly during times of crisis. HB seeks to ensure that annexed territory in an emergency services district (ESD) continues to receive the same quality of emergency services after annexation.</p> <p>HB 4275 mandates that a municipality seeking to annex territory in an ESD and provide emergency services using its personnel or a different method must complete all other annexation procedures and send a written notice to the board within 30 days after completing those procedures. The notice should include the completed service plan if required and must be sent to the board's secretary by certified mail with return receipt requested.</p> <p>If a service plan is required for an annexation, the board must determine within 30 days of receiving the notice whether the plan is sufficient to ensure that municipal services in the annexed territory will meet or exceed the level of service provided by the district. If they meet or exceed, the board will disannex the territory, notify the appraisal district, and stop providing services to that territory. If they don't meet the level, the board cannot disannex the territory. For fire protection, the level of service refers to the location, deployment, and response time of fire suppression resources dispatched to a fire.</p> <p>Under HB4275, if the district or a contracted service provider is requested to provide services in a disannexed territory, and the services are not covered by a mutual aid agreement, the municipality must compensate the district for the cost of services provided. The district must notify the municipality and determine the payment amount, which must be paid within 30 days.</p> <p>Under HB 4275, if an ESD or contracted provider serves a disannexed area without a mutual aid agreement, the municipality must compensate the ESD for the service cost. The ESD notifies the municipality and sets the payment, due within 30 days.</p> <p>HB 4275 aims to protect Texas residents by ensuring consistent emergency service quality in annexed ESD territories. However, critics argue that the bill grants ESDs exclusive authority to determine if a municipality's service meets or exceeds current standards, potentially disrupting emergency medical service continuity if they choose to disannex. Additionally, previous legal amendments have already addressed city-ESD issues, such as a</p>	<p><u>Favorable with Concerns</u></p>

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			<p>2019 law ensuring proper ESD compensation when a city becomes the sole emergency services provider and a 2003 law creating arbitration for financial disputes between cities and ESDs regarding territory removal.</p> <p>HB 4275 could enable unelected ESD boards to unilaterally block cities from providing emergency services in certain areas, possibly impeding cities from serving residents or property owners seeking annexation.</p>	
<p>HB 3859</p> <p>By: Leo-Wilson Schofield Vasut Guillen</p>	<p>Relating to the approval of beach access and use plans by the commissioner of the General Land Office.</p>	<p>Land & Resource Management</p> <p>5 Ayes, 1 Nay, 0 PNV, 3 Absent</p>	<p>Although Galveston has attempted to comply with state rules, a recent amendment to its beach access plan has hindered adherence to certain regulations for public beach management and sand dune protection, leading to noncompliance under current GLO regulations. The city seeks to reduce vehicular beach traffic and provide Open Beaches Act-compliant alternatives like adequate parking, pedestrian paths, and signage. However, its conditional compliance status, deemed "probationary non-compliance," limits access-related plan amendments and mandates bi-weekly reports.</p> <p>HB 3859 aims to resolve this issue by permitting the GLO commissioner to partially approve the city's plan, enabling necessary corrections without delaying progress on approved aspects. The commissioner has 90 days to review and decide on plans. If partially approved or denied, the local government receives specific objections and recommended changes for plan revision and resubmission.</p> <p>HB 3859 seeks to promote collaboration between the GLO and Galveston County. Critics, however, contend that meaningful commissioner action requires a noncompliance finding in a beach access plan. They worry the bill may allow local governments to exploit compliant portions of their plans while ignoring noncompliant sections, possibly resulting in unequal beach quality and maintenance across the county. The GLO is tasked with coastal protection and resiliency. This is especially important given that the Texas coastline has retreated, on average about 4 feet per year, between 2000 and 2019, with some locations losing more than 30 feet. When the Texas Coast erodes, neighborhoods and industry are more vulnerable to storm surges from hurricanes, making the impact of major storms far more severe. Watering down or allowing certain exemptions from regulations intended to provide coastal protection, like sand dunes, could have long-lasting impacts on the area and the state.</p>	<p><u>Unfavorable</u></p>
<p>HB 4411</p> <p>By: Dutton Bumgarner Hayes</p>	<p>Relating to the apprenticeship system of adult career and technology education.</p>	<p>International Relations & Economic Development</p> <p>6 Ayes, 3 Nays, 0 PNV, 0 Absent</p>	<p>Currently, only U.S. Department of Labor registered apprenticeship programs qualify for Texas' adult and secondary career and technical education apprenticeship training programs. Some contend that federal guidelines may discourage employer participation, limiting the professional supply in high-wage, high-demand fields.</p> <p>HB 4411 requires the Texas Workforce Commission (TWC) to establish rules for funding pre-apprenticeships for high school students in career and technical education programs, leading to high-wage, high-demand jobs. Developed in coordination with the Texas Education Agency (TEA) or Texas Higher Education Coordinating Board (THECB), these standards must align with the tri-agency work-based learning strategic framework. Overseeing committees must exclude bargaining agents (unions) representing certified apprenticeable occupations, include a</p>	<p><u>Unfavorable</u></p>

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			<p>member from a community-based organization with job placement experience, and maintain a majority of employer representatives.</p> <p>TWC must publish wage outcome data for apprentices completing training programs on its website and include this information in the unified education and workforce data repository.</p> <p>The commission recognizes apprenticeable occupations based on criteria like high-wage, high-demand jobs, on-the-job training, industry recognition, and related instruction. It sets apprenticeship standards for trades and certifies industry-recognized training or apprenticeship programs. Certification criteria must include high-wage, high-demand employment and commission-determined apprenticeship standards alignment.</p> <p>HB 4411 modifies the "apprenticeship training program" definition, aligning with TWC's recognition of apprenticeable occupations and providing TWC certification as an alternative to Office of Apprenticeship registration and approval. It also updates career and technical education program requirements, offering TWC-certified apprenticeship culmination as an alternative to specific outcomes.</p> <p>HB 4411 excludes union pre-apprenticeship programs, some of which already collaborate with high schools, and requires a majority of employers on apprenticeship committees, preventing union apprenticeships from participating due to their equal representation requirement for workers and employers. For over 80 years, registered apprenticeship programs have provided high-quality education and training to protect workers and promote top-notch work. HB 4411 excludes Department of Labor registered apprenticeship union programs that have been at the forefront of apprenticeship readiness programs.</p>	
<p>HB 791 By: Harrison Vasut Leach</p>	<p>Relating to state agency review of adopted rules.</p>	<p>Judiciary & Civil Jurisprudence</p> <p>5 Ayes, 4 Nays, 0 PNV, 0 Absent</p>	<p>Current law requires state agencies to review each adopted rule no later than the fourth anniversary of the date the rule takes effect, and every four years after that date. Some contend that proper enforcement of the law is not taking place. HB 791 adds a requirement to agency rule reviews to determine and include costs to regulated persons.</p> <p>HB 791 adds the requirement for a state agency review to include an assessment of any cost imposed on a regulated person that subjects the rule to statutory provisions requiring a cost to be offset in the rule adoption process through the repeal or amendment of a different rule. HB 791 requires the state agency to publish each review, including data, work papers and other associated materials. on the agency website. State agencies that fail to complete rule reviews by the date required will have their rule expire and become void and unenforceable the next day. HB 791 also allows people potentially injured by the continued enforcement of a nullified rule to file a civil action to obtain a declaratory judgment against an injunctive relief from the rule's continued enforcement. Actions can be filed in a district court in the person's county of residence or Travis County. Plaintiffs who prevail in the action are entitled to recover reasonable court costs and attorney's fees from the state agency that adopted the</p>	<p><u>Unfavorable</u></p>

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		<p>rule.</p> <p>While HB 791 attempts to better enforce agency rule reviews, the way that it does so is impractical and could be harmful to people. The bill’s provisions that state agency rules would be null and void if they are not reviewed every four years and that court cases could be filed against the state are extremely concerning. While most agencies will most likely comply with these reviews, taking away a regulation of an agency simply because they did not conduct the review could get rid of essential regulations for public safety, environmental protection, or other relevant and important issues. Additionally, HB 791 allows regulated entities to take the state agency to court over expired rules. A better approach could be to require a state agency, such as the Comptroller or Secretary of State, to report any agencies that do not conduct these reviews to the Legislature, allowing this rule to be enforced by the Legislature without potentially harming the public in the process. It is also of note that the fiscal note suggests that HB 791 would have a negative impact of \$11 million impact to the Health and Human Services Commission (HHSC) through the biennium and that civil litigation costs cannot be determined. Furthermore, the state has multiple guardrails in place to monitor agencies, improve efficiency, and ensure that agency operations, including its rules, are for the health, safety, and public benefit of Texas; there is the sunset process, regular audits, the state Office of Inspector General, as well as the Legislature. The Legislature has an opportunity to work with state agencies that implement and modify hundreds of rules each year at the direction of the Legislature, to create thoughtful laws that better enable the agency to serve Texans. Instead, HB 791 is a solution in search of a problem, and further imposes an impractical and costly blanket policy that may harm Texans.</p>	
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