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LSG Floor Report For Major State Calendar – Monday, May 15, 2023

SB 22 By: Springer | Blanco | Creighton | Eckhardt | Hall | Hancock | Hinojosa | Huffman | King | Kolkhorst | LaMantia | Middleton | Paxton | Perry | Schwertner | Whitmire | Zaffirini Sponsor: Guillen | Gerdes	Relating to the establishment of grant programs to provide financial assistance to qualified sheriff's offices, constable offices, and prosecutor's offices in rural counties.	County Affairs 9 Ayes, 0 Nays, 0 PNV, 0 Absent	SB 22 seeks to help improve the productivity of rural sheriff's and prosecutor's offices by establishing office salary assistance grant programs. SB 22 requires the Comptroller to create and administer the Rural Sheriff's Office Salary Assistance Grant Program and the Rural Prosecutor's Office Salary Assistance Grant Program. The Comptroller will establish procedures for a standardized application process, money disbursement, and spending, monitoring compliance, and returning unused funds. Counties applying for either program may submit only one application to the Comptroller per fiscal year. Counties with populations of 300,000 or less qualify for the programs, and the Comptroller must use appropriated funds to award grants. In addition, counties are prohibited from reducing an office's established funding if they are awarded grant funding under these programs. ***Rural Sheriff's Office Salary Assistance Grant Program*** SB 22 provides the breakdown of how much a county receives based on its population via the Rural Sheriff's Office Salary Assistance Grant Program. For example, a county with a population between 50,000 to 300,000 would receive $500,000. A county with a population of less than 10,000 would receive $250,000. In addition, SB 22 provides how grant funding may be used, like providing or increasing the minimum salary for county sheriffs, certain deputies, or certain jailers, hiring additional employees, or funding vehicles, firearms, or safety equipment. Counties are prohibited from using awarded grant money for other prescribed purposes until the county meets the minimum salary requirements identified by SB 22. ***Rural Prosecutor's Office Salary Assistance Grant Program*** SB 22 provides the breakdown of how much a county receives based on its population via the Rural Prosecutor's Office Salary Assistance Grant Program. For example, a prosecutor's office with a jurisdiction with a population between 50,000 to 300,000 would receive $275,000. A prosecutor's office with a jurisdiction with a population of less than 10,000 would receive $100,000. In addition, SB 22 provides how the grant funding may be used, like supplementing a district attorney's, criminal district attorney's, or specific county attorney's salary, increasing the salary of an assistant attorney, an investigator, or a victim assistance coordinator, or hiring additional office staff.	**Favorable**

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			SB 22 could ensure professional law enforcement and legal representation of the people's interests throughout Texas by providing financial assistance to counties.	
SB 1045 By: Huffman Sponsor: Murr | Burrows | Schofield | Vasut | Landgraf	Relating to the creation of the Fifteenth Court of Appeals with jurisdiction over certain civil cases, the compensation of the justices of that court, and the jurisdiction of the courts of appeals in this state.	Judiciary & Civil Jurisprudence 5 Ayes, 4 Nays, 0 PNV, 0 Absent	There are 14 intermediate appellate courts that handle intermediate appeals from trial courts in their respective regions in Texas. These Courts of Appeals (COA) handle a wide range of legal cases, including complex business cases, in their regions. The justices of the COA are selected in district level partisan elections. The elected justices serve six-year terms. The 3rd COA generally handles cases brought by and against the state due to its proximity to the Capitol and state agency headquarters. ***Statewide Jurisdiction*** SB 1045 establishes a 15th COA with statewide jurisdiction (instead of regional jurisdiction like the other COAs). The 15th COA will be held in the City of Austin, which is already covered by the 3rd COA, and is allowed to transact business in any county in the district as the court determines is necessary and convenient. SB 1045 specifies that the 15th COA will consist of a chief justice and of four justices. ***Cases*** SB 1045 gives exclusive intermediate jurisdiction to the 15th COA over matters arising out of or related to civil cases brought by or against the state, including an institution of higher education, a board, commission, department, office, or other agency in the executive branch of the state government. If HB 19 passes and creates specialty business courts in Texas, the 15th COA would have exclusive jurisdiction over appeals from an order or judgment of a business court. The 15th COA would also have jurisdiction over matters in which a party to the proceeding files a petition, motion, or other pleading challenging the constitutionality or validity of a state statute or rule with the attorney general being a party to the case. SB 1045 grants the 15th COA the jurisdiction on any other matter as provided by law. SB 1045 also specifies that only writs that arise out of matters over which the court has exclusive intermediate appellate jurisdiction can be issued. Typically, the Supreme Court reviews caseloads for the 14 appeals courts, and if a court is overburdened, it shifts some cases to another court. This would not be the case with the established 15th COA. SB 1045 prohibits the Texas Supreme Court from equalizing the dockets of the COA by transferring any case or proceeding filed in the 15th COA to another COA. The Texas Supreme Court has been able to equalize the dockets of COA for a long time and that process has been effective, and changing this system may cause issues. ***Judges*** If SB 1045 passes and the 15th COA is created, the initial vacancies in the offices of chief justice and justices of the court shall be filled by appointment. SB 1045 establishes justices will have a base salary of $5,000 less than 120% of the state base salary of a district judge set in the General Appropriations Act. Additionally, SB 1045 specifies	**Unfavorable**

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			that the appellate judicial system fund is established for every COA except the 15th COA. SB 1045 allows a request to transfer an action for Travis County district court to the 15th COA instead of the 3rd COA for certain instances. These include if a declaratory judgments about the validity or applicability of a rule adopted by a state agency that is found by the district court that public interest requires a prompt, authoritative determination of the validity or applicability of the rule and the case would ordinarily be appealed and judicial review of a state agency decision in a contested case where the district court finds that public interest requires prompt, authoritative determination of the legal issues in the case and the case would ordinarily be appealed. Additionally, SB 1045 removes the duties for the 3rd COA on judicial review of final orders, rules, decisions or other actions of the board of the Texas Department of Motor Vehicles relating to the sale or lease of vehicles or manufacturer license plates to the 15th COA. This bill also changes the judicial review of rules for fair competition among electricity providers under the Public Utility Commission of Texas from the 3rd COA to the 15th COA. SB 1045 also lays out the process for transferring cases on September 1, 2024 that were filed on or after September 1, 2023. SB 1045 gives the Texas Supreme Court exclusive and original jurisdiction over challenges to the constitutionality of the provisions in this bill. ***Concerns*** A 15th COA is unnecessary and unconstitutional. There are concerns that SB 1045 may violate the Texas Constitution, which states that Texas be divided into courts of appeals districts and operate within the limits of their respective districts. The court would be allowed to conduct business anywhere in Texas, potentially impeding the business of other established COAs. SB 1045 would also transfer civil appeals involving statewide issues away from other courts of appeals, primarily the 3rd COA in Austin. The existing COAs can handle their caseloads as well as complex legal cases that relate to their districts. Additionally, the Texas Supreme Court equalizes COA dockets and caseloads by transferring cases to other courts, enabling cases to be heard in a timely manner. A 15th COA would take cases away from established courts of appeals where the commission of the action related to the suit occurred, juries from the district are present, and judges were elected in the district. Given that a Democrat has not been elected statewide since 1994, some contend that this bill serves a wholly political purpose to establish a bench of judges favorable to the current dominant majority in the Legislature. Additionally, the bill tracks closely with HB 19, which creates specialty business courts in Texas with judges appointed by the governor. SB 1045 goes against the Texas Constitution and gives extra powers to one COA to the detriment of Texans.	
SB 1648 By: Parker	Relating to the centennial parks conservation fund.	Culture, Recreation & Tourism	Currently, the state leases land from private corporations to create state parks, but there have been instances where the land has been sold to private entities, causing parks to shut down. A dedicated fund for purchasing new land would allow the Parks and Wildlife Department to invest in new parks. S.B. 1648 creates the centennial park conservation fund as a permanent endowment for purchasing real property to create and expand state parks.	**Favorable**

Sponsor: Walle | Holland		6 Ayes, 0 Nays, 0 PNV, 3 Absent	SB 1648 creates the Centennial Parks Conservation Fund. This fund is established by a proposed constitutional amendment and is held outside the treasury by the Texas Treasury Safekeeping Trust Company to manage the fund's assets, acquire investments, and make distributions. The Texas Parks and Wildlife Department (TPWD) will administer the funds for the purpose of creating and improving state parks. TPWD can request a distribution from the fund to acquire real property in Texas for creating and improving state parks. Before acquiring the property, TPWD must submit a request for approval to the Legislative Budget Board (LBB). The request is considered approved if not approved or disapproved within 30 days of submission. SB 1648 prohibits money in the fund from being used in the following ways: • to pay salaries, employee benefits, costs associated with employee benefits, or administration, operating, or program costs of TPWD; or • for the maintenance or operation of state parks. SB 1648 is a legacy investment in the creation and improvement of state parks in Texas.	
LSG Floor Report For Constitutional Amendments Calendar – Monday, May 15, 2023				
SJR 74 By: Parker Sponsor: Walle | Holland	Proposing a constitutional amendment providing for the creation of the centennial parks conservation fund	Culture, Recreation & Tourism 6 Ayes, 0 Nays, 0 PNV, 3 Absent	SJR 74 is the constitutional amendment enabled by SB 1648, which establishes the Centennial Parks Conservation Fund for the creation and expansion of state parks. SJR 74 accounts for a $1 billion transfer from general revenue into the fund. Voters will have the opportunity to approve the constitutional amendment in the November 2023 general election.	**Favorable**
LSG Floor Report For General State Calendar – Monday, May 15, 2023				
SB 267 By: King Sponsor: Burrows | Frazier |	Relating to law enforcement agency accreditation, including a grant program to assist agencies in becoming accredited.	Homeland Security & Public Safety 7 Ayes, 0 Nays, 0 PNV, 2 Absent	Of the over 2,800 law enforcement agencies in Texas, 78% have less than 20 commissioned officers. Although each agency has distinct duties and varying degrees of expertise, they must have similar standards of professionalism and preparation. SB 267 tackles these discrepancies by requiring agencies to receive accreditation and introduces a grant program to aid smaller agencies in accreditation. SB 267 requires the Texas Commission on Law Enforcement to require applicable law enforcement agencies to become accredited and maintain accreditation through accreditation entities identified in SB 267. The entities include the Texas Police Chiefs Association Law Enforcement Agency Best Practices Accreditation Program, the	**Favorable**

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Moody | Shaheen			Commission on Accreditation for Law Enforcement Agencies, Inc., and the International Association of Campus Law Enforcement Administrators. SB 267 provides a timeline for agencies not accredited to initiate a contract with an approved accreditation entity and when they need to be accredited. TCOLE must implement a program to assist law enforcement agencies in becoming accredited. Law enforcement agencies must annually report their accreditation status to TCOLE, and TCOLE must publish all accredited law enforcement agencies or agencies under contract with an accrediting entity on their website. SB 267 requires the Comptroller to create and manage a grant program to provide financial aid to law enforcement agencies with less than 250 peace officers to assist with receiving TCOLE-required accreditation. To qualify, a law enforcement agency must execute a contract and complete an initial assessment with an accredited entity. Then, depending on the assessment's results, a law enforcement agency may request grant funds to reimburse incurred expenses for the accreditation fee, staff overtime, or necessary temporary staffing to become accredited. Awarded grants are capped at $30,000, can only be used for expenses to become accredited, and SB 267 prohibits an agency from receiving more than one grant. SB 267 requires the Comptroller to establish various items necessary to administer the grant program, like eligibility criteria for grant applicants, application procedures, and grant amount guidelines. Regarding procedures for evaluating grant applications, SB 267 establishes there should be a priority given to applications for agencies with less than 100 peace officers. The Comptroller is also responsible for establishing procedures to revoke awarded grants if accreditation is not completed within TCOLE's established timeline. The comptroller must also submit an annual report to the Legislative Budget Board, including which agencies applied for a grant and the awarded amount to each law enforcement agency that received a grant under this program. SB 267 defines "law enforcement agency" for its provisions as an agency that must employ at least 20 peace officers to answer emergency calls, traffic enforcement, or criminal investigations. SB 267 also provides a list of peace officers that apply to its definition, like sheriffs, rangers, and marshals or police officers of a municipality. SB 267 ensures that Texas law enforcement agencies maintain operational standards to enhance their internal operations and public safety. Accredited agencies have accounted that implementing these standards has increased their professionalism and preparation across various areas, from recruitment, HR practices, search and seizure models, and working with the public.	

SB 182 By: Miles Sponsor: Rose	Relating to the required report of criminal offenses committed against individuals receiving certain state agency services; creating a criminal offense.	Human Services 9 Ayes, 0 Nays, 0 PNV, 0 Absent	Employees of the Department of Family Protective Services (DFPS) or the Texas Juvenile Justice Department (TJJD) are not required to report criminal activity committed by fellow DFPS or TJJD employees against individuals receiving services from DFPS or TJJD. SB 182 addresses this issue by requiring DFPS and TJJD employees and contractors to report known criminal offenses conducted by fellow employees and contractors against individuals receiving services from these agencies. SB 182 requires DFPS or TJJD employees or contractors to report any criminal conduct committed by another DFPS or TJJD employee or contractor against a person receiving services from DFPS or TJJD to the Department of Public Safety (DPS). A DFPS or TJJD employee or contractor is subject to a Class A misdemeanor if they knowingly fail to report this conduct. In addition, SB 182 enhances the penalty to a state jail felony if it is shown during the trial that the person intended to hinder an investigation or conceal the criminal conduct. SB 182 ensures that DFPS and TJJD employees and contractors hold their colleagues responsible for criminal conduct committed against the people they serve.	**Favorable**
SB 786 By: Birdwell Sponsor: Darby | Anchía | Morales, Eddie | Guerra	Relating to the regulation by the Railroad Commission of Texas of closed-loop geothermal injection wells.	Energy Resources 8 Ayes, 0 Nays, 0 PNV, 3 Absent	The Railroad Commission of Texas (RRC) oversees geothermal energy activities to protect the environment and the rights of all parties involved. There's a dispute with the Texas Commission on Environmental Quality (TCEQ) over who regulates closed-loop geothermal (Class V injection) wells. SB 786 favors the RRC for jurisdiction over these wells in line with their role in managing geothermal energy development. SB 786 grants RRC sole jurisdiction over closed-loop geothermal injection wells used in geothermal energy production and authorizes the RRC to issue permits for drilling these wells. SB 786 requires individuals to hold valid RRC-issued permits before drilling such wells. SB 786 classifies closed-loop geothermal injection wells as Class V wells under the RRC's underground injection control program. The RRC must also adopt rules to enforce the bill's provisions and regulate closed-loop geothermal injection wells. SB 786 transfers all functions and activities related to regulating closed-loop geothermal injection wells under the Injection Well Act from the TCEQ to the RRC. Additionally, SB 786 would transfer all rules, standards, or forms adopted by TCEQ related to the regulation of closed-loop geothermal wells to RRC. SB 786 would transfer all proceedings involving TCEQ about the regulation of closed-loop geothermal wells without a change in status to RRC. Lastly, all money, contracts, leases, rights, obligations, and property, including records, related to closed-loop geothermal wells, are transferred to RRC. Any money appropriated to the TCEQ for regulating closed-loop geothermal injection wells is also transferred to the RRC. SB 786 states that all permits issued by TCEQ for closed-loop geothermal injection wells before the bill's effective date will remain valid, but the RRC must issue substitute permits to people who hold TCEQ-issued permits. Moreover, TCEQ must transfer all pending applications for closed-loop geothermal injection wells to the RRC within 90 days of the bill's effective date.	**Favorable**

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			SB 786 clarifies and consolidates regulatory oversight of closed-loop geothermal injection wells used in geothermal energy production under the RRC's jurisdiction. SB 786 streamlines the regulatory process and helps ensure that geothermal energy production is conducted safely and efficiently while preserving natural resources and protecting correlative rights.	
SB 1054 By: Nichols Sponsor: Burrows	Relating to requirements for a trial in the contest of an election on a proposed constitutional amendment.	Judiciary & Civil Jurisprudence 5 Ayes, 0 Nays, 0 PNV, 4 Absent	Current law allows a contestant to challenge a constitutional amendment election in court no earlier than the 45th date of the contested election, but does not have a time restriction for the trial to be held. SB 1054 requires that trials relating to contesting constitutional amendment elections are held before the 180th day after the date of a contested election. Additionally, SB 1054 allows trial dates to be held earlier than the 45th day after the date of the contested election if requested by the contestant. If there is an appeal to the contest, the appellate court must ensure that there is a final disposition to the action no later than the 180th day after the date the judgment becomes final. SB 1054 sets a timeline for resolving contested constitutional amendment elections, allowing timely resolutions to propositions before the voters.	**Favorable**
SB 989 By: Huffman Sponsor: Bonnen | Kacal | King, Ken | Rose | Johnson, Ann	Relating to health benefit plan coverage for certain biomarker testing.	Insurance 8 Ayes, 1 Nay, 0 PNV, 0 Absent	Biomarker testing is analyzing a patient's biological samples to identify specific indicators (biomarkers) that help inform diagnosis, prognosis, and treatment decisions. Currently, health insurance coverage for biomarker testing is inconsistent in Texas. SB 989 addresses this by mandating health benefit plans cover biomarker testing for diagnosis, treatment, management, or monitoring of a patient's disease or condition when supported by specific medical or scientific evidence, such as FDA approval, local or national Medicare coverage determinations, national clinical practice guidelines, or consensus statements. SB 989 would apply to a range of health benefit plans offered through an insurance company, like a group hospital service corporation, health maintenance organization (HMO), multiple employer welfare arrangement (MEWA), and a Lloyd's plan. Additionally, to prevent overtesting by medical providers due to insurance coverage, SB 989 only requires a health benefit plan issuer to cover biomarker testing in which there is clear clinical utility. The provisions of SB 989 expand access to biomarker testing with the potential to significantly benefit patients and advance the healthcare system. SB 989 could improve patient care through a more personalized approach to medicine, enabling more informed decisions regarding diagnosis, prognosis, and treatment plans. Furthermore, mandating coverage for biomarker tests alleviates the financial burden on patients, making precision medicine more accessible to Texans. Lastly, leaning into biomarker testing may stimulate research and innovation in the field, creating a path for future breakthroughs and advancements in healthcare.	**Favorable**

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SB 409 By: Hinojosa Sponsor: Leach	Relating to the rights of victims, guardians of victims, and close relatives of deceased victims in the criminal justice system.	Criminal Jurisprudence 9 Ayes, 0 Nays, 0 PNV, 0 Absent	Often, survivors of sexual assault face numerous structural barriers, first in the reporting process itself and then again in the investigation process. During this process, survivors have reported a struggle to get timely updates on the status of their case and a lack of communication from the state on pleas or dismissal. Unfortunately, this has resulted in an incredibly small number of victims coming forward to report. SB 409 seeks to improve this process for survivors. SB 409 extends additional rights to victims, guardians of victims, and close relatives of deceased victims of certain offenses, namely continuous sexual abuse of a young child or disabled individual, indecency with a child, indecent assault, or stalking. The newly expanded rights include the right to be informed about the disposition of the case and to confer with the state's attorney, if requested, concerning the decision not to file charges, the dismissal of charges, the use of pretrial intervention programs, or a plea bargain agreement. SB 409 mandates that any victim, guardian of a victim, or close relative of a deceased victim who wishes to obtain information about the evidence collected during the investigation must provide the state's attorney and relevant law enforcement agency with their current address and phone number. Additionally, they must notify the state's attorney and law enforcement agency of any changes in their contact information. SB 409 will help ensure that victims just beginning their healing process are not further harmed by the state's lack of communication and transparency.	**Favorable**
SB 478 By: Zaffrini Sponsor: King, Ken	Relating to the administration of the motorcycle operator training and safety program and requirements for the issuance of certain driver's licenses and commercial driver's licenses; requiring an occupational license; authorizing a fee.	Licensing & Administrative Procedures 6 Ayes, 0 Nays, 0 PNV, 5 Absent	SB 478 creates qualifications and licensing requirements for motorcycle instructors in Texas. The bill modifies the eligibility criteria for applying for an instructor license by removing the need for completion of a specific program approved by the Texas Commission of Licensing and Regulation (TCLR) and instead requiring completion of an instructor training course approved by the Texas Department of Licensing and Regulation (TDLR). Additionally, SB 478 prohibits TDLR from issuing licenses to individuals with certain driving violations or offenses related to intoxication. SB 478 authorizes TDLR to establish fees for instructor training provider licenses and the approval of motorcycle operation and safety courses. SB 478 also adjusts the composition of the motorcycle safety advisory board, replacing the requirement for a representative to be from the Texas A&M Engineering Extension Service with a member who is an instructor training provider. TDLR is also granted the authority to contract with qualified individuals to conduct motorcycle operator training, safety courses, and research related to motorcycle safety. Under SB 478, TDLR is required to conduct criminal background checks on applicants for instructor licenses or instructor training provider licenses. Non-compliance with the requirements may result in the denial or renewal of the license. TDLR must enter into an agreement with the Department of Public Safety (DPS) to perform the necessary criminal history record checks and permits DPS to recover the costs associated with conducting the checks from the applicants.	**Favorable**

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			SB 478 replaces the previous requirement for motorcycle schools to report on their programs with the authorization to do so, allowing TDLR to specify the required information in the report. Additionally, the bill enables TDLR to require instructor training providers to report on their courses as prescribed by the agency. SB 478 aims to increase the number of trained motorcyclists to potentially reduce the number of motorcycle accidents throughout Texas.	
SB 224 By: Alvarado | Whitmire Sponsor: Leach | Hull | Oliverson | Goldman | Walle	Relating to catalytic converters, including criminal conduct involving catalytic converters; providing an administrative penalty; creating a criminal offense; increasing a criminal penalty; increasing a fee.	Homeland Security & Public Safety 7 Ayes, 0 Nays, 0 PNV, 2 Absent	The 87th Legislature passed HB 4110 which regulated metal recycling by requiring verification of ownership and additional documentation. However, as thefts continue to rise, further legislative action was requested by multiple stakeholders. Theft of catalytic converters has surged by 1,200% between 2019 and 2021, leading to organized and violent crime. These converters have precious metals like rhodium, palladium, and platinum, making them lucrative to thieves. The theft of a converter led to the murder of Deputy Darren Almendarez in Harris County last year, SB 224 is cited as the "Deputy Darren Almendarez Act." SB 224 aims to further deter theft by criminalizing unauthorized possession and increasing penalties. ***Criminal Offenses*** SB 224 amends the state Penal Code and makes unauthorized possession of one catalytic converter a state jail felony offense and enhances the penalty to a third-degree felony for repeat offenders, those involved in a criminal conspiracy, or those who possess a firearm during the commission of the offense. SB 224 establishes the penalty for criminal mischief offenses involving damaging, destroying, or tampering with a motor vehicle during the removal or attempted removal of a catalytic converter. If the resulting pecuniary loss is less than $30,000, the offense will be considered a state jail felony. This is an increase from the previous threshold of $2,500 for such offenses. SB 224 introduces a presumption of guilt, that someone in possession of one or more catalytic converters that have been unlawfully removed from a vehicle committed theft. SB 224 makes all theft offenses involving the theft of a catalytic converter valued less than $30,000 a state jail felony, increasing the penalty for thefts valued at less than $2,500. SB 224 enhances the penalty for any theft that involves a catalytic converter and is punishable as a state jail felony or higher if the actor possessed a firearm during the commission of the offense. ***Metal Recycling Entities*** SB 224 amends the state Occupations Code and modifies the definition of a "metal recycling entity" by removing the requirement for the entity to operate from a fixed location. Instead, SB 224 establishes a new requirement for metal recycling entities to maintain a fixed location where they conduct their metal recycling activities. This means that a metal recycling entity must have at least one fixed location to hold each certificate of registration. If an entity intends to operate at multiple locations, it must obtain a certificate of registration for each fixed	**<u>Will of the House</u>**

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			location. SB 224 requires metal recycling entities to apply for a certificate of registration to operate and demonstrate that they will use a fixed location to conduct qualifying metal recycling activities. SB 224 allows the Public Safety Commission to set varying qualifications for a certificate of registration for metal recycling entities, depending on their involvement in transactions involving catalytic converters removed from motor vehicles. SB 224 requires the DPS to maintain a database of metal recycling entities, including a description of their level of engagement in such transactions, based on the most recent declaration submitted by the entity. SB 224 sets limitations on the purchase or acquisition of catalytic converters by metal recycling entities. SB 224 prohibits metal recycling entities from purchasing catalytic converters removed from motor vehicles from specific entities such as public utilities, telecommunications providers, cable service providers, video service providers, and businesses that sell regulated material as part of their ordinary business, unless certain conditions are met. The person selling the catalytic converter to the metal recycling entity must have acquired it through proper channels. SB 224 mandates that a metal recycling entity must keep an accurate record of every transaction in which they purchase or acquire a catalytic converter removed from a motor vehicle from a qualifying seller. To satisfy this requirement, the record must include a description of the volume of the catalytic converters, the name of the seller, and the transaction date, according to the trade's custom. The record can also meet this requirement if it's maintained according to other laws or routine business practice. SB 224 mandates that a metal recycling entity must keep a record of each catalytic converter transaction and preserve it until the second anniversary of the transaction. SB 224 criminalizes the failure of metal recycling entities to maintain records, and this offense is a Class A misdemeanor. SB 224 allows peace officers, DPS representatives, and representatives of political subdivisions that issue metal recycling licenses or permits to enter the entity's premises during normal business hours and inspect catalytic converter records upon request. ***Entities Involved in Selling, Purchasing, and Repairing Motor Vehicles*** SB 224 prohibits individuals who own a shop or garage that deals with repairing motor vehicles or those who are involved in the business of purchasing or selling used motor vehicles in Texas from buying or selling a catalytic converter that has been removed from a motor vehicle, unless it was removed in connection with the vehicle's repair. Any violation of this prohibition is considered a Class A misdemeanor. ***Motor Vehicle Crime Prevention Authority*** SB 224 modifies the Transportation Code to raise the fee paid by insurers to the Motor Vehicle Crime Prevention Authority from \$4 to \$5 multiplied by the total number of motor vehicle years for policies issued, delivered, or	

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			renewed. An extra dollar out of each fee will be used to fund coordinated efforts to prevent and detect catalytic converter theft and deposited into the general revenue fund. ***Coordination of State Agencies to Detect and Prevent Theft of Catalytic Converters*** SB 224 mandates that the Motor Vehicle Crime Prevention Authority must develop and execute a strategy to coordinate with the DPS, TDLR, and TxDMV. The strategy involves reviewing the records of regulated individuals and responding to suspicious activities involving the purchase, sale, or transfer of catalytic converters removed from motor vehicles. SB 224 allows the authority to create a task force of individuals with significant business experience in catalytic converter transactions and requires their involvement in the development of the strategy, if established. ***Concerns*** Under SB 224, the presumption of guilt for an individual possessing a catalytic converter raises concerns about Constitutional rights, as it places the burden of proving innocence onto the individual instead of prosecutors having to prove guilt. Further, the standard for establishing this presumption of guilt is extremely low. Additionally, SB 224 increases multiple criminal penalties. According to the U.S. Department of Justice, increasing criminal penalties does not always deter crime. Critics suggest that ensuring agencies have the tools to catch criminals is a more effective way to deter crime than increased sentencing after crimes are already committed. Finally, under SB 224 DPS will have the authority to enter repair shops and request records without going through typical search warrant procedures, such as establishing probable cause. Concerns have been raised that this could be taken advantage of to violate the privacy of businesses. SB 224 seeks to take steps towards combating the rising rates of catalytic converter theft in Texas. By increasing penalties for offenders and implementing measures to prevent the insertion of stolen catalytic converters into commerce, SB 224 aims to prevent the financial and physical harm associated with these crimes.	
SB 62 By: Zaffirini Sponsor: Guillen	Relating to posting certain documents and information related to certain real property sales on a county's Internet Website.	County Affairs 9 Ayes, 0 Nays, 0 PNV, 0 Absent	If a county has a website, it must post notice of a foreclosure sale but is not required to include any detail, such as the time and location of the sale. Additionally, there are discrepancies between counties on the required form for a statement of delinquent taxes for the interest in bidding at a tax foreclosure auction. SB 62 seeks to improve these processes by requiring the posting of applicable sale information and the required form to request a delinquent tax statement. SB 62 revises the requirement that a county post a sale notice of real property under a contract lien filed with the county clerk on the county's website that is freely available for public viewing. SB 62 removes the limitation that this requirement only applies to counties that maintain a website and requires this notice to be posted on a page where the county posts other auction information. Additionally, the county must include the sale's date, time, and location in the notice. SB 62 requires the county's assessor-collector to post the required form to request a statement regarding any delinquent taxes owed by a person on the county's website unless the assessor permits a	**Favorable**

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			person to use a form prescribed by the comptroller of public accounts. The county assessor-collector may hyperlink the comptroller's website, where the form may be viewed, instead of posting the form to the county's website. SB 62 would increase sale prospects by providing pertinent information to the public regarding the sale and improve transparency by standardizing the webpages and forms, including for property sales and then necessary delinquent tax statement forms.	
SB 1300 By: Hughes Sponsor: Thompson, Senfronia	Relating to the disposition and removal of a decedent's remains.	Judiciary & Civil Jurisprudence 8 Ayes, 0 Nays, 0 PNV, 1 Absent	There is a discrepancy between who can consent to the removal of a deceased person's remains and who is authorized to control the initial disposition of the remains. This discrepancy causes confusion and potential legal disputes over who can decide on a deceased person's remains. SB 1300 aims to remove this discrepancy and create a uniform understanding of who can provide consent to remove a deceased person's remains. SB 1300 revises the prioritized list of people who must consent to remove a deceased person's remains from a cemetery plot. The revised list will align with the prioritized list of who can control the initial disposition of a deceased person's remains. SB 1300 will make a person identified in a written instrument signed by the deceased person the first priority of who can consent to remove the deceased person from a cemetery plot. SB 1300 specifies that only one of a deceased person's surviving adult children's, parents', or adult siblings' consent is required to remove the person from the cemetery plot. SB 1300 identifies any duly qualified executors or administrators of the deceased person's estate as the sixth priority to provide consent for the removal. SB 1300 helps bring clarity and consistency to handling a deceased person's remains, making it easier for family members and loved ones to navigate this process during a difficult time.	**Favorable**
SB 1246 By: Huffman Sponsor: Bonnen	Relating to authorized investments of public money by certain governmental entities and the confidentiality of certain information related to those investments.	Pensions, Investments, & Financial Services 6 Ayes, 2 Nay, 0 PNV, 1 Absent	The Teacher Retirement System (TRS) pension is the 17th largest pension globally, serving over 2 million active members and retirees. The ability to diversify the TRS investment portfolio has allowed the pension to continue providing annuity checks to their members during the recession and the pandemic. SB 1246 allows TRS to enhance investment returns through repurchase agreements with the comptroller of public accounts, among other investments. SB 1246 is divided into two sections: one serving as a clean-up bill for the comptroller, and the other addressing TRS's investment abilities. ***Texas Trust Company*** Currently, state agencies cannot make direct investments or engage in repurchase agreements. SB 1246 permits such transactions. Repurchase agreements can be executed through registered clearing agencies like the Fixed Income Clearing Corporation (FICC), which allows the Trust Company to enter into repurchase agreements on behalf of the comptroller under the Texas Public Funds Investments Act (PIFA). An investment entity includes state agencies like TRS that may need to comply with the rules of the Federal Securities and Exchange Commission. The bill allows an investing entity to contract with an investment firm	**Favorable with Concerns**

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			registered under the federal Investment Advisers Act of 1940, or authorized by the State Securities Board, to invest the entity's public funds or others in repurchase agreements using a joint account. SB 1246 mandates that the contracted investment management firms are responsible for managing the repurchase agreement using the joint account, as outlined in the legislation. The bill defines a "joint account" as an account maintained by a custodian bank, established on behalf of two or more parties to engage in aggregate repurchase agreement transactions. ***Teacher Retirement System*** TRS holds exclusive authority over purchasing goods and services from the trust fund. However, these acquisitions must still be obtained through approved procurement methods designated by the boards of trustees or their designees. HB 1246 grants TRS the authorization to establish a title-holding entity with the purpose of investing TRS assets in real estate. This entity must be fully owned, organized, and controlled by TRS and hold a 501(c) tax-exempt status. The board of trustees is required to adopt policies for the governance, management, and reporting of a title-holding entity formed to jointly hold real property with a non-TRS trustee, employee, or relative within the second degree of consanguinity or affinity, as defined under Chapter 571. SB 1246 clarifies that a title-holding entity serving as a real estate property is considered a security for investment and reinvestment of TRS assets. This bill grants TRS direct control over real estate investments, eliminating the need for involvement from third parties or other controlling personnel. SB 1246 reinforces the confidentiality of certain information similar to other entities. This includes pre-due or post-due diligence reviews, audits, investigations, the formation of a title-holding entity, or potential real property purchases by such entities, regardless of whether the purchase is completed. Additionally, the bill provides a list of disclosures under public information, such as the title-holding entity's certificate of formation, dates of entity purchases or sales, qualification for federal income tax exemption, the name and location of real estate properties, the entity or tenant's interest, board minutes regarding the recusal of a member related to real estate, and the names of employers or business entities partially or wholly owned by relatives of TRS board members or employees, among other information. The final documentation of real estate sales or other assets will be accessible as public information. However, this bill does not restrict TRS or any individual from disclosing information unless it waives or affects the confidentiality of other title-holding entities or the retirement system's right to assert exceptions to future disclosure. Lastly, SB 1246 eliminates the maximum percentage the board of trustees could set for investing TRS funds in hedge funds. This removes any caps or limits the board of trustee’s power in reducing, sustaining, or increasing the percentage. ***Impact*** There are concerns that removing the 10 percent cap on TRS investments in hedge funds may be too risky. In	

			2021, approximately 65 percent of TRS funding came from investments, 18 percent from state and employee contributions, and 17 percent from current and former educators. Despite not being able to provide cost-of-living adjustments (COLA), TRS has managed to ensure reliable payments to its members. However, investing a significant portion of the fund in gain-sharing could impact TRS's ability to diversify its income. As most TRS funding comes from investments, the board of trustees has a fiduciary responsibility to select investments that offer higher returns. Investing carries inherent risks, particularly if TRS allocates a large percentage to a single portfolio like a hedge fund, without diversifying across multiple portfolios to increase returns and mitigate the risk of negative returns. However, SB 1246 allows for disclosing previously confidential information regarding real estate properties, which is a positive step forward. However, the disclosure list could be expanded further. The bill does not specify how the legislature can ensure accountability of the TRS board of trustees. Nevertheless, TRS has adopted an investment policy statement that mandates assuming low risk on behalf of its members and reporting to the board periodically. This bill could grant TRS more control and power over its investments while increasing transparency for members and non-members. The bill takes effect immediately if it receives a 2/3 vote in each chamber or on September 1.	
SB 1245 By: Huffman Sponsor: Bonnen	Relating to contributions to, benefits from, and the administration of the Judicial Retirement System of Texas Plan Two.	Pensions, Investments, & Financial Services 7 Ayes, 1 Nay, 0 PNV, 0 Absent	The Judicial Retirement System of Texas Plan Two (JRS-2) is managed by the Employee Retirement System of Texas (ERS) and serves over 1,000 active and retired district and appellate judges in Texas. The Legislative Budget Board (LBB) projected that JRS-2 would be depleted by 2069, with an unfunded liability of $89 million. SB 1245 aims to enhance the stability of JRS-2 and shorten its funding period by establishing a cash balance benefit retirement plan for new judges assuming office on or after September 1, 2024. SB 1245 establishes a new cash balance benefit plan within JRS-2, which applies solely to JRS-2 members who become members on or after September 1, 2024, and are not members on the date they assume office. The bill also includes provisions regarding the resumption of full-time judicial service by certain retirees under the existing plan. ***Eligibility*** SB 1245 grants JRS-2 applicants the ability to apply for the cash balance annuity by submitting an application to the ERS board of trustees no earlier than 90 days before the desired retirement date. Members are eligible for retirement and to receive a cash balance annuity if they are at least 60 years old with a minimum of eight years of service credit in JRS-2, or if they are at least 50 years old with a minimum of 12 years of service credit in JRS-2. ***Cash Balance Benefits*** SB 1245 establishes the state match for the standard cash balance benefit as the amount calculated by multiplying the member's accumulated account balance by 150 percent. The bill specifies the formula and requires consideration of the member's life expectancy and other factors adopted by the ERS board of trustees.	**<u>Favorable</u>**

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			"Accumulated account balance" is defined as the total of amounts in a member's individual account in JRS-2, including deductions from the member's compensation, other required member deposits, and interest credited to the account. ***Alternatives to the Standard Cash Balance Benefits*** SB 1245 allows retired JRS-2 members to choose the optional cash balance annuity as an alternative to the standard benefit. If a member selects an optional lifetime cash balance annuity with a beneficiary provision, they must make the selection before the annuity's effective date. The bill outlines provisions for when a member selects the optional cash balance annuity to be paid to one or more beneficiaries within a specific time period. SB 1245 provides five payment options for those electing the optional cash balance annuity. If the beneficiary of an optional lifetime annuity dies before the retiree, the annuity will increase to the standard cash balance annuity the retiree would have received if the optional lifetime annuity had not been chosen. Retirees can change their selection from an optional lifetime cash balance annuity to a standard cash balance annuity if certain conditions related to divorce are met. SB 1245 permits JRS-2 members eligible for the cash balance annuity to choose a standard or optional annuity along with a partial lump-sum distribution. The bill includes provisions regarding distribution, but the lump-sum option does not apply to disability retirement annuities. Under the bill's provisions, the ERS board of trustees is authorized to enter into contracts to provide additional death and disability benefits. ***Contribution*** SB 1245 sets the contribution rate for JRS-2 members who choose the cash balance benefit option at six percent. The state department or agency must deduct this contribution from the member's compensation each payroll period. If a member has served in the military, their state contribution rate differs. The bill mandates that the state contribute an amount in the same ratio as the member's contribution, which will come from the fund. Interest rates accumulate in the pension. SB 1245 establishes a requirement for an annual interest adjustment each fiscal year, depositing an amount equal to four percent of the member's accumulated account balance into their individual JRS-2 account. The bill includes the method for calculating the gain sharing interest rate for JRS-2's investments in cash and securities, as well as directions for computing gain sharing interest adjustments. The gain sharing interest rate adjustment cannot be less than zero or more than three percent. This adjustment applies only to retirees or annuitants receiving a standard or optional cash balance annuity, including alternate payees under qualified domestic relations orders. SB 1245 permits the ERS board of trustees to adopt rules necessary for implementing the bill's cash balance	

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			benefit provisions, including a rule that may prevail in case of a conflict of laws. ***Other Provisions Regarding Cash Balance Group Members*** SB 1245 includes provisions that govern JRS-2 but may not apply to cash balance group members, such as an increase in benefits or an application for service or disability retirement. Under the bill, a JRS-2 retiree who returns to service as a visiting judge in an administrative judicial region can rejoin the retirement system as a member and receive service credit by resuming their service as a judicial officer. However, this can only occur if they have been separated from their judicial service for at least 12 consecutive full months before taking the oath of office. There are additional provisions and procedures for calculating annuity before resuming service. The conditions outlined in this bill will be implemented if the system is actuarially sound based on an actuarial valuation prepared on or after September 1, 2023. The provision for resumption of service must take place no later than the 30th day after the actuarial valuation date. This will determine if the contribution amount of JRS-2 is sufficient to cover normal costs and amortize unfunded actuarial liability within 30 years. There are strict implementation requirements for the bill's provisions on the resumption of service by returning judicial officers. SB 1245 amends the current statute to make JRS-2 cash balance group members eligible to participate in the state employees group benefits under the Texas Employees Group Benefits Act. Additionally, the bill removes the requirement that a member can contribute based on the annuitant's amount of eligible service credit. The bill takes effect immediately if it receives a 2/3 vote in each chamber or on September 1. ***Impact*** SB 1245 creates a new cash balance retirement plan for new state district and appellate judges after September 1, 2023, lowering the fund period and stabilizing the fund long-term.	
SB 1237 By: Flores Sponsor: Geren	Relating to compensation and leave for certain security officers or investigators commissioned as peace officers by the comptroller.	Homeland Security & Public Safety 7 Ayes, 0 Nays, 0 PNV, 2 Absent	The Texas position classification plan ensures fair and competitive compensation for state employees based on their education, experience, skills, and work functions. However, there is a disparity in the salary schedules of peace officers working for the comptroller's office, who enforce tax laws and make arrests for felony tax violations, compared to similar positions in other state agencies. SB 1237 aims to address this discrepancy by moving these officers from Salary Schedule B to Schedule C, providing salary parity across agencies. SB 1237 mandates the comptroller to compensate security officers or investigators commissioned as peace officers according to Schedule C of the position classification salary schedule under the General Appropriations Act. Additionally, the bill requires the state auditor's office to classify these positions as Schedule C under the Position Classification Act, beginning with the 2024-2025 state fiscal biennium. Lastly, SB 1237 extends eligibility for special injury leave to peace officers commissioned by the comptroller, ensuring they receive the same benefits as their counterparts in other state agencies.	**Favorable**

			SB 1237 demonstrates a commitment to fairness and consistency in peace officer compensation across Texas by aligning their salaries and benefits with similar positions in other state agencies.	
SB 1213 By: Zaffrini Sponsor: Goldman	Relating to the establishment of the Mold Assessment and Remediation Advisory Board under the Texas Department of Licensing and Regulation.	Licensing & Administrative Procedures 7 Ayes, 2 Nays, 0 PNV, 2 Absent	SB 1213 creates the Mold Assessment and Remediation Advisory Board to provide guidance and recommendations to the Texas Department of Licensing and Regulation (TDLR) on its mold assessor program. The board would be composed of eleven members, ten with expertise in the mold assessor business and one who represents the public. The presiding officer of the Texas Commission of Licensing and Regulation appoints members to the board who serve for six year terms. SB 1213 ensures that the TDLR will have the technical expertise and industry perspective when setting licensing standards and practices. This bill takes effect immediately if it receives a ⅔ vote in each chamber, or on September 1.	**Favorable**
SB 2032 By: Creighton Sponsor: Buckley	Relating to the adult high school charter school programs.	Public Education 9 Ayes, 0 Nays, 0 PNV, 4 Absent	The 83rd Legislature passed SB 1141, authorizing an adult high school pilot program that allowed adults between the ages of 19 to 50 to receive a high school diploma. The program garnered immense success, graduating a substantial number of students and increasing income, postsecondary enrollment, and employment rates. SB 2032 expands the eligible entities that may operate an adult education program. Currently, only a nonprofit entity may provide an adult education program. SB 2032 expands the entities eligible for a charter to operate an adult education program to include a public school district, an open-enrollment charter, a general academic teaching institution, a public junior college, or a public technical institute. The executive leadership of an eligible entity must include a member with a proven track record of providing educational services to adults facing limited education and training opportunities due to marginalizing circumstances. Entities granted a charter may still contract with a nonprofit for program operations. The commissioner of education may grant up to ten charters for an adult education program, and applications will be open for a 60-day window, starting September 1 of each year. The commissioner must supply the applicable gifts, grants, or donations to an approved charter within 45 days. The commissioner may establish a maximum number of students who may enroll in the program. SB 2032 will continue to enhance economic opportunity for Texans and create a positive generational impact on families.	**Favorable**

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SB 2173 By: Alvarado Sponsor: Dean	Relating to a pilot program for the safe disposal of prescription drugs, including controlled substance prescription drugs.	Public Health 8 Ayes, 0 Nays, 0 PNV, 3 Absent	The National Center for Drug Abuse Statistics reports that prescriptions rank third in substance abuse after alcohol and tobacco. Texas participates in DEA-sponsored National Drug Take-Back Days but has insufficient collection sites, particularly in rural areas. SB 2173 aims to improve accessibility to drug take-back programs by establishing a pilot program and increasing the number of collection sites in Texas. SB 2173 directs the Texas State Board of Pharmacy (TSBP) to establish a prescription drug safe disposal pilot program to increase the number of locations for the safe disposal of unused, unused, or expired prescription drugs. Participating pharmacies must be registered as a U.S. Drug Enforcement Agency (DEA) authorized drug collection site, not subject to state or federal opioid litigation, and meet eligibility requirements as established by the DEA and the TSBP. The TSBP is responsible for developing the application, evaluation, and selection processes and criteria. SB 2173 provides the requirements for the receptacles for the disposal of prescription drugs, including allowing for the anonymous deposit of certain unused controlled substances and that the disposal is at no cost to the user. In addition, under limited circumstances, participating pharmacies may provide users with a pre-addressed mail-back envelope when dispensing a controlled substance prescription. SB 2173 provides applicable expenses for which pharmacies may be reimbursed under the pilot program. The TSBP will directly reimburse participating pharmacies for these costs and offer financial incentives to continue or expand drug collection services. The TSBP must submit a biennial report summarizing the pilot's results and provide recommendations if the pilot should be continued, expanded, terminated, or permanently implemented. SB 2173 allows money appropriated to the opioid abatement account to the TSBP to fund the program. SB 2173 promotes the safe and responsible disposal of unused prescription drugs, reducing the likelihood of substance abuse and environmental contamination by increasing the number of collection sites and facilitating their accessibility, particularly in rural and underserved areas.	**<u>Favorable</u>**
SB 1602 By: Hughes Sponsor: Cain | Vasut | Schofield | Smith | Thompson, Ed	Relating to venue and choice of law for certain actions involving censorship by social media platforms.	Judiciary & Civil Jurisprudence 5 Ayes, 4 Nays, 0 PNV, 0 Absent	SB 1602 builds on HB 20, passed during the 2nd special session of the 87th Legislature, which provides certain censorship protections to Texans if the social media platform has more than 50 million active users a month in the U.S. HB 20, among other things, allows applicable social media users to bring an action against a social media platform for censorship. There are concerns that social media platforms' terms of service allow them to have these cases held in other states that are more beneficial to these companies. SB 1602 specifies that any action brought against a social media platform under Chapter 143A must be brought and maintained in a court in this state and that the laws of this state apply to this action in spite of any other law, contract, venue, choice-of-law provision, or forum selection. SB 1602 in practice would do nothing as Chapter 143A, which allows people or the attorney general to bring a	**<u>Unfavorable</u>**

			cause of action against social media platforms, only applies to those who are within the state of Texas and therefore would be enforced in Texas. Besides being unnecessary, there are concerns that the bill legitimizes HB 20 from the 87th Legislative Session, which attempts to limit private businesses ability to control their own content based on claims that social media platforms censor certain viewpoints. Although HB 20 was found constitutional by the 5th Circuit Court of Appeals last year, it set a dangerous precedent of government overreach into private business practices. SB 1602 builds on that precedent.	
SB 1429 By: Hinojosa Sponsor: Herrero	Relating to the use of standardized examinations by a school of nursing or educational program.	Higher Education 6 Ayes, 0 Nays, 0 PNV, 5 Absent	In 2017, the Texas Board of Nursing enacted Board Education Guideline 3.7.4a to alleviate concerns from students, parents, and policymakers on how some nursing schools used outside vendor-created exams. Several nursing schools integrated standardized exams by outside vendors into their curriculum and utilized the exam results to determine graduation, a requirement for students to register for the National Council Licensure Examination (NCLEX) to become a licensed nurse. SB 1429 codifies Guideline 3.7.4a by requiring the board to create rules that limit the use of outside exams. SB 1429 requires the board to create rules on how nursing schools or educational programs in Texas use standardized exams created by private organizations. The board must prohibit using standardized exams as a requirement for graduation or as justification to deny students an affidavit of graduation. The board's rules must state that a score on a standardized exam cannot be worth more than 10% of a course grade for any course in a nursing school or educational program. The rules established by the board may only permit the use of standardized exams for specific purposes: helping students become familiar with computerized testing; assessing potential or enrolled students for admission criteria and identifying strengths, weaknesses, and academic difficulties for remediation; or assessing the effectiveness of the nursing school or educational program by providing trend data student performance and mastery of content or the efficacy of specific courses and curriculum. If a nursing school identifies a student in need of academic remediation based on a standardized exam, they cannot force the student to take any course offered by the entity that created the exam. A nursing school may receive disciplinary action due to noncompliance with the board's rules, including losing its approval status. By codifying already established rules regarding the permissible uses of outsourced examinations, nursing students will have greater transparency and uniformity of graduation requirements.	**Favorable**
SB 1444 By: Zaffirini | Eckhardt	Relating to the public retirement systems for employees of certain municipalities.	Pensions, Investments, & Financial Services 8 Ayes, 0 Nay,	The City of Austin Employees' Retirement System (COAERS) has an amortization period of 34 years, which exceeds the funding guidelines set by the Pension Review Board. State law requires systems that are outside the guidelines for three consecutive years to develop a Funding Soundness Restoration Plan (FSRP) with the plan sponsor. At its current pace, COAERS is on track to trigger such a plan in 2024. SB 1444 establishes a comprehensive framework between COAERS and its sponsor, the City of Austin, to ensure actuarial soundness in the system. SB 1444 is a proactive measure to ensure the long-term financial stability of	**Favorable**

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Sponsor: Bucy		0 PNV, 1 Absent	the Austin city employee system.	
SB 944 By: Kolkhorst Sponsor: Lambert	Relating to the commitment order for individuals with intellectual disabilities who are committed to state supported living centers.	Judiciary & Civil Jurisprudence 5 Ayes, 0 Nays, 0 PNV, 4 Absent	A person may not be committed to a State Supported Living Center (SSLC) unless an interdisciplinary team recommends it and shows that (1) the proposed resident has an intellectual disability, (2) is a substantial risk of harm to themselves or others or that their basic physical needs are not able to be provided, (3) placement in the least restrictive living setting able to provide adequate care, and (4) the residential care facility providing appropriate services for the proposed resident's needs. Currently, an interdisciplinary team provides all required information to verify that SSLC placement is warranted. There have been complaints that this process is inefficient, time intensive, and sometimes denies proposed residents that meet qualifications. SB 944 aims to allow proposed residents to be committed to long-term placement in an SSLC without a recommendation from the interdisciplinary team. SB 944 allows a court to authorize the long-term placement of a proposed resident in a residential care facility without an interdisciplinary team recommendation if a proposed resident's parent or guardian files a petition to commitment and the court determines that the proposed resident satisfies the legal requirements for commitment beyond a reasonable doubt. There are concerns that SB 944 may violate the due process rights of the person committed. SB 944 provides that a court can find commitment is appropriate based on a petition of a guardian or parent that alleges the commitment criteria have been met and removes the explicit requirement that evidence be presented showing the commitment criteria have been met. Although it does not appear to be the intent of the bill to remove this requirement, without an explicit reference to evidence the commitment criteria are met, the bill may serve to unintentionally violate due process rights. While it is important to get these individuals essential services as quickly as possible, it is also important to ensure that these services are actually required and warranted before committing someone to an SSLC. However, the court must still determine, beyond a reasonable doubt, that a proposed resident meets all the requirements for commitment. SB 944 creates an alternative option to evaluate criteria of a proposed SSLC resident.	**Favorable with Concerns**
SB 780 By: Hughes Sponsor: Hefner	Relating to emergency possession of certain abandoned children by designated emergency infant care providers.	Human Services 8 Ayes, 1 Nay, 0 PNV, 0 Absent	Texas has a "safe haven" law to address infant abandonment, but there is still a concerning rate of infants being illegally abandoned in Texas. A response to this situation has been newborn safety devices, i.e. "baby boxes," which provide a safe option for anonymous surrendering of an infant. SB 780 seeks to address the extreme increase in infants being illegally abandoned throughout Texas by adding entities to the list of emergency infant care providers. SB 780 adds a full-time local government fire department or a full-time county or municipal law enforcement agency to the entities classified as designated emergency infant care providers. SB 780 authorizes designated emergency infant care providers to take possession, without a court order, of a child being surrendered under the	**Favorable**

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			Safe Haven law if the child is left with a provider's employee or in the provider's newborn safety device. SB 780 authorizes designated emergency infant care providers to install a newborn safety device in their facility if it is located inside the facility, visible to staff, and has an alarm system to notify employees when a child is placed in it. The provider must also develop procedures to regularly check the device's alarm system to ensure it is operational. SB 780 can help increase the safe surrendering of infants by individuals who, for various reasons, may not be ready to care for the child. However, this situation is a direct consequence of the current restrictions on reproductive rights. SB 780 is merely a band-aid to a deeper issue in Texas.	
SB 745 By: Kolkhorst | Campbell | Hall | Schwertner | Sparks Sponsor: Noble	Relating to fraud prevention under certain health care programs.	Human Services 8 Ayes, 0 Nays, 0 PNV, 1 Absent	Texas taxpayers fund non-Medicaid healthcare programs like the Children's Health Insurance Program (CHIP) or the Healthy Texas Women program. However, these programs are not within the Office of the Attorney General's (OAG) scope of oversight and fraud prevention measures like Medicaid programs. SB 745 seeks to expand the scope of the Texas Medicaid Fraud Prevention Act to include CHIP and the Healthy Texas Women program and to allow for the OAG to investigate fraud cases within these programs. SB 745 expands the scope of the Texas Medicaid Fraud Prevention Act to include CHIP and the Healthy Texas Women program operated by the Health and Human Services Commission (HHSC). SB 745 makes conforming changes to reflect this expansion, like changing the terms used in the act from "Medicaid program" and "Medicaid recipient" to "health care program" and "health care recipient." Additionally, SB 745 allows for delayed implementation if a federal waiver or authorization is needed. SB 745 ensures that taxpayer-funded healthcare programs, beyond just Medicaid, receive the necessary safeguards to detect and prevent fraudulent activities.	**Favorable**
SB 1145 By: West Sponsor: Talarico | Button | Bernal | Johnson, Julie | Goodwin	Relating to a local option exemption from ad valorem taxation by a county or municipality of all or part of the appraised value of real property used to operate a child-care facility.	Ways & Means 9 Ayes, 2 Nays, 0 PNV, 0 Absent	SB 1145 is the enabling legislation for SJR 64. Across the state, childcare providers are negatively impacted by inflationary costs impacting everything from food to utilities to rent. This has caused many childcare centers to fail and forcibly close their doors. According to Children at Risk, Texas lost 21% of its childcare providers in 2021, and around 242 Texas communities have been classified as childcare deserts, directly impacting at least 48% of Texans. SB 1145 allows municipalities and counties to provide property tax relief to eligible child-care facilities, allowing these facilities to redirect money to other expenses. SB 1145 creates a tax exemption that a county or municipality can adopt for all or part of the appraised value of real property used for a child-care facility. Under SB 1145, eligible individuals would be entitled to a tax exemption from the applicable county or municipality for all or part of the appraised value of the real property that the person owned and operated as a qualifying child-care facility. In addition, an individual could also receive a tax exemption for the portion of real property the person owned and leased to a person who used the	**Favorable**

			property to operate a qualifying child-care facility. The governing body of a county or municipality may adopt the exemption as a percentage, but this percentage could not be less than 50% of the property's appraised value. To qualify for the exemption, the property must be exclusively used to provide developmental and educational services for children attending the facility and be necessary for the facility's operation. The exemption would not be revoked if a portion of the property is used for functions outside of what is outlined but incidentally provides for developmental and educational services to children and is beneficial to the children or the facility's faculty and staff. Further, the exemption would not apply to property used for these other functions. A person claiming an exemption under SB 1145 must include an affidavit certifying to the chief appraiser of the applicable appraisal district that the person informed the facility how much their property taxes would be reduced and the method and amount by which rent was reduced. The affidavit must also certify that the person did not charge rent for the lease in an amount exceeding the rent charged to other tenants of similar spaces or a comparable property's average rent. In addition, SB 1145 prohibits someone from claiming a property tax exemption under its provisions if the person claims the property for a homestead exemption or if any part of the property is used as a principal residence for another person. SB 1145 can provide critical relief to Texas childcare providers and the expenses associated with a property. Money saved from this relief can be reallocated to staff wages, operational costs, or facility improvements, leading to better childcare services for Texas communities.	
SB 1155 By: Menéndez Sponsor: Allison	Relating to continuation and operations of a healthcare provider participation program by the Bexar County Hospital District.	County Affairs 8 Ayes, 1 Nay, 0 PNV, 0 Absent	The Bexar County LPPF is set to expire on December 31, 2023. SB 1155 extends Bexar County's LPPF authority to December 31, 2027. In Texas, certain county hospital districts are authorized to create Local Provider Participation Funds (LPPF) to draw down essential federal dollars to provide services. SB 1155 also permits the district to charge interest and penalties on late mandatory payments for the program. The amount cannot exceed the maximum amount the district is authorized to charge for other late payments.	**<u>Favorable</u>**
SB 895 By: Johnson Sponsor: Lambert | Ashby	Relating to the regulation of money services businesses; creating a criminal offense; creating administrative penalties; authorizing the imposition of a fee.	Pensions, Investments, & Financial Services 6 Ayes, 1 Nay, 0 PNV, 2 Absent	The Money Service Act of 2005 set rules for licensing and regulating money transmission businesses. As online money transmission increases, concerns about inconsistent compliance among states increase accordingly. SB 895 aims to update and streamline regulations to accommodate the increasing number of money transmitters within Texas and nationwide. The Conference of State Bank Supervisors, regulators, industry stakeholders, and licensed money transmitters collaborated to create the Money Service Modernization Act (MSMA). SB 895, or the MSMA, replaces the Money Service Act to modernize regulations. The bill aims to protect the stability of the money transmission industry, safeguard consumers, and prevent financial crimes like terrorist funding, drug trafficking, and money laundering. It updates definitions, licensing, and regulations for money	**<u>Favorable</u>**

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			transmitters and currency exchange services. However, it doesn't authorize the creation of digital currency or restrict the use of paper currency. ***Administrative and Implementation Provisions:*** SB 895 establishes that the Texas Department of Banking will administer the bill's provisions. The Finance Commission of Texas is responsible for adopting rules, collecting fees and costs to operate the department, and administering applicable law. The banking commissioner of Texas, or their designee, is allowed to enter into agreements with federal and state officials, regulatory agencies, and associations to share information on standardizing methods outlined in the bill. The commissioner would be permitted to conduct investigations to enforce or administer the bill's provisions, including subpoenaing witnesses, taking evidence, and requiring the production of relevant documents. SB 895 provides confidentiality and exempts necessary information from public information laws for reports obtained by the commissioner from applicants, money services, or authorized delegates. The commissioner can participate in multistate supervisory processes for money services licensed in Texas and other states. Money service licensees, authorized delegates, or a person who engages in a regulated activity requiring a license under the MSMA is considered under the jurisdiction of Texas courts for all applicable actions. ***Money Services Licenses*** SB 895 prohibits individuals or corporate entities from engaging in money transmission, currency exchange, or advertising without a license under the MSMA. Money transmission and currency exchange licenses cannot be transferred or assigned. The MSMA lists exemptions from this prohibition, including federally insured depository financial institutions, offices of international banking corporations, or employees of money services licensees. The commissioner may require someone to submit the necessary documentation or information to verify exemption status. A currency exchange licensee can operate at one or more locations in Texas owned directly or indirectly under a single license. SB 895 provides application requirements for a money services license and other requirements for different types of businesses. Applicants and those in control of current or potential licenses must submit fingerprints for a national background check, along with personal history and experience. SB 895 provides deadlines for when licenses are to be issued and timelines for appeals to the commissioner's decisions. Finally, the bill outlines applicants' requirements to be licensed for money transmission in Texas. ***Acquisition of Control*** Under the MSMA, a person or group seeking control of a money services license must obtain approval from the banking commissioner of Texas before acquiring control. SB 895 provides how these entities can apply for such approval and the timeline in which the commissioner may decide before it is automatically approved. SB 895 also	

			provides for an appeals process if the person or group wishes to challenge the commissioner's denial of their application. SB 895 provides exceptions to this provision, such as if the person has a previously approved application by the commissioner or a state agency accredited by the CSBS and Money Transmitters Regulators Association. ***Reporting and Records*** SB 895 requires money service licensees to submit certain quarterly and annual reports to the commissioner. A money transmission licensee must submit quarterly reports of conditions and authorized delegates. SB 895 provides reporting timelines for money service licensees aware of being subject to civil or criminal actions or filing for bankruptcy or reorganization. Licensees and authorized delegates must file all reports required by federal currency reporting, record keeping, and suspicious activity reporting. SB 895 outlines the required records to be maintained by licensees for at least five years, including general monthly ledgers containing all asset, liability, capital, income, and expense accounts. ***Authorized Delegates*** SB 895 requires money transmission licensees to complete specific actions before conducting business through an authorized delegate or allowing a person to act as an authorized delegate. They must adopt or update necessary policies and procedures to ensure the delegate complies with applicable state and federal law, enter into a contract appointing an authorized delegate who meets the requirements under SB 895, and conduct risk-based background investigations to determine if the delegate has complied or will comply with state and federal law. If a licensee has their license suspended, revoked, surrendered, or expired, then the authorized delegate must immediately cease transmission services. An authorized delegate may not use a subdelegate to conduct money transmission on behalf of a money transmission licensee. ***Timely Transmission, Refunds, and Disclosure by Money Transmission Licensees:*** SB 895 requires money transmission licensees to forward all money received for transmission according to the agreed-upon terms with the sender unless fraud or another crime is suspected. If there is suspected fraud or other illegal activity, SB 895 provides the required actions to be done following such a determination. Money transmission licensees must refund any money received for transmission upon request within ten days of receiving the request, with certain exceptions. SB 895 outlines the required information to be included on receipts for senders, including the name of the sender and recipient, the transaction date, and unique identifying information for the transaction. SB 895 allows for exceptions to the receipt requirements as well. ***Prudential Standards & Enforcement*** MSMA requires a money transmission licensee to maintain a minimum net worth depending on the total assets. In addition, a money transmission licensee must maintain security consisting of a surety bond, amounts varying	

			depending on the total assets. Finally, a money transmission licensee must maintain permissible investments with a market value of at least the total amount of its money transmission obligations. Additionally, there are updates to the definitions of "control" and "key individuals" in the MSMA. Finally, SB 895 grants the commissioner authority to exempt a licensee from net worth requirements, wholly or partially, upon showing good cause. SB 895 retained the same enforcement provision in the repealed Money Service Act, including injunctive relief, cease and desist orders for unlicensed individuals, consent orders, and a range of criminal penalties, including a third-degree felony offense. In addition, SB 895 grants the commissioner the authority to revoke a license if it is found that the licensee fails to comply with the security requirements stipulated in this bill. Further, it clarifies the suspension and revocation provisions concerning authorized delegates. SB 895 demonstrates the ability to establish nationwide or multi state standards for licensing and regulation that can be enacted in Texas under the provisions of this bill ***Transitional, Conforming, and Released Provisions:*** If a license was issued under the Money Service Act in effect on September 1, 2023, it may remain valid under the repealed bill until September 1, 2024. However, license holders must fulfill the requirements of the new bill to maintain their licenses. The Finance Commission of Texas has the discretion to establish rules ensuring a smooth transition to licensing and regulation under the new bill. SB 895 is modeled after legislation to establish similar nationwide standards. It is the product of collaboration between state and federal entities, private stakeholders, and industry experts. SB 895 is necessary to catch public policy up to modern realities.	
SB 922 By: Hughes Sponsor: Orr | Rogers | Frazier | Harris, Cody	Relating to legislative leave for certain peace officers commissioned by the Parks and Wildlife Department	Culture, Recreation & Tourism 6 Ayes, 0 Nays, 0 PNV, 3 Absent	State troopers can pool up to eight hours of personal leave for legislative purposes. SB 922 aims to grant Parks and Wildlife Department (TPWD) commissioned peace officers to receive the same legislative leave as state troopers. SB 922 requires the TPWD executive director to allow TPWD-commissioned peace officers to voluntarily transfer a maximum of eight hours of compensatory time or annual leave per year to a legislative leave pool. In addition, SB 922 allows a TPWD-commissioned officer to use time contributed to the legislative leave pool if it is used on behalf of a law enforcement association, if it is related to the officer's employment with TWDP, and if the association has at least 150 active or retired members and is governed by a board of directors. The TPWD executive director must transfer time from the leave pool to the officer and credit them for the time. For an officer to withdraw time from the leave pool, they must coordinate with and have the consent of the	**Favorable**

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			president of the applicable law enforcement association. In addition, SB 922 provides how many hours can be used during specific intervals. SB 922 provides peace officers commissioned by the Parks and Wildlife Department (TPWD) with equivalent legislative leave rights as state troopers.	
SB 1725 By: Hughes Sponsor: Leo-Wilson	Relating to the expunction of certain convictions or arrests of a minor for certain alcohol-related offenses.	Criminal Jurisprudence 9 Ayes, 0 Nays, 0 PNV, 0 Absent	The current statute regarding arrest records of minors is interpreted only to allow the expunction of one charge related to alcohol. This becomes problematic when often, youth are charged with more than one offense for a single interaction with law enforcement, such as public intoxication, minor in possession, and open container. Although, in this instance, all of the offenses occurred at once, the minor would still only be eligible for the expunction of one of the said offenses. SB 1725 seeks to address this by providing for the expunction of an entire record for offenses that occurred simultaneously in certain circumstances. SB 1725 would authorize a court, upon certain findings, to order documents related to the arrest of a minor regarding alcohol-related offenses to be expunged, including if there were multiple violations related to the event. SB 1725 would provide for fair expunction of records regarding a single event and allow for youth to move on without an arrest record following them.	**<u>Favorable</u>**
SB 1768 By: Creighton Sponsor: Bryant	Relating to the correction or removal of certain obsolete provisions of the Property Code.	Judiciary & Civil Jurisprudence 8 Ayes, 0 Nays, 0 PNV, 1 Absent	SB 1768 cleans up references in the current property code made to outdated statutes and outdated agencies. SB 1768 makes minor changes to the Property Code by eliminating outdated references to: ● the Texas Residential Construction Commission Act; ● Vernon's Texas Insurance Code; ● the Texas Non-Profit Corporation Act; ● the Cooperative Association Act; and ● the Community Homes for Disabled Persons Location Act. Additionally, it removes the requirement for sellers of residential real estate that are exempt from the former Texas Residential Construction Commission Act to give a notice to the purchaser regarding the non applicability of certain warranties. This bill also repeals several provisions of the Property Code, including disclosure of absence of certain warranties, the definitions of “commission” and “third-party inspector”, notice and offer of settlement, and a line of the disclosure statement. HB 3422 removes outdated language that references statutes and agencies that no longer exist.	**<u>Favorable</u>**

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