



# Texas Legislative Study Group

An Official Caucus of the Texas House of Representatives

Chair, Rep. Armando L. Walle  
 Co-Vice Chair, Rep. Ana Hernandez  
 Co-Vice Chair, Rep. Yvonne Davis  
 Secretary, Rep. Victoria Neave Criado  
 General Counsel, Rep. Lina Ortega

STEERING COMMITTEE

Rep. Rafael Anchia	Rep. Armando 'Mando' Martinez
Rep. Toni Rose	Rep. Rhetta Andrews Bowers
Rep. Nicole Collier	Rep. Carl O. Sherman Sr.
Rep. Julie Johnson	Rep. Sergio Muñoz Jr.
Rep. Abel Herrero	Rep. Mary E. González
Rep. Chris Turner	Rep. Diego M. Bernal
Rep. Gina Hinojosa	

## Part 1

### LSG Floor Report For Major State Calendar – Tuesday, May 23, 2023

<p><b>SB 2424</b></p> <p>By: Senator Birdwell</p> <p>Sponsor: Hefner</p>	<p>Relating to illegal entry into this state from Mexico by a person who is not a citizen or legal permanent resident of the United States; creating criminal offenses.</p>	<p>State Affairs</p> <p>8 Ayes, 2 Nay, 0 PNV, 3 Absent</p>	<p>Texas is currently dealing with a significant problem at its border, with many encounters between migrants and the U.S. Customs and Border Protection. Texas has invested time and resources into Operation Lone Star (OLS), initiated in March 2021 along the Texas-Mexico border, to address the situation. SB 2424 aims to enhance border security enforcement by introducing a new criminal offense that will be enforced by law enforcement officials in Texas.</p> <p>SB 2424 creates a Class B misdemeanor for illegal entry from Mexico for a person who is neither a U.S. citizen nor a legal permanent resident and crosses or attempts to cross the border anywhere other than a port of entry as defined by the bill. SB 2424 enhances the offense to a state jail felony if it is demonstrated that an individual has prior convictions for this offense. In place of arrest, peace officers are authorized to remove a person detained for illegal entry from Mexico to collect identifying information about the person, transport them to a port of entry, and order the individual to return to Mexico. If a person refuses to comply with the order to return to Mexico, they would be charged with a second-degree felony. DPS law enforcement officers who arrest individuals for illegal entry from Mexico must, as feasible, detain them in a facility established under OLS or a similar state border security program. SB 2424 prohibits courts from abating the prosecution of illegal entry from Mexico based on the determination that an individual's immigration status is pending.</p> <p>SB 2424 requires local governments to cover the court costs, damages, and attorney's fees awarded against an employee of that local governmental entity if the damages were from the employee enforcing the bill's criminal provisions during the course and scope of their employment. If a qualifying public servant performing their responsibilities for an agency, institution, or department causes payable damages due to their actions or omissions, the state shall cover the expenses. SB 2424 requires counties to adopt an order that protects elected or appointed county officials from personal liability for the loss of county funds or personal property damages if the occurrence happened while they were performing their duties while enforcing this bill and was not a result of negligence or criminal action. SB 2424 establishes the legislative intent that its provisions are severable and that if any application of the bill to any person, group of people, or circumstances is found invalid for any reason by a court, then the remaining applications to all other people and circumstances are severed and may not be affected.</p>	<p><b><u>Unfavorable</u></b></p>
--------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

			<p><b>Concerns</b>                  SB 2424 makes it a crime for people to seek safety through a legal process. The first step to seeking asylum is to set foot on U.S. soil. Further, asylum seekers may be forced to cross outside designated ports because of violence targeted against the camps of these individuals waiting for appointments. There is concern about conflict with federal law as SB 2424 does not exempt individuals actively following the process established by federal immigration law to apply for legal status from prosecution of the offense. Additionally, SB 2424 can criminalize immigrants brought here as children who qualify for Deferred Action for Childhood Arrivals (DACA).</p> <p>Another concern is how widespread the impacts of SB 2424 can be. SB 2424 does not specify if all Texas peace officers, regardless of where they are in the state, have the authority to make these arrests. Additionally, it allows Texas peace officers to deport individuals through the ability to transport individuals to ports of entry and order them to return to Mexico. Courts will become burdened by the volume of cases which will interfere with prioritizing other, more severe cases. Lastly, there is a need to consider how these criminal offenses will impact an individual’s asylum or naturalization applications.</p> <p>SB 2424 will legitimize OLS by requiring DPS officers to confine individuals arrested for the offense created by the bill in a facility created for OLS. Lastly, criminal offenses related to entry and reentry are not an effective deterrent for migration. SB 2424 will continue diverting taxpayer funds and law enforcement resources to ineffective border measures.</p>	
<p><b>SB 9</b>                   By:                  Creighton                    Bettencourt                    Campbell                    Hinojosa                    Huffman                    King                    Middleton                    Parker                    Paxton                    Springer                   Sponsor:                  Dutton</p>	<p>Relating to the rights and certification of public school educators, including financial and other assistance and waivers provided to public schools by the Texas Education Agency related to public school educators, methods of instruction provided in public schools, and certain allotments under the Foundation School Program.’</p>	<p>Public Education                   13 Ayes,                  0 Nays,                  0 PNV,                  0 Absent</p>	<p>Texas public schools are facing a teacher shortage that has impacted learning in our classrooms. SB 9 seeks to increase support for teachers by making significant changes in the recruitment, retention, and preparedness of Texas teachers.</p> <p><b><i>Duty Calendar</i></b>                  SB 9 updated the current employment policy, requiring the district to provide a duty calendar for the beginning of the school year. The policy must also outline the amount of salary reduction for unpaid leave for a classroom teacher, full-time counselor or librarian be determined by employee's annual salary by the number of days the employee is expected to work for that school year as provided by the district's duty calendar.</p> <p>The school district's board of trustees must adopt and provide a calendar to each classroom teacher, full-time counselor, and librarian at least 45 days before the first instructional day of the school year. The calendar should outline the expected workdays for each employee, including days with duties beyond the instructional day exceeding 30 minutes. A school district cannot mandate these employees to perform duties exceeding 30 minutes outside the instructional day for more than two days per month. Unless a separate contract or agreement is established with additional compensation, the district cannot require supplemental duties. Furthermore, coercion of classroom teachers, full-time counselors, or full-time librarians into such contracts or agreements is prohibited.</p>	<p><b><u>Will of the House</u></b></p>

			<p><b>Teacher Position Data Collection</b>                  The agency will gather data from schools regarding the recruitment and retention of classroom teachers. This includes information about vacant teaching positions such as classification, grade level, subject area, duration, and other relevant details. The data collection may utilize the Public Education Information Management System (PEIMS) or another reporting mechanism specified by the agency.</p> <p><b>Waiver or Payment of Certain Examination and Certification Fees</b>                  A person applying for a certification to teach shall have their certification examination fee for the first attempt and any fee associated with the application for certification waived by the board. The board is responsible for paying the vendor's fee for the initial administration of a certification examination required for teaching.</p> <p><b>Educator Preparation</b>                  An educator preparation program, including an educator preparation program offered by an institution of higher education may not include instruction that incorporates the method of three-cueing into foundational skills reading instruction for kindergarten through third grade.</p> <p>The board shall propose rules to ensure that a candidate for certification enrolled in an educator preparation program receives a minimum of five candidate observations during a school year for field-based experience. This applies to candidates who are employed by a district of innovation with a local innovation plan that exempts the district from the requirements for the certification of educators employed by the district, do not hold a teacher intern certificate or a probationary certificate, and take the subject matter examination within six weeks of starting teaching at the district of innovation.</p> <p>The bill allows a candidate for certification to receive a standard certificate if they meet the requirements for field-based experience and fulfill all other eligibility criteria for a standard certification as mandated by the State Board for Educator Certification (SBEC) and prohibits the issuance of a teacher intern or probationary certificate to such candidates.</p> <p><b>Prohibited Sanctions for Teachers Leaving Employment</b>                  SB 9 protects teachers from sanctions by the SBEC if they resign from their position without following the contractual resignation procedures, provided that the non-compliance was due to specific circumstances. These circumstances include the teacher or a close family member facing a serious illness or health change, the teacher relocating due to their spouse or partner changing jobs, significant changes in the teacher's family needs requiring relocation or employment adjustment, or the teacher having a reasonable belief of receiving written permission to resign from the school district.</p>	
--	--	--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

<p><b>Updated Local Optional Teacher Designation Systems and New Grant Program</b>                  SB 9 creates the "acknowledged teacher" designation for classroom teachers, which can be granted by a district or charter school for a five-year period based on appraisal results from a local optional teacher designation system. The bill also replaces the "recognized" designation for classroom teachers with a National Board Certification (NBC), now called "nationally board certified." A school must update the designation of a teacher to align with the changes introduced by the bill and any subsequent increase in funding to reflect the teacher's updated designation. SB 9 broadens Texas Education Agency's (TEA) responsibilities in offering technical support to districts and charter schools implementing local optional teacher designation systems. TEA must now provide system examples, apply performance standards set by the commissioner, support test analysis, and enhance communication and promotion efforts.</p> <p>SB 9 mandates TEA to create and manage a grant program for local optional teacher designation systems. The program aims to support eligible districts and charter schools by providing funding and technical assistance, promoting system implementation, and expanding the number of eligible teachers. Grants will be tailored to meet district needs and enhance regional leadership capacity. The commissioner has the authority to establish and administer rules for the program.</p> <p><b>Employed Retiree Teacher Reimbursement Grant Program</b>                  SB 9 mandates the commissioner to establish and administer an employed retiree teacher reimbursement grant program. The program provides funds to reimburse districts or charter schools for the increased Teacher Retirement System (TRS) contributions associated with hiring retired teachers who retired before September 1, 2022. The bill authorizes the legislature, in appropriating money for the grants, to provide for, modify, or limit amounts appropriated for that purpose in the General Appropriations Act. This includes setting a different retirement date for teacher eligibility and limiting eligibility based on factors such as certification, subject, grade, geographic area, or student population, including students with disabilities.</p> <p>If the number of grant applications from eligible schools exceeds the available funds, the commissioner must proportionally reduce the amount awarded to each district or school. The bill allows schools to use the funds for required payments under Government Code provisions related to employer contributions for employed retirees under TRS. It also repeals the provision that makes reporting employers responsible for contribution payments and prohibits passing the cost on to retirees through any means of cost recovery.</p> <p><b>Teacher Quality Assistance</b>                  SB 9 requires TEA, from funds appropriated or otherwise available for the purpose, to develop training for and provide technical assistance to schools regarding the following: strategic compensation, staffing, and scheduling efforts that improve professional growth, teacher leadership opportunities, and staff retention; programs that encourage high school students or other members of the community in the area served by the district to become</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

teachers, including available teacher apprenticeship programs; and programs or strategies that school leaders may use to establish clear and attainable behavior expectations while proactively supporting students.

SB 9 mandates that TEA utilize allocated funds to create training and offer technical assistance to schools, including improving professional growth, teacher leadership, and staff retention through strategic compensation, staffing, and scheduling efforts; promoting programs that encourage community members, particularly high school students, to pursue teaching careers, including teacher apprenticeship programs; and provide guidance on establishing behavior expectations and supporting students for school leaders. TEA must provide grants to schools to implement those initiatives from funds so appropriated or available.

***Teacher Time Study***  
 SB 9 mandates TEA to operate a technical assistance program for schools to analyze the impact of staff and student schedules, non-instructional duties, and professional development requirements on teachers' workload; optimize schedules to ensure teachers have adequate time during regular hours to fulfill their duties and meet student needs. TEA is required to publicly share findings and recommendations promoting best practices.

***Teacher Residency Partnership Program***  
 SB 9 repeals the current Texas Teacher Residency Program (TTRP) at a public institution of higher education. In its place, SB 9 requires the commissioner to establish a new Texas Teacher Residency Partnership Program to enable qualified educator preparation programs to form partnerships to provide residency positions to those enrolled in a qualified educator preparation program in order to gain educator certification. The partnership program must be designed to give partnership residents field-based experience working with classroom teachers in prekindergarten through grade 12 and gradually increase the amount of time a resident spends engaging in instructional responsibilities. The bill authorizes the commissioner to solicit and accept gifts, grants, and donations from public and private entities to use for the purposes of the partnership program.

Qualified Educator Preparation Programs (EPP)  
 SB 9 mandates the SBEC to propose rules for approving EPPs for the partnership program. Under the rules, EPPs must: employ effective recruitment strategies, incorporate comprehensive curriculum and classroom practice, utilize various assessments to assess residents' progress, and establish partnerships with districts or charter schools.

To participate, a school must have a written agreement with a qualified educator preparation program. The agreement includes providing a partnership resident with a one-year clinical teaching experience in a residency position at the district or school, matching the resident with a cooperating teacher in the desired subject area and grade level for certification. A "cooperating teacher" must have at least three years of teaching experience with a proven track record of helping students achieve academic growth, employed by a participating school district or

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

open-enrollment charter school in a partnership program. The cooperating teacher provides coaching and guidance to the partnership resident within the classroom setting. SB 9 specifies that a district or charter school can only assign a partnership resident to a cooperating teacher who has agreed to participate. The bill prohibits a partnership resident from being responsible for the majority of the instructional day, student evaluation, and grading. Participating schools may utilize the funds solely for the partnership program, including compensating partnership residents and cooperating teachers. Additionally, they must allocate at least 10 percent of the received funding to the partnered educator preparation program. Participating schools are required to contribute at least 50 percent of the compensation for partnership residents using separate funds and provide the designated amount to the partnered educator preparation program for necessary implementation information to TEA.

SB 9 mandates TEA to offer technical assistance and support to districts, charter schools, and EPPs, including providing model forms and agreements to meet program requirements; and strategic assistance to encourage partnership program participation.

Until the SBEC adopts rules outlining requirements for approval of a qualified EPP, the commissioner of education may approve a qualified educator preparation program. An educator preparation program's designation as qualified by the commissioner is effective until the first anniversary of the earliest effective date of a rule adopted by the SBEC.

Rules for Residency Educator Certification and Program Implementation  
 SB 9 mandates that the SBEC establish rules for granting residency educator certificates to partnership residents who have completed an approved EPP. The bill prohibits mandating a pedagogy examination unless it assesses grade and subject-specific content relevant to the desired certification.

SB 9 mandates the SBEC to propose necessary rules for the partnership program, including rules for educator preparation programs and residency educator certificate issuance. The bill also requires the SBEC to appoint representatives from public institutions of higher education to the negotiated rulemaking committee for related rule proposals. The commissioner must adopt rules for program implementation, considering recommendations from the negotiated rulemaking committee.

Texas Teacher Residency Partnership Program Allotment  
 Effective from September 1, 2023, SB 9 establishes a residency partnership allotment under the foundation school program. The bill entitles a district to a residency partnership allotment equal to a base amount of \$22,000, increased by the high needs and rural factor to an amount capped at \$42,000, for each partnership resident employed at a district in a residency position under the Texas Teacher Residency Partnership Program. The high needs and rural factor are calculated by multiplying \$5,000 by the lesser of 4.0 or the average point

value assigned to each student at a district campus. Additionally, qualifying districts receive an extra \$2,000 for each partnership resident in a residency position pursuing special education or bilingual education certification. SB 9 extends the residency partnership allotment to the Texas School for the Deaf (TSD) and the Texas School for the Blind and Visually Impaired (TSBVI). If assigning point values to students in these schools is impractical, the commissioner is authorized to use the average point value assigned to students from their respective home districts for calculating the high needs and rural factor.

***Bilingual Education Programs***

SB 9 modifies the requirements for exceptions to using a bilingual education program in kindergarten through elementary grades, including extending the documentation time frame from 12 to 36 months to show that no qualified bilingual teacher was unjustifiably denied employment. Increasing the validity of a granted exception from one year to three years, and allowing subsequent exceptions to be applied for different teachers than those included in previous applications.

***Tuition-Free Enrollment in Prekindergarten; Early Education Allotment***

SB 9 establishes eligibility for tuition-free enrollment in a prekindergarten class for children aged three or older, whose parents are employed as classroom teachers in the district. The bill provides an annual allotment to districts based on student attendance, with a multiplier of 0.1 for students aged four or older who are eligible for tuition-free prekindergarten.

***Teacher Incentive Allotment***

SB 9 raises the base amount and cap of the teacher incentive allotment as follows:

- Master teacher cap amount from \$32,000 to \$36,000,
- Increasing the base amount for exemplary teachers from \$6,000 to \$9,000, and the cap from \$18,000 to \$25,000,
- Increasing the base amount for recognized teachers from \$3,000 to \$5,000 and the cap from \$9,000 to \$15,000.

The bill entitles a district to a teacher incentive allotment with a base amount of \$3,000, which can be increased by the high needs and rural factor to a base of up to \$9,000, for each acknowledged or nationally board certified teacher.

SB 9 increases the amounts used to calculate the high needs and rural factors in the following manner:

- Master teacher from \$5,000 to \$6,000,
- Exemplary teacher from \$3,000 to \$4,000, and
- Recognized teacher from \$1,500 to \$2,500.

The amount of each acknowledged teacher or nationally board certified teacher is set at \$1,500.

<p><b><i>Mentor Program Allotment</i></b>                  SB 9 modifies the mentor program allotment under the foundation school program. The bill entitles a district to a \$2,000 allotment for each classroom teacher with less than two years of experience participating in a mentoring program. It adds a requirement that mentor teachers complete a training program specified or developed by TEA and establishes that a district may receive the allotment for up to 40 teachers per school year, but additional allotments may be approved by the commissioner if the district has more eligible classroom teachers. The total amount provided in allotments must not exceed the appropriate amount for that purpose in a given school year.</p> <p><b><i>Impact</i></b>                  While SB 9 does include some potentially helpful provisions to increase teacher retention and recruitment, this legislation falls short in several ways to adequately compensate and support our teachers.</p> <p>A defined duty calendar will be helpful in teacher retention as they will not be forced to spend as much time performing tasks outside of their contract. Several provisions are made to help with some expenses imposed on teachers, including Pre-K eligibility for educators’ children and the board covering certification exam fee for the first attempt. These could help teachers afford living expenses, however they remain a bandaid over the hole of an inadequate salary to afford cost of living and rising inflation. While it is not the pay raise educator’s deserve, it is a meager step in the attempts to help teacher’s with the rising cost of living.</p> <p>The SB 9 Teachers’ Time Study could offer insight into the profession, but such data is meaningless without the funding to provide teachers livable salaries and guaranteeing their compensation from allotment funding. The best way to retain teachers is giving them a salary that lets teaching be their only job instead of a 2nd or 3rd job if time allows it.</p> <p>Changes to the Mentorship Program Allotment and the Residency Partnership Allotment do not guarantee that teachers will receive additional compensation as no language in SB 9 requires the primary allowable expense to be compensation of residency. The cap of 40 teachers per district allowed to participate in the Mentorship Program is 15 less than the current rule. Capping the number of teachers who can participate does not take into consideration the vastly different sizes and needs of districts across the state.</p> <p>SB 9 proposes moving National Board Certified (NBC) Teachers down to a new, lower level of designation. National Board Certification is widely regarded as the highest standard for teaching. Extensive research spanning over a decade indicates that NBC Teachers achieve 1-2 months of additional learning for their students compared to their colleagues. To obtain this certification, teachers demonstrate their subject matter expertise through assessments, submit student work samples and teaching videos, and critically analyze their own instructional practices. To equate teachers designated as nationally board certified with “acknowledged” teachers does not take into consideration the dedication to gaining National Board Certification.</p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

<p><b>SB 11</b> By: Nichols Sponsor: King, Ken</p>	<p>Relating to measures for ensuring safety and security in public schools, including measures related to the health and safety of public school students and active shooter training for certain peace officers.</p>	<p>Public Education  11 Ayes, 1 Nays, 1 PNV, 0 Absent</p>	<p>Since 2018, there have been 12 school shootings in Texas. The most recent shooting in Uvalde resulted in the unimaginable loss of 19 children and two teachers. In reaction to these horrific events, the legislature has worked towards a solution that would aim to keep teachers and students safe. One of these solutions is to “harden” schools by enhancing security measures, increasing funding for school safety allotments, hiring school resource officers, and training staff to respond to emergencies. Though these measures have been implemented, there is still great concern regarding poor safety procedures, poor communication during a crisis between schools and agencies, outdated operations standards, and slow response times. All of these shortcomings put children at risk. SB 11 combines aspects of HB 3 and HB 13, which the LSG rated Unfavorable, and seeks to address this issue by creating various provisions regarding school safety.</p> <p><b><i>School Sentinel Program, Training, and Stipend</i></b> SB 11 authorizes a school to establish a school sentinel program for school safety and security. A "school sentinel" is a district or charter school employee who is authorized to carry or possess a specified weapon to provide safety and security on the physical premises of the employee's school, any grounds or building on which a school sponsored activity is being conducted, or vehicle of the school. A district or school's authorization of a school sentinel must include a requirement to complete a TEA-approved training program before carrying a weapon on school premises. Approved program must include the completion of all training required for a school marshal, including TCOLE's training program, and instruction in mental health first aid and trauma-informed care. A school authorizing a school sentinel must: designate a marking or uniform for identification, require sentinels to wear it while on duty, and keep the marking or uniform information confidential but share it with law enforcement agencies as per the emergency operations plan. SB 11 provides school sentinels with a stipend determined by the commissioner, capped at \$25,000 per school year. The stipend is separate from the employee's salary and does not affect minimum salary requirements. The commissioner will establish rules for implementing the school sentinel provisions.</p> <p><b><i>School Safety Allotment</i></b> Currently, the school safety allotment is \$9.72 per student ADA (average daily attendance) or around \$50 million per fiscal year. The House supplemental budget allotted \$1.6 billion for one-time school “hardening.” SB 11 requires \$2 billion for the biennium from the Foundation School Fund and General Revenue to increase the school safety allotment. The bill increases the school safety allotment to \$100 per student ADA plus \$1 for each student in ADA for every \$50 by which the district's maximum basic allotment exceeds the basic allotment (\$6,160) and \$15,000 per campus. The bill expands the authorized uses of the allotment.</p> <p><b><i>State School Safety Fund and Grants</i></b> SB 11 creates the state school safety fund, which would take effect January 1, 2024, and begin with the 2024-2025 school year. This is contingent on voter approval of the constitutional amendment, HJR 170, proposed by the 88th Legislature, Regular Session. If that constitutional amendment is not approved by the voters, these bill</p>	<p><b><u>Unfavorable</u></b></p>
----------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------

<p>provisions relating to the state school safety fund have no effect.</p> <p>SB 11 requires the commissioner to establish a school safety grant program using proceeds of the fund to provide grants to districts and charter schools. The commissioner may only award grants as reimbursement for expenditures for the implementation of school safety standards and requirements that have been approved by TEA. The commissioner may award grants each school year not to exceed a total amount of \$500 million and an amount given to a district or school may not exceed \$10 million. If there are additional funds, the commissioner may award extra grants to schools with eligible expenses exceeding \$10 million during that year. However, this is subject to the cap of \$500 million.</p> <p>If excess funds are available in a school year, the commissioner must transfer an amount not to exceed \$25 million from the fund to the local Communities In Schools programs and must allocate the transferred money using that program's funding formula. The Texas Permanent School Fund Corporation shall administer the funds.</p> <p><b><i>Safety and Security Requirements for Facilities</i></b>  <u>Facilities Standards Compliance</u>                  SB 11 modifies existing law regarding building standards for instructional facilities, school districts, and open-enrollment charter school facilities.</p> <p>SB 11 mandates that the TxSSC review facility standards every five years and provide recommendations to the commissioner for improving school safety through design and construction. The bill permits the TxSSC and the commissioner to consult with knowledgeable stakeholders to determine if updates to funding requirements for school districts, aimed at enhancing safety and security, are necessary to align with best practices.</p> <p>The commissioner must review and amend rules by September 1 of even-numbered years based on recommendations from the TxSSC, ensuring facilities meet or exceed the established standards and update facilities standards as necessary. The standards must be regularly updated to align with changes in state law and local building codes and school districts must ensure compliance with all safety and security standards for each facility, including performance and operational requirements. Districts are required to document and maintain records of their implementation and compliance, providing them to the school safety and security committee, board of trustees, and TEA upon request.</p> <p><u>Bond Proceeds for School Safety Compliance</u>                  SB 11 allows school districts to use proceeds from bonds issued for construction, equipment, and site purchases to be used for meeting school safety requirements. If a school is found noncompliant by the aforementioned monitoring process, they will be required to use such bonds to become compliant before they use the funds for</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

		<p>anything else.</p> <p><u>School Safety Infrastructure Grant Program</u>  Hb 13 requires TEA to establish a grant program that would assist districts and open enrollment charter schools in enhancing the infrastructure of each campus to meet TEA standards. The bill requires the commissioner to adopt rules to implement this grant program provision.</p> <p><b><i>TEA Monitoring of School District Safety and Security Requirements</i></b>  SB 11 requires TEA to monitor school district compliance with safety and security requirements, including conducting annual on-site audits. The audits may be randomly selected and must adhere to criteria developed by the TEA in consultation with the TxSCC. The monitoring must include annual intruder detection audits and at least 25% of the campuses must undergo an on-site intruder detection audit. TEA and TxSCC may provide schools with helpful information for implementing safety and security requirements. TEA may request information from school districts for conducting on-site audits and monitoring compliance, including notification of emergency events and details about the district's response and use of emergency procedures. TEA may use or require the use of third parties to conduct the monitoring required under this section and review school district records as necessary to ensure compliance. The commissioner may adopt rules as necessary to administer this section.</p> <p>SB 11 requires TEA to establish an office of school safety and security, staffed by experts in school and law enforcement. This office will oversee the monitoring of school district safety requirements. The director of the office, appointed by the governor and confirmed by the senate, will report directly to the commissioner. TEA must, in coordination with the TxSCC, provide technical assistance to support implementation of school district multi-hazard emergency operations plans and safety and security audits and other school district safety and security requirements.</p> <p>Any documents or information related to monitoring district safety and security requirements under the bill are confidential and not subject to disclosure under state public information law, in accordance with the provisions of the Texas Disaster Act of 1975 pertaining to risk or vulnerability assessment and critical infrastructure information.</p> <p><b><i>Conservatorship for Noncompliance</i></b>  SB 11 authorizes the commissioner of education to determine if a district is noncompliant if the district fails to: submit to the required monitoring, comply with applicable safety and security requirements, or address issues raised by the agency's monitoring of the district in a timely manner. The commissioner of education may assign noncompliant schools with a conservator for accountability interventions and sanctions. The conservator may exercise the powers and duties only to correct an identified failure of the district. A student enrolled in a</p>	
--	--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

noncompliant district is eligible to receive a public education grant to attend a school in another district as provided by the public education grant program. The bill prohibits severance payments to superintendents or administrators in noncompliant districts. The commissioner may adopt rules to implement actions based on noncompliance with safety and security requirements.

***Multi-Hazard Emergency Operations Plan***

SB 11 authorizes TEA and TxSCC to establish new or additional requirements to district multi-hazard emergency operation plans and specifies that if requested, an applicable district must submit its EOP within 30 days of the request. If TxSCC finds deficiencies in the EOP, the district must submit changes or hold a public hearing within specified timelines. The bill outlines further notifications and requirements for a district that continues not to comply with school safety standards.

SB 11 modifies the process for reviewing and verifying a public school district's or public junior college district's multi hazard emergency operations plan by the TxSSC. Instead of appointing a conservator as in current law, TEA is authorized to appoint an agency monitor who will participate in and report to TEA on the district's adoption, implementation, and submission of the plan. If the district fails to comply with the agency monitor's requests, TEA may appoint a conservator as an alternative to a board of managers to oversee district operations.

***School Safety Support From Regional Education Service Centers***

SB 11 mandates regional education service centers to serve as school safety resources for public school districts and open-enrollment charter schools. They are required to utilize materials and resources developed by the Texas School Safety Center (TxSSC) or Texas Education Agency (TEA). The center may provide direct assistance or collaborate with the TxSSC and local law enforcement agencies to schools to develop and implement a multi hazard emergency operations plan, establish a school safety and security committee; conduct emergency school drills, address campus security deficiencies, and offer any relevant guidance.

***Emergency Response Map***

Public school districts and open-enrollment charter schools are required to supply the Department of Public Safety (DPS), local law enforcement agencies, and emergency first responders with accurate campus and building maps. These maps should be oriented to true north and developed in accordance with facilities standards for site and floor plans, access control, and exterior door numbering.

***Mental Health First Aid Training***

School districts must ensure that each district employee who regularly interacts with students completes an evidence-based mental health first aid training program to equip participants with the skills to recognize and support students facing mental health or substance use issues that may pose a threat to school safety. If an employee has previously completed mental health first aid training they are exempt from this requirement. The

bill establishes a timeline for district employees to complete the training. TEA must provide districts with an allotment covering employee travel and training expenses, as well as compensation for time spent on mental health first aid training. Districts can only use the allotment for employee reimbursements, and the commissioner will establish rules for implementation and expense reimbursement. The bill also allows educators to earn credit for continuing education through mental health first aid training, subject to State Board for Educator Certification rules.

***Threat Assessment and Safe and Supportive School Program and Team***

The district's threat assessment and safe and supportive school teams must establish a clear procedure for a student to report concerning behavior exhibited by another student. Materials and information provided to or produced by a team during a threat assessment of a student must be maintained in the student's school record until the student's 24th birthday. The board of trustees may not renew a person's employment contract with the district if the person destroys such material or information before the required period of maintenance has expired.

***Notification Regarding Violent Activity***

TEA must create model standards for notifying parents, guardians, and relevant individuals about violent incidents at school campuses, district facilities, or district-sponsored activities. The standards should include electronic notification via text messaging and email, offer real-time notification, and maintain student privacy. Each district must implement a policy aligning with these notification standards.

***School Safety Meetings***

SB 11 requires the county sheriff in which a public school is located to conduct semi-annual meetings to discuss school safety- including law enforcement response to school violence, agency capabilities, available resources, and chain of command planning. The bill outlines the law enforcement required to attend and requires the sheriff to invite any federal law enforcement serving in the county. The sheriff must submit a report to the TxSSC with the meeting's minutes. TxSSC must make the report publicly available on its website, excluding information which would compromise a safety measure of a district facility.

***Security Services***

In providing security personnel, the board of trustees of any public school district may contract with security personnel; enter into a memorandum of understanding with a county or municipality that is the employing political subdivision of commissioned peace officers as school resource officers, and contract with a security services contractor licensed under the Private Security Act as commissioned security officer, with the necessary training required by DPS. The bill removes the requirement in current law providing that, if the board of trustees authorizes the person to carry a weapon, a person employed as security personnel must be a commissioned peace officer. SB11 requires districts to verify if a person is listed in the Texas registry of school safety or security

consultants before engaging their services in such capacities.

***Active Shooter Training***

SB 11 requires an officer to complete a training program on responding to an active shooter as provided by the Advanced Law Enforcement Rapid Response Training (ALERRT) Center at Texas State University--San Marcos, or a similar organization approved by TCOLE.

School district peace officers and school resource officers must complete an active shooter response training program approved by TCOLE that must be done once every four years. SB 11 replaces the current law's requirement for a school district to include an active shooter emergency response policy in its multihazard emergency operations plan. Instead, it mandates the inclusion of an active shooter preparedness appendix in the district's multihazard emergency operations plan. The appendix must certify that the district has provided the following to the relevant law enforcement agency: information about the identity and identification methods of school sentinels, accurate maps of each district campus meeting emergency response map requirements, and the opportunity for the agency to conduct walk-throughs of district facilities using the provided maps.

***Fentanyl Awareness and Education***

Fentanyl Abuse Prevention and Drug Poisoning Awareness Education and Personnel Training

SB 11 requires each public school district to annually provide students in grades 6 through 12 with research-based instruction related to fentanyl abuse prevention and drug poisoning awareness. The instruction must include education on suicide prevention, prevention of fentanyl abuse of and addiction, local school and community resources; and health education about substance use and abuse. The instruction may be provided by a public or private institution of higher education, library, community service organization, religious organization, local public health agency; or an organization employing mental health professionals. A district may satisfy current requirements to implement such a program by providing instruction related to youth substance use and abuse education.

SB 11 requires the governor to designate a week as Fentanyl Poisoning Awareness Week in schools to educate students about the dangers of fentanyl, including poisoning or overdose. The bill authorizes schools to design age-appropriate instruction on the prevention of the abuse of and addiction to fentanyl.

SB 11 requires TEA to work with The University of Texas Health Science Center at San Antonio to develop the evidence-based curriculum for school employees and a professional development training program on providing the training. The bill requires TEA to distribute curriculum and training materials for the training program to each regional education service center.

Fentanyl Grant Program

TEA must establish a grant program to provide funding to districts and charter schools for community and school outreach programs on the dangers of fentanyl. The bill authorizes the commissioner of education to adopt rules as necessary to administer the grant program.

**Resources on Safe Firearm Storage**

The TxSSC and DPS are required to provide schools with information and resources about safe firearm storage, including the offense of making firearms accessible to children under the Penal Code and ways for parents and guardians to prevent children from accessing firearms. Schools must provide the information and resources to the parent or guardian of every enrolled student.

**Records Furnished on Enrollment or Transfer**

School records furnished on enrollment in a public school of a child who most recently attended a public school in Texas must include a copy of the child disciplinary record and any threat assessment involving the child’s behavior conducted by the Threat Assessment and Safe and Supportive School Program and Team. In the case of the student’s transfer to another district in Texas, the child’s district of residence must provide the receiving district with the information.

**Concerns**

This bill authorizes TEA to take action in school districts that fail to comply with state safety requirements by assigning a conservator or appointing a board of managers. State takeovers have negative effects on public education, as they do not improve academic achievement and disrupt school communities. Takeovers can lead to increased turnover of teachers and staff, as well as reduced involvement of families and communities in decision-making. While districts should meet reasonable safety expectations and be held accountable, a state takeover may have adverse consequences, compromising teacher retention, trust, and community engagement, which are crucial for ensuring school safety.

SB 11 includes detailed provisions regarding mental health that address many concerns of Texas community members who have been impacted by school violence. These provisions of the bill are a strong step towards ensuring that all children have access to the resources that they need. However, there are serious concerns with arming school teachers and staff. Arming teachers may also work to harm student’s trust in educators. The provisions of the bill that include a stipend for up to \$25,000 for guardians may incentivize educators to carry guns on school grounds. Arming educators is disfavored by parents, educators, and community members, and increases the risk that students will be exposed to gun violence at schools.

SB 11 addresses some concerns of those affected by school violence and makes attempts to increase safety and security measures in school. Certain parts of the bill are a positive step toward ensuring that children have access to necessary resources and would help parents and guardians know that the campus is safe. However, making the

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

			<p>exterior of the school safer while increasing the presence of guns in the school, SB 11 erodes some of the very efforts it makes to create a safer environment for kids. Incentivizing teachers with up to \$25,000 per year to participate in the sentinel program and carry firearms on school grounds could increase kid’s exposure to gun violence, deteriorate trust between the educator and student, and leave room for availability of firearms. It is profoundly disturbing to not give teachers the money they deserve unless they agree to possess and carry a weapon on school premises.</p>	
<p><b>SB 1318</b>  By: Huffman  Sponsor: Smith</p>	<p>Relating to the release of defendants on bail, the duties of a magistrate in certain criminal proceedings, and the notice provided by peace officers to adult victims of family violence.</p>	<p>Criminal Jurisprudence  6 Ayes, 2 Nays, 0 PNV, 1 Absent</p>	<p>In 2021, the legislature passed SB 6, which made it more difficult for defendants to be released on bail by requiring cash bail or payment to a bail bonds company for certain offenses, among other things. These changes were not welcomed by all communities, especially those struggling with overcrowded jails and court systems. In 2021, 28 people died inside Harris County jails, almost all awaiting trial and had not yet been convicted. Others have expressed that SB 6 should be built upon to enhance public safety. SB 1318 does so by changing release practices for certain offenses.</p> <p>SB 1318 prohibits the personal bond release of defendants charged with the following offenses: manufacturing or delivering controlled substances under penalty group 1-B, violating court orders or bond conditions in cases related to family violence, child abuse or neglect, sexual assault or abuse, indecent assault, stalking, or trafficking, or unlawfully possessing a firearm. Additionally, the bill prohibits the bail release of defendants charged with a felony offense, except under certain circumstances. Regarding a defendant charged with committing a felony offense while already on bail for another felony offense, SB 1318 mandates the court handling the previous case to assess the need for revoking, modifying, or reassessing the terms of the previous bond.</p> <p>SB 1318 mandates that a defendant charged with a nonviolent misdemeanor must be released on personal bond unless prohibited by law or the magistrate makes certain determinations. This requirement applies only to defendants without prior convictions or deferred adjudication community supervision (DACS) placements, except for fine-only traffic offenses. The bill excludes specific offenses, such as kidnapping, sexual offenses, assault, family offenses, disorderly conduct, public indecency, weapons offenses, organized crime, and certain intoxication-related offenses.</p> <p>SB 1318 stipulates that the Office of Court Administration of the Texas Judicial System (OCA) must allow counties to integrate their jail records and case management systems with OCA's public safety report system at no cost to the county. Furthermore, SB 1318 mandates that a magistrate, within 24 hours of determining the absence of probable cause for a person's arrest, must provide findings to substantiate the determination.</p> <p>SB 1318 amends the requirement for electronic notice when a defendant is charged with a felony offense while on bail for a different felony offense in another county. The bill changes the recipient of the notice to an individual designated to receive electronic notices in the county where the previous offense was committed. The individual</p>	<p><b><u>Unfavorable</u></b></p>

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

			<p>must promptly forward the notice to the relevant court, the prosecuting attorney, and the defense attorney in the pending case. SB 1318 establishes that a criminal law hearing officer, appointed under the relevant statutes governing masters, magistrates, referees, and associate judges, is prohibited from making bail decisions in specific circumstances.</p> <p>The aim of SB 1318 is to enhance public safety, but the bill contains many concerning provisions that will worsen the overcrowding of jails and impede upon the rights of Texans. The bill will heighten the number of Texans in pretrial detention, even though research shows us that public safety benefits with this detention will be offset by the increases in criminogenic effects brought on by any length of time incarcerated. These effects make an individual more likely to re-offend, not less. Additionally, our justice system is rooted in presumed innocence, an idea that has been reaffirmed by the courts several times. Any incarceration before a conviction should be an incredibly carefully used exception, not one to expand in response to concerns regarding increasing crime rates.</p> <p>Additionally, defendants who are detained pretrial are more likely to plead guilty, even when they are innocent, purely in an attempt to be released. Texas currently ranks among the top five states for wrongful convictions, and this bill sets the state up for further failure in this area. Instead of furthering incarceration rates, the state should focus on evidence-based practices that reduce crime, such as housing, healthcare, and job programs. Continuing to invest in systems of punishment that do not reduce crime will only allow the issue to worsen while creating generations of families who must contend with the criminogenic effects of the justice system.</p>	
--	--	--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

**LSG Floor Report For Constitutional Amendments Calendar – Tuesday, May 23, 2023**

<p><b>SJR 44</b></p> <p>By: Huffman  Hinojosa</p> <p>Sponsor: Smith</p>	<p>Proposing a constitutional amendment authorizing the denial of bail under some circumstances to a person accused of certain violent or sexual offenses or of continuous trafficking of persons and requiring a judge or magistrate to impose the least restrictive conditions of bail that may be</p>	<p>Criminal Jurisprudence</p> <p>7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>The Texas Constitution currently contains few avenues for a judge to deny bail outright without a full trial on the case's merits at the time bail is denied. Concerns have been raised regarding the bail process, with some expressing that those who commit repeated violent acts may be released on bail while others who commit low-level offenses may not. SJR 44 seeks to address this by establishing a process in which a judge may deny bail in certain cases, among other changes.</p> <p>SJR 44 grants a judge or magistrate the authority to deny bail to individuals accused of major offenses pending trial. "Major offenses" are defined by the bill as; murder, aggravated assault with a deadly weapon under certain circumstances, aggravated robbery, trafficking, and aggravated sexual assault. The decision to deny bail must be based on clear and convincing evidence presented during a hearing, demonstrating that bail and conditions of release would be inadequate in managing the specific risk of the person's intentional failure to appear in court or pose a threat to the community, law enforcement, or the victim. The resolution mandates that a hearing be held no later than 72 hours after the arrest, and if the accused does not have legal representation, the judge or magistrate must appoint counsel for the hearing. SJR 44 requires judges or magistrates who deny bail per these provisions to prepare a written order, including factual findings and an explanation of the denial. In determining whether clear and convincing evidence exists to deny bail, judges or magistrates must consider the factors</p>	<p><b><u>Will of the House</u></b></p>
-------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

	necessary to ensure the person's appearance in court as required and the safety of the community, law enforcement, and the victim of the alleged offense.		<p>mandated by general law and statutory provisions governing criminal procedure, applying them to the specific facts and circumstances of the offense and any related criminal episode.</p> <p>Lastly, SJR 44 would amend the Texas Constitution to mandate judges or magistrates, when setting bail, to impose the minimum necessary conditions to reasonably guarantee the appearance of the accused person in court, as well as to ensure the safety of the community, law enforcement, and the victim of the alleged offense.</p> <p>SJR 44 endeavors to enhance public safety; however, its approach may have inherent limitations. The evidence suggests that any period of incarceration heightens the likelihood of recidivism rather than diminishing it. Expanding the ability to deny bail to curb crime rates appears counterintuitive, as pretrial detention has not demonstrated a capacity to reduce crime. Furthermore, there are concerns regarding the resolution's constitutionality, given that the Fourteenth Amendment stipulates that no state shall deprive any individual of life, liberty, or property without due process of law. Since our justice system is founded on the principle that individuals are presumed innocent until proven guilty, pretrial detention should only be employed when indispensable. Pretrial detention undermines the principles of due process, exacerbates negative outcomes for individuals, and lacks a significant impact on public safety. The bill's strength is that it allows for more nuance in some cases, increasing judicial discretion where there previously was little.</p>	
<p><b>SJR 35</b></p> <p>By: Birdwell</p> <p>Sponsor: Geren</p>	Proposing a constitutional amendment clarifying that a voter must be a United States citizen.	<p>State Affairs</p> <p>12 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	SJR 35 proposes a constitutional amendment to clarify that only U.S. citizens can vote. However, this change is duplicative as federal law already requires voters to be U.S. citizens.	<b><u>Will of the House</u></b>
<p><b>SJR 52</b></p> <p>By: Birdwell</p> <p>Sponsor: Vasut</p>	Extending the deadline for the automatic rescission of certain applications made by the Texas Legislature to the United States Congress to call a national convention under Article V of the United States Constitution for proposing any amendment to that constitution.	<p>State Affairs</p> <p>8 Ayes, 3 Nays, 1 PNV, 1 Absent</p>	Article V of The U.S. Constitution outlines two ways to propose amendments: two-thirds of both houses of Congress vote to propose an amendment or two-thirds of the state legislatures ask Congress to call a national convention to propose amendments. Currently, Texas and 18 other states would like to call a national convention to propose constitutional amendments. Texas has made several requests for a national convention but the state constitution currently voids such requests if a two-thirds majority of state legislatures is not reached within eight years. To prevent the current request initiated in 2017 from expiring and allow other states to join the request, SJR 52 proposes an amendment to the Texas Constitution that would extend the timeline to sixteen years. Previous requests for a national convention made by the Texas Legislature have almost entirely been aimed at limiting federal authority.	<b><u>Unfavorable</u></b>

LSG Floor Report For General State Calendar – Tuesday, May 23, 2023				
<p><b>SB 999</b> By: West Sponsor: King, Tracy O.</p>	<p>Relating to the requirement that providers of active shooter training at public schools and institutions of higher education obtain a certificate issued by the Texas Commission on Law Enforcement.</p>	<p>Higher Education  9 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>The Texas Commission on Law Enforcement (TCOLE) creates and establishes certification requirements for training courses such as the Active Shooter Response for School-Based Law Enforcement Course No. 2195. Currently, TCOLE certifies both the coursework and instructors for this course, but the training company hosting the program is not mandated to obtain TCOLE certification. TCOLE can refuse training contracts with legal entities that fail to meet their standards. Although school district peace officers and resource officers must complete an active shooter response training program approved by TCOLE, a company or legal entity can still offer active shooter training in Texas without TCOLE approval. SB 999 addresses this disparity in active shooter training by mandating that all individuals and entities providing active shooter training at public educational institutions possess TCOLE certification.</p> <p>SB 999 prohibits individuals or legal entities from providing active shooter training to students or employees at public primary or secondary schools or public higher education institutions if the instructor and entity are not TCOLE-certified. Under the bill, TCOLE must establish a provider certification program for individuals and entities and issue certificates upon completion. SB 999 requires TCOLE to adopt rules for certificate renewal and grants TCOLE the authority to mandate continuing education for the renewal process. A school district or higher education institution shall only contract with a provider for active shooter training if they are not certified by TCOLE.</p> <p>SB 999 would ensure that individuals and entities providing active shooter training use state-certified material and standardized training methods to ensure the safety of students, employees, and the community.</p>	<p><b><u>Favorable</u></b></p>
<p><b>SB 1987</b> By: Sparks Sponsor: Guillen</p>	<p>Relating to the accreditation of certain postsecondary educational institutions in this state or of certain programs offered by those institutions.</p>	<p>Higher Education  6 Ayes, 4 Nays, 0 PNV, 1 Absent</p>	<p>Before 2019, most colleges in Texas were accredited by SACS (Southern Association of Colleges and Schools). However, once the federal rule changed, colleges and universities were able to be accredited by any nationally recognized accreditor. Texas state law currently mentions SACS in provisions regarding accreditation of postsecondary educational institutions. SB1987 removes the SACS from the definition of "recognized accrediting agency" as it pertains to the accreditation of postsecondary educational institutions.</p> <p>Specifically, SB 1987 replaces references to SACS with "recognized accrediting agency" for the accreditation of Texas Woman's University at Dallas and Texas Woman's University at Houston and replaces references to the Commission on Colleges of the Southern Association of Colleges and Schools (CCSACS) with "recognized accrediting agency" for the accreditation of a public junior college. The bill replaces the CCSACS with a recognized accrediting agency designated by the Texas Higher Education Coordinating Board (THECB) for accrediting general academic teaching institutions. SB 1987 redefines "recognized accrediting agency" to mean any association or organization so designated by the board.</p> <p>Supporters of the bill view the legislation as a way to grant certain schools the freedom to choose specialized</p>	<p><b><u>Unfavorable</u></b></p>

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

			<p>accreditors instead of generic ones permitted by the THECB. Supporters believe that this will help eliminate the political interferences with SACS, specifically around faculty governance and DEI. SB 1987 is a response to fear mongering around the so-called “woke” ideology, when, in reality, the mission of the SACSCOC is to assure the educational quality and improve the effectiveness of its member institutions. SACSCOC is an institutional accreditor that employs an accountable and transparent peer review process which assures educational quality and integrity, fosters continuous self-improvement, and promotes student success. The Southern Association of Colleges and Schools Commission on Colleges has six core values: Integrity, Peer Review/Self-regulation, Student Learning, Continuous Quality Improvement, Accountability, Transparency. These values work to bring an objective accreditation and removing this body for accreditation purposes could weaken the standards set forth and allow discrepancies in what THECB allows for accreditation of universities in Texas. This bill could be meant to further dismantle accreditation throughout Texas Universities.</p>	
<p><b>SB 767</b> By: Parker Sponsor: Lozano</p>	<p>Relating to notice requirements for certain municipal fees and the process to adopt a municipal budget that includes the use of revenue from those fees.</p>	<p>Urban Affairs  8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Municipalities depend on fees for services like trash collection, parking, and permits. However, these fees can greatly impact residents and businesses, making it important to make people aware of any fee changes that may affect them. Property tax rates are already included on the municipal budget’s cover page, and SB 767 aims to extend this requirement to municipal fee changes to increase transparency.</p> <p>SB 767 requires municipalities with populations of 30,000 or more to include a cover page for their proposed budget that contains estimated revenue for each new fee or an increase of an existing fee in underlined or boldface text. This will also include a statement about the inclusion of the estimated revenue and description of the fee, the amount of each new fee, and the amount and percentage increase of each existing fee, if applicable. SB 767 would allow municipalities to include a URL address where the required information can be found in place of including this information in the notice.</p> <p>SB 767 requires a vote of the governing body, separate from the vote to adopt the budget or to adopt or increase a fee, to ratify the use of the total amount of the revenue from all new or increased fees. SB 767 also requires a municipality to designate an individual in the city manager’s, secretary’s, or budget director’s office who can provide a comprehensive list of municipal fees to someone on request.</p> <p>SB 767 requires municipalities with populations of 30,000 or more to establish and maintain a subscribable email notification service where someone can receive information about new or increased municipal fees. Municipalities that did not maintain an email notification system on January 1, 2023, must post and prominently display the link to these notifications on the municipality’s website. The email notification service must allow a subscriber to receive notifications of proposed new fees, increases to existing fees, proposed or adopted budgets that include the revenue of such fees, or scheduled public hearings addressing proposed new fees or fee increases. Additionally, these emails must include a link in the notification on which the fee or budget may be viewed and notify the subscriber by email before the second day after the date the municipality provides public notice of a public hearing at which a new or increased fee or proposed budget is scheduled to be discussed, the budget officer</p>	<p><b><u>Favorable</u></b></p>

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

			<p>files a proposed budget with the municipal clerk, or the governing body files an adopted budget with the municipal clerk.</p> <p>SB 767 increases transparency for those who are affected by municipality fees. Additionally, the email notification system will allow citizens to be alerted when fees may be increased, empowering them to get involved in local government.</p>	
<p><b>SB 545</b></p> <p>By: Kolkhorst</p> <p>Sponsor: Toth</p>	<p>Relating to death records maintained and provided by the vital statistics unit of the Department of State Health Services.</p>	<p>Elections</p> <p>8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>SB 545 mandates the Department of State Health Services (DSHS) to establish an efficient method for providing death information to the Secretary of State (SOS) to aid in maintaining the statewide computerized voter registration list. The method should include essential details such as the deceased person's county of residence, date of birth, and full name. A memorandum of understanding will be developed between the Department and the Secretary of State, outlining the mechanism for sharing death information accurately.</p> <p>Under SB 545, DSHS is required to ensure that death certificates include the county of death and the deceased person's county of last legal residence. The SOS will receive regular updates from the vital statistics unit regarding deceased residents, allowing for the identification of deceased registered voters in each county.</p> <p>SB 545 aims to assist in maintenance of the computerized voter registration list in conjunction with the SOS.</p> <p>Interested parties contend that although it is good to make sure that deceased individuals are not on the voter registration rolls, it is unnecessary because deceased individuals are not voting. This could create a “weak match” which is when two voter records have either the same nine numbers in the person’s social security number and the same date of birth, or the last four numbers in the social security number match and the same date of birth. This “weak match” could lead counties to purge voters from the rolls without all the information that the current reporting system requires, therefore impacting voter participation.</p>	<p><b><u>Will of the House</u></b></p>
<p><b>SB 2620</b></p> <p>By: Springer</p> <p>Sponsor: Spiller</p>	<p>Relating to authorizing political subdivisions to change the date on which their general election for officers is held.</p>	<p>Elections</p> <p>6 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>Current law does not allow local governments to change their general election dates from May to November. SB 2620 seeks to increase voter participation throughout general elections through this proposed change.</p> <p>SB 2620 allows a municipality wholly or partly located in a county with a population of more than 19,900 and less than 20,000 to hold their general elections in November as opposed to May.</p> <p>Additionally, SB 2620 is permissive and allows local governments to make the decision based on the needs of their county.</p>	<p><b><u>Favorable</u></b></p>

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

<p><b>SB 2453</b></p> <p>By: Menéndez</p> <p>Sponsor: Hernandez</p>	<p>Relating to certain regulations adopted by governmental entities for the building products, materials, or methods used in the construction of residential or commercial buildings.</p>	<p>State Affairs</p> <p>11 Ayes, 1 Nay, 0 PNV, 1 Absent</p>	<p>Texas Government Code prohibits government entities from adopting or enforcing rules, ordinances, building codes, or regulations that restrict the use of approved building products or materials, or establish stricter standards than national model codes for residential or commercial buildings. However, there are exemptions for certain circumstances, such as state agency programs, windstorm and hail insurance eligibility, and regulations for historical landmarks or dark-sky protections.</p> <p>The Energy Systems Laboratory has determined that the 2021 International Energy Conservation Code and the Energy Chapter of the 2021 International Residential Code are 5-10 percent more efficient than the current state code. To ensure new constructions are energy and cost efficient, SB 2453 proposes exempting an energy code and an energy and water conservation design standard adopted by the State Energy Conservation Office (SECO) from the restrictions in the state Government Code.</p> <p>SB 2453 amends the state Government Code by creating exceptions to the restrictions on regulations concerning commercial building products, materials, and methods. These exceptions include allowing the adoption of an energy code and an energy and water conservation design standard by SECO. SB 2453 permits the approval of a high-performance building standard by the board of regents of a relevant public institution of higher education. This high-performance standard applies to construction or renovation projects exceeding \$2 million in cost, or if the cost is less than \$2 million, it must account for over 50 percent of the building's value. This exemption is only applicable when the construction or renovation is financed by revenue bonds.</p> <p>SB 2453 amends the state Health and Safety Code, granting SECO the authority to modify the energy efficiency chapter of the International Residential Code and the International Energy Conservation Code. SB 2453 imposes a limitation on SECO, stating that they cannot make amendments to the energy efficiency chapter of the International Residential Code more frequently than once every six years. SB 2453 mandates SECO to establish a rule that outlines a procedure for individuals with a vested interest in the amendment of energy codes to provide their comments and feedback on the codes being considered.</p> <p>SB 2453 imposes certain requirements on SECO regarding the amendment or adoption of the energy efficiency chapter of the International Residential Code. Before making any changes, SECO must conduct an analysis to assess the impact of the proposed amendment or adoption on housing affordability in Texas. This analysis must quantify the additional construction costs and potential energy savings associated with the proposed changes. SB 2453 mandates that the analysis should calculate the payback period for any mandatory products, minimum standards, or requirements that are more stringent than the energy code in effect prior to the proposed amendment or adoption.</p> <p>SB 2453 presents a comprehensive framework to advance sustainable building practices and support the state's energy conservation efforts.</p>	<p><b><u>Favorable</u></b></p>
-----------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

<p><b>SB 1647</b> By: Parker  Sponsor: Hefner</p>	<p>Relating to the dropout recovery education program</p>	<p>Public Education  10 Ayes, 3 Nays, 0 PNV, 0 Absent</p>	<p>Currently, public school districts have the option to use private or public community-based dropout recovery programs for at-risk students. However, there are limitations on the types of programs available. SB 1647 seeks to expand these options by allowing districts and charter schools to utilize public or private community-based dropout recovery education programs or education management organizations for alternative education programs.</p> <p>SB 1647 authorizes a public school district to use a dropout recovery program to provide alternative education programs (AEP) for students at high-risk of dropping out of school. SB 1647 grants the following authority to schools: allows the use of a private or public community-based education management organization; includes open-enrollment charter school; and allows such programs to be offered remotely or through a hybrid of in-person and remote instruction. The bill makes conforming language throughout to include these provisions in code.</p> <p>SB 1647 adds the requirement that an in-person, campus-based dropout recovery education program must operate an in-person student engagement center at a location suitable for high school students. These programs must be accredited by the agency or a regional accrediting agency, provide mental health services or referrals to enrolled students, and are prohibited from directly marketing to students in traditional education programs. A district or charter school can have a single campus-based dropout recovery education program for all students. Administrators or counselors may make referrals to this program if they believe it can prevent a student from dropping out. SB 1647 grants authority to a dropout recovery education program to administer statewide standardized or end-of-course tests on a date of their choice within a testing window specified by relevant statutes.</p> <p>Each year, a school district or open-enrollment charter school must post on the district's or school's Internet website a report on measurable outcomes for each dropout recovery education program offered by the district or school. The report must include the percentage of students enrolled in the program during the preceding school year who attained each of the following outcomes: transfer to a traditional education program, successful completion of the program, dual credit, or a credential of value.</p> <p>SB 1647 changes the requirement for the commissioner of education to include students in a dropout recovery education program in the district's average daily attendance (ADA) for funding. Instead, the commissioner will include students who successfully complete a course in such a program in the district's or charter school's ADA for funding. The commissioner must include a student who successfully completes a remote course in the computation of the district's or charter school's ADA. The student's attendance rate will be equal to the district's or school's average attendance rate for students who successfully complete an in-person course under the program. If the district or school does not offer in-person courses under the program, the statewide average attendance rate for students who complete an in-person course will be used.</p>	<p><b><u>Unfavorable</u></b></p>
-------------------------------------------------------------------	-----------------------------------------------------------	-------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

			<p><b>Conclusion</b>                  The bill raises issues related to student protections, outcomes, transparency, and the use of public funds. SB 1647 is a vendor bill pushed by Grad Solution, a for-profit Arizona-based education management organization. This company would be paid about 70-80% of all funds that a district receives for a student enrolled in their drop-out program. There is no need for this bill because school districts can already hire private organizations to operate a drop-out prevention program. Further, the bill actually removes the completion of a high school diploma as an outcome of a drop-out prevention program, even though a diploma should be the highest priority outcome.</p> <p>This bill raises concerns about student protections, outcomes, transparency, and public fund usage. SB 1647 is a vendor bill pushed by Grad Solution, a for-profit education management organization from Arizona, it was stated in testimony that the company would be paid between 70-80% all funds that a district receives for a student enrolled in their drop-out program. School districts already have the option to hire private organizations for drop-out prevention, making the bill unnecessary. Furthermore, the bill removes high school diploma completion as a program outcome, despite its importance.</p> <p>The bill permits educational management organizations (EMOs) to operate alternative programs. EMOs typically charge a fee that goes to their parent organization. EMOs, unlike public entities, are not subject to public information requests, hindering transparency and accountability regarding the use of public funds. EMOs can be out-of-state and/or for-profit organizations.</p> <p>The bill fails to provide necessary details to safeguard vulnerable students and ensure an effective dropout prevention program of high quality. SB 1647 requires that online students have an academic coach and a local advocate, but does not specify any training, responsibilities, evaluation criteria, or whether background checks will be mandatory.</p>	
<p><b>SB 936</b>                  By: Hancock                  Sponsor:                  Smithee</p>	<p>Relating to certain agreements with collective bargaining organizations related to certain publicly funded public work contracts.</p>	<p>State Affairs                  8 Ayes,                  3 Nays,                  0 PNV,                  2 Absent</p>	<p>SB 936 would disallow Texas cities from favoring companies aiming to generate local job opportunities that provide fair wages and critical safety safeguards, via project labor agreements (PLAs). SB 936 modifies rules regarding public work contracts so municipal governments cannot be influenced by or discriminate against bidders based on their involvement, or lack thereof, with collective bargaining agreements. While the measure purports to promote “neutrality,” it diminishes the bargaining power of unions and the perceived benefits of union membership.</p>	<p><b><u>Unfavorable</u></b></p>

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

<p><b>SB 2035</b></p> <p>By: Bettencourt</p> <p>Sponsor: Capriglione</p>	<p>Relating to the issuance of certain anticipation notes and certificates of obligation.</p>	<p>Pensions, Investments, &amp; Financial Services</p> <p>6 Ayes, 2 Nays, 0 PNV, 1 Absent</p>	<p>Bond propositions are placed on the ballot for voters to approve or reject their use in funding various projects, ranging from infrastructure repairs to constructing new courthouses. Unfortunately, certain elected officials have found loopholes to finance projects with bonds, even after voters rejected them. As a result, taxpayers are burdened with the debt incurred by these officials until they are voted out of office. SB 2035 aims to address this issue by extending the prohibition period for issuing anticipation notes or using certificates of obligations (COs) to fund projects rejected by voters.</p> <p>SB 2035 prohibits elected officials of counties, municipalities, eligible school districts, or countywide districts from authorizing anticipation notes to pay contractual obligations if voters rejected a bond proposition within the past five years. The bill provides several exemptions under specific circumstances. Some exemptions would include cases where it is necessary to protect public health, unforeseen damage to public machinery, compliance with a federal court order, or compliance with federal laws, rules, or regulations if the issuer was notified of noncompliance within the law. In addition, SB 2035 extends the timeframe for a governing body to authorize COs as payment for contractual obligations from three years to five years after the initial rejection of the bond.</p> <p>The bill does not limit local governments' use of COs or anticipation notes for various purposes. However, by extending the prohibition period from three to five years, there could be an increase in project costs due to inflation and accrued interest. In addition, some individuals are worried that the five-year period reduces elected officials' accountability since it extends beyond their term, forcing voters to wait until the following election cycle to vote them out.</p>	<p><b><u>Will of the House</u></b></p>
<p><b>SB 365</b></p> <p>By: Zaffirini</p> <p>Sponsor: Landgraf</p>	<p>Relating to the issuance or amendment of a certificate of public convenience and necessity that authorizes the construction of an electrical substation.</p>	<p>State Affairs</p> <p>9 Ayes, 1 Nays, 0 PNV, 3 Absent</p>	<p>Electrical substations control and direct electricity to specific locations, but landowners are often unaware of planned substations near their properties until construction starts. Unlike the requirement to notify landowners about transmission lines, there is currently no obligation to inform them about substations. SB 365 makes it mandatory for electric utilities to notify neighboring landowners about proposed substations. This notification allows landowners to plan ahead since living close to a substation may affect the appeal of their home, and potentially, the property value due to aesthetic, health, and other concerns.</p> <p>SB 365 requires certificate of convenience and necessity (CCN) applicants for electrical substations to provide written notice of proposed electrical substations to adjacent property owners and owners across highways or roads. This notice is in addition to any existing notifications provided by the Public Utility Commission of Texas (PUC) during the CCN application process. The requirement applies to CCN proceedings initiated after the bill's effective date.</p> <p>SB 365 helps to ensure landowners impacted by the proximity of electrical substation siting are properly informed and have an opportunity to address the proposal with the PUC.</p>	<p><b><u>Favorable</u></b></p>

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

<p><b>SB 2593</b> By: Springer Sponsor: Moody</p>	<p>Relating to a defense to prosecution for certain assaultive offenses involving the use or exhibition of a less-lethal projectile device by a peace officer.</p>	<p>Criminal Jurisprudence 5 Ayes 1 Nay 0 PNV 3 Absent</p>	<p>Less lethal weapons, such as rubber or plastic bullets, bean bag or sponge rounds, or batons, are often used by the police as an alternative to more lethal weapons. These types of weapons were particularly prevalent during the George Floyd protests of 2020, and some research suggests that they can reduce injuries to suspects and officers. These weapons are not a way to circumvent harm altogether, as they can be fatal or cause serious injuries, with roughly 17% of injured protesters in 2020 receiving a major or disabling injury from a less lethal weapon. As an incentive for law enforcement to use less lethal weapons, SB 2593 creates a defense to prosecution for certain assault offenses by a police officer using these weapons in certain circumstances.</p> <p>SB 2593 creates a defense to prosecution of law enforcement officers charged in cases that involve less lethal weapons, such as aggravated assault or deadly conduct. This defense would be available to an officer who uses the weapon in the course of their official duties in instances where the officer's intent was not to cause serious bodily injury, among other circumstances.</p> <p>While the intent of this bill may be to reduce harm, the bill presents a few concerns. First, some have expressed that this bill is unnecessary, as Texas law already provides for defenses to protect officers who use justified force. Additionally, because the qualifier here is the officer's intent, situations in which the officer may have violated policy, training, or caused undue harm may not be included. All cases in which an officer causes harm should be investigated thoroughly, especially considering that less lethal weapons are still lethal and incredibly harmful. In one case during the 2020 protests, a Veteran received such a severe brain injury from a bean bag round that he had to relearn how to speak. These weapons are not harmless and deserve the same legal scrutiny as any other weapon used by an officer.</p>	<p><b><u>Unfavorable</u></b></p>
<p><b>SB 532</b> By: West Sponsor: Kuempel   González, Mary   Anchía</p>	<p>Relating to repayment of certain mental health professional education loans.</p>	<p>Higher Education 9 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>In 2015, Texas created the Loan Repayment Program for Mental Health Professionals (LRPMHP) to address the state's mental health professionals shortage. However, there have been few applicants for the past three years due to limited funding and program requirements.</p> <p>Previously, the state has allocated \$2 million per biennium for the program, which limits the number of people who can benefit. To receive the total amount of assistance, a mental health professional needs to work in an area with a shortage of professionals for five years. This long period has created a backlog, leading to only 270 professionals already participating in the program, with 98 professionals currently involved. Additionally, some areas are understaffed, such as the nine state hospitals not currently designated as shortage areas. According to a report, only 32.9% of Texans who need mental health treatment receive it. This shows that there is still a high demand for more mental health professionals in Texas.</p> <p>SB 532 amends the Education Code to address this need and improve the LRPMHP by changing the program requirements from five years to three years. SB 532 also expands the program to include professionals working in local mental health authorities and state hospitals; they must meet specific requirements. The requirements include:</p>	<p><b><u>Favorable</u></b></p>

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

			<ul style="list-style-type: none"> <li>• Applying to the board.</li> <li>• Working for three years in a designated area with a shortage of mental health professionals.</li> <li>• Providing mental health services to specific groups of people, such as those under the medical assistance program or in correctional facilities.</li> </ul> <p>SB 532 changes the percentages from five increments of repayments to three equal parts equaling 33.33% annually for three years. In addition, SB 532 mandates the Texas Higher Education Coordinating Board to manage the program in a manner that enables ongoing evaluation and decision-making regarding applications, eligibility, and acceptance of qualified applicants. SB 531 changes only apply to individuals who establish eligibility after September 1, 2023.</p> <p>SB 532 seeks to enhance the effectiveness of the Loan Repayment Program for Mental Health Professionals and meet the ongoing demand for mental health professionals in Texas.</p>	
<p><b>SB 544</b></p> <p>By: Blanco</p> <p>Sponsor: Moody</p>	<p>Relating to the issuance of a temporary teaching certificate to and requirements regarding educator certification for certain persons with experience as instructors for the Community College of the Air Force.</p>	<p>Public Education</p> <p>12 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>There is a teacher shortage in Texas. SB 544 aims to increase the number of teachers in the workforce by allowing Community College of the Air Force (CCAF) instructors to obtain a temporary teaching certificate before completing an educator preparation program.</p> <p>SB 544 requires the State Board for Educator Certification (SBEC) to develop rules that allow individuals with a minimum of two semesters' experience as full-time instructors for the CCAF to obtain a temporary teaching certificate. This certificate can be obtained upon enrollment in an educator preparation program and allows CCAF instructors to receive credit towards the completion requirements of an educator preparation program for their education, training, and clinical or professional experience including their coursework, field-based experience, or clinical experience. SB 544 specifies that this temporary teaching certificate is valid for one year after the date of issuance.</p> <p>SB 544 could help reduce the teacher shortage by allowing CCAF instructors to teach while completing an educator preparation program. There are concerns that allowing these instructors to teach without this preparation, even temporarily, could be harmful to students. Educator preparation programs help educators must meet high standards and be well prepared to teach in Texas classrooms. CCAF instructors only have experience teaching at the college level and would be going into classrooms with little to no experience working with children and adolescents. These instructors do not have experience teaching K-12 level classes, which could make the transition to working with younger students more difficult. However, CCAF instructors still have some experience and familiarity with educational environments, so although they may not be fully equipped to handle secondary education- it is better than attempts to increase teacher workforce by handing out temporary certification to those with no prior experience.</p>	<p><b><u>Favorable with Concerns</u></b></p>

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

<p><b>SB 2376</b></p> <p>By: Campbell</p> <p>Sponsor: Canales</p>	<p>Relating to the issuance of Support Adoption specialty license plates and to the Support Adoption account and certain voluntary contributions to that account.</p>	<p>Transportation</p> <p>10 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>The Choose Life fund in Texas was established in 2011 to allow drivers to purchase specialty license plates to support adoption-related services. SB 2376 aims to increase contributions to this fund by renaming it to emphasize its sole focus on supporting adoption and by making it easier to donate to this fund.</p> <p>SB 2376 changes the name of the Choose Life specialty license plate program to the Support Adoption specialty license plate program. SB 2376 outlines specific types of organizations that would be eligible to receive funding from the newly named Support Adoption account. Eligible organizations include 501(c)(3) tax-exempt entities that provide counseling and material assistance to prospective adoptive parents, with the condition that they do not charge for their services except for adoption-related costs or fees. Adoption agencies and authorized agencies, which are public or approved private entities authorized to care for or place children for adoption, would also be eligible for funding.</p> <p>SB 2376 enables individuals to voluntarily contribute to the Support Adoption account when applying for a driver's license or personal identification certificate. SB 2376 requires the Department of Public Safety (DPS) to include a section on the application for applicants to specify the amount they want to contribute to the Support Adoption account. DPS must also establish an online option for individuals to make contributions during the application process before the end of this year. These contributions will be sent to the comptroller of public accounts and deposited into the Support Adoption account before the 14th day of each month. SB 2376 grants DPS the authority to deduct reasonable administrative expenses from the contributions before transferring remaining funds to the comptroller.</p> <p>SB 2376 encourages donations to the Support Adoption account by more accurately representing what the fund does with a name change and making it easier to make donations to this fund.</p>	<p><b><u>Favorable</u></b></p>
<p><b>SB 812</b></p> <p>By: Zaffirini</p> <p>Sponsor: Cortez   Allison   Campos   Oliverson</p>	<p>Relating to food allergen awareness in food service establishments, food handler and food manager certifications, and food service training or education programs.</p>	<p>Public Health</p> <p>10 Ayes, 1 Nays, 0 PNV, 0 Absent</p>	<p>The escalating issue of food allergies in the U.S. necessitates enhanced awareness and safety protocols in food service establishments, which currently lack obligatory employee training about this critical issue. Highlighting the seriousness of this matter is the 2014 tragedy of Sergio Alexander Lopez, who died after unknowingly consuming peanut butter in a restaurant despite asking employees about it. Limited food allergy awareness in public dining spaces presents challenges for patrons and increases the risk of cross-contamination. With research showing that first allergic reactions typically occur in public places, and the heightened risk of fatal anaphylaxis among young adults, it is imperative to increase awareness and implement preventive measures like allergen signage and staff training.</p> <p>SB 812, the Sergio Lopez Food Allergy Awareness Act, requires food service establishments to display a food allergen awareness poster in an area accessible to employees. The Department of State Health Services (DSHS) must collaborate with food allergy experts to determine the poster's content, post a sample on the DSHS website, and update it to align with FDA standards. The poster must include information about the risk of allergic reactions, prevention procedures, major food allergens, and appropriate responses to an allergic reaction.</p>	<p><b><u>Favorable</u></b></p>

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

			<p>SB 812 also mandates food allergen awareness information as a required component for food service education or training program accreditation and in basic food safety or food handlers' training. The state-approved food manager certification examination must assess food allergen awareness for certificates issued or renewed after September 1, 2024. Additionally, SB 812 prohibits counties, municipalities, or public health districts from adopting or enforcing any rule concerning food allergens that contradicts or surpasses its requirements.</p> <p>By December 1, 2023, the DSHS must establish the form and content of the required poster, update it on the department's website, and revise the education or training program accreditation requirements and course curriculum. Simultaneously, the executive commissioner of the Health and Human Services Commission (HHSC) is required to adopt any rules necessary to implement SB 812.</p> <p>SB 812 seeks to improve food safety compliance and health literacy, ensuring a safer dining environment for Texans living with food allergies. Increasing awareness of food allergens and the potential for life-threatening reactions will empower food service employees with the knowledge needed to respond promptly and effectively.</p>	
<p><b>SB 833</b> By: King Sponsor: Oliverson   Paul   Harris, Cody</p>	<p>Relating to consideration by insurers of certain prohibited criteria for ratemaking.</p>	<p>Insurance 6 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>Environment, social, and governance (ESG) criteria are non-financial metrics used to assess a company's business practices and performance on various sustainability and ethical issues. Investors and insurers increasingly adopt this framework to measure business risks and opportunities. Mutualizing and managing risk is a core function of insurance, and insurance companies use a variety of metrics to understand the impact various factors have on their balance sheets.</p> <p>SB 833 establishes that the legislature finds the use of ESG criteria to define acts or practices may be unfair discrimination in Texas's insurance business. Further, it establishes that the legislature finds numerous entities have developed different ESG models, scores, factors, or standards used to evaluate financial risks for investments and encourage or discourage dealings or investments in certain businesses and industries.</p> <p>SB 833 prohibits insurers from using ESG factors to charge a rate different than the rate charged to another business or risk in the same class for essentially the same hazard. This prohibition specifically applies to policies issued in Texas. SB 833 states that an insurer would not be in violation of the bill if their actions were based on an ordinary insurance business purpose, like sound use of actuarial principles. SB 833 provides what it cannot be construed to do, like requiring a material change in the insurer's current business plans or creating any type of private cause of action. Further, SB 833 clarifies that it does not authorize the Texas Department of Insurance to adopt a rule, model, or standard requiring an insurer to use ESG factors or other standards not specifically authorized in statute, including those required by certain federal laws or national organizations like the National Association of Insurance Commissioners. SB 833 defines "insurers" as insurance companies and other authorized entities engaged in the insurance business in Texas and provides a list of which types of insurers apply to the bill.</p>	<p><b><u>Unfavorable</u></b></p>

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

			<p>A report by McKinsey &amp; Company found ESG policies create value in five ways: (1) facilitating top-line growth, (2) reducing costs, (3) minimizing regulatory and legal interventions, (4) increasing employee productivity, and (5) optimizing investment and capital expenditures. This illustrates ESG practices are good for the environment, social justice, and business. The core function of the insurance industry is to assess and determine how to manage life, health, property, and liability risks. As a result, the provisions of SB 833 are contradictory and undermine insurers' ability to conduct business, given that the ESG framework is a metric to evaluate risk that has a direct fiduciary or actuarial impact. SB 833 mandates insurers only evaluate risk based on actuarial measures and ignores that ESG factors are inherently embedded.</p>	
<p><b>SB 590</b>  By: Hughes  Sponsor: Dutton   Leach   Patterson   Vasut</p>	<p>Relating to a court order for retroactive child support, including for retroactive child support beginning on the date of the child's conception.</p>	<p>Juvenile Justice &amp; Family Issues  6 Ayes 2 Nays 0 PNV 1 Absent</p>	<p>Currently, there is no legal provision to acquire prenatal support prior to the birth of a child. Moreover, even after the child is born, a court is not obligated to mandate prenatal and postnatal support, even if a mother has formally requested such support and provided evidence of the associated expenses. The mother bears sole responsibility for covering maternity costs and healthcare expenses resulting from childbirth. The average cost associated with an uncomplicated childbirth in Texas is between five and eleven thousand dollars, not including prenatal care. SB 590 would provide for child support beginning at the date of conception in order to offset these costs.</p> <p>SB 590 establishes that when determining retroactive child support, it is presumed in the child's best interest for the court to order support starting at conception. This determination can be made based on standard medical practice as determined by a physician, or by considering other evidence presented to the court, including testimony from a parent. The bill also grants the court the authority to order the obligor to pay an appropriate portion of all prenatal and postnatal healthcare expenses for both the parent and fetus as additional retroactive child support.</p> <p>SB 590 replaces the court's authorization to order retroactive child support and a party's obligation to pay a fair share of prenatal and postnatal healthcare expenses when parentage is established for a child's father. Instead, the bill mandates that if a court issues an order under the Uniform Parentage Act, establishing a child support obligation based on a valid, voluntary acknowledgment of paternity, retroactive child support can be ordered upon request and proper evidence. Consequently, the bill eliminates the requirement for the court to consider child support guidelines and relevant factors when issuing retroactive child support orders.</p> <p>This issue is complicated, as people in Texas are required to give birth once conception has occurred, but requiring child support for a fetus at conception may imply fetal personhood under the law. This has long-term negative implications on access to abortion in Texas, as establishing fetal personhood may provide fetuses with the same rights as an individual. Additionally, concerns have been raised that because the obligor is mandated to pay child support, they may be able to use that in an action against a partner who had an abortion. This creates unsafe situations for people who have had abortions. Furthermore, the bill references conception as a starting</p>	<p><b><u>Unfavorable</u></b></p>

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

			point, which is incredibly difficult to pinpoint and may raise questions about access to birth control or emergency contraceptives, as some of these deal with fertilization or implantation as opposed to conception.	
<b>SB 553</b> By: West   Creighton  Sponsor: Cole   González, Jessica	Relating to dedication ceremonies for new state buildings.	State Affairs  7 Ayes, 3 Nays, 0 PNV, 3 Absent	Before 2022, Texas had not dedicated a new state office building in over 30 years. During that time, the Texas Facilities Commission (TFC) was established by the legislature to oversee the construction of most state buildings. When preparations were being made for the dedication ceremony of the Barbara Jordan State Office Building, it became unclear whether expenses related to the ceremony, such as food, beverages, chair rental, program printing, and invitation postage, would be considered as serving a public purpose under the Texas Constitution. The attorney general's office had issued opinions suggesting that these expenses are not covered. Consequently, two state office buildings have not been opened. SB 553 aims to address this issue by authorizing the TFC to hold a dedication ceremony for a new state building using certain donated, appropriated, or dedicated funds.  SB 553 allows the TFC to hold a ceremony to dedicate a new state building. SB 553 limits TFC to less than \$10,000 of appropriated money to purchase food, nonalcoholic beverages, flowers, decorations, and other appropriate items for the ceremony that TFC would otherwise be unable to purchase. TFC can accept gifts, grants, or donations from any source and use this to pay for the ceremony. SB 553 does not authorize TFC to purchase alcoholic beverages.  SB 553 would allow the TFC to use state funds or donations to hold a dedication ceremony for a new state building.	<b><u>Will of the House</u></b>
<b>SB 163</b> By: Campbell   Hughes  Sponsor: Hefner	Relating to parental approval for a student's participation in human sexuality instruction in public schools.	Public Education  9 Ayes, 3 Nays, 1 PNV, 0 Absent	Currently, in order to teach human sexuality instruction, public schools must obtain the written consent of a student's parent prior to instruction. Schools are also prohibited from combining the request for written consent for sexual education with any other notifications or requests given to parents, except for the annual notice of the district's decision on providing human sexuality instruction. The request for consent must be provided to parents at least 14 days before the start of the instruction. These requirements are scheduled to expire on August 1, 2024 and SB 163 seeks to remove the expiration and continue this process for schools in order to teach sex education.  Opt-in policies in schools introduce logistical challenges for teachers and create unnecessary obstacles that hinder students from obtaining crucial health information. These policies aim to make it more challenging to access human sexuality education, despite the fact that parents have a voice in both opt-in and opt-out approaches.	<b><u>Unfavorable</u></b>
<b>SB 560</b> Author: Springer	Relating to the time for processing a municipal building permit application.	Land & Resource Management  6 Ayes,	Texas municipalities must approve or reject a building permit within 45 days of receiving the application or agree on a deadline with the person applying. If they don't decide within this time, they must give the applicant a written explanation for the delay. SB 560 seeks to restrict the conditions in which cities may extend the time for a permit application.	<b><u>Unfavorable</u></b>

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

<p>Sponsor: Toth</p>		<p>3 Nays, 0 PNV, 0 Absent</p>	<p>SB 560 would expand the conditions under which municipalities cannot charge permit fees and must refund collected fees for building permit applications. This situation would occur when a municipality failed to comply with permit issuance timelines. A municipality would be prohibited from denying permits solely because it could not comply with the statute and prevent it from requiring applicants to waive requirements for permit applications. For written agreements for an extended deadline, SB 560 would narrow these agreements to only be for commercial building permits. In this context, “commercial” encompasses buildings for public use, economic gain, or multifamily residences not classified as residential by provisions governing municipal building and rehabilitation codes.</p> <p>SB 560 aims to streamline the building permit process and protect applicants' rights, but critics argue it restricts local control and limits service options. Tighter timeframes and reduced flexibility could result in more outright rejections before the 45-day deadline, potentially leading to duplicate fees, resubmissions, and increased complaints.</p>	
<p><b>SB 1630</b>  By: Bettencourt  Sponsor: Dutton</p>	<p>Relating to an attendance policy adopted by public schools to prevent truancy.</p>	<p>Public Education  11 Ayes, 2 Nays, 0 PNV, 0 Absent</p>	<p>Chronic absenteeism and truancy issues within Texas public schools across the state need to be addressed in order to keep kids in school and on an academic pathway towards achievement. SB 1630 seeks to address truancy by requiring each public school district and open-enrollment charter school to adopt and implement an attendance policy.</p> <p>SB 1630 amends the state Education Code to ensure every public school district and open-enrollment charter school has an attendance policy in place and mandates the following actions: clearly explaining the benefits of regular attendance and outlining the consequences of irregular attendance, including the negative impact on a student's academic progress and the possibility of being referred to a truancy court. SB 1630 allows parents to choose their preferred method of receiving notifications about their child's absences, such as email, text message, or traditional mail. The policy must require a meeting between a parent and a school counselor, principal, or relevant administrator when a student is at risk of truant behavior to address the student's conduct and any issues at home that may contribute to their attendance problems. In the event that a parent fails to attend the meeting, the attendance officer is authorized to visit the home or contact the parent to investigate the student's behavior and living conditions, with their findings reported to the district or charter school. The policy must establish guidelines to identify students in need of extra support and provide referrals to appropriate in-school or out-of-school services to address their attendance issues. To ensure awareness, each board and governing body is required to provide parents with a copy of the attendance policy at the start of every school year. These provisions will be effective starting from the 2023-2024 academic year.</p> <p>Chronic absenteeism in grades 8-12 increases the dropout risk by seven times compared to regular attendance. In high school, attendance is a stronger predictor of dropout rates than test scores. Consistent absence hinders learning and reduces the likelihood of graduating on schedule. By informing parents and students at the</p>	<p><b><u>Favorable</u></b></p>

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

			beginning of the school year regarding the importance of attending school and providing appropriate support to students who fail to regularly attend school, Texas public schools can help keep students in class for the betterment of their future and the state’s growth.	
<b>SB 1966</b>  By: Alvarado  Sponsor: Walle	Relating to a grant program for school-based health care initiatives established to serve certain underserved students.	Health Care Reform, Select  8 Ayes, 0 Nays, 0 PNV, 3 Absent	<p>According to the Texas Medical Association, Texas leads the nation in the rise of uninsured children. This alarming trend requires immediate and effective action to ensure that children’s health care needs are adequately provided for.</p> <p>SB 1966 establishes a grant program to make school-based clinics widely available across Texas, particularly in underserved schools – those with at least half of their students uninsured or on a free/reduced lunch program. These clinics, providing a wide array of no-cost healthcare services, have been linked with positive outcomes like increased school attendance and reduced ER visits. Moreover, they are open to adults in the community, promoting wider health improvement. Services in these clinics cover mental health, immunizations, exams, acute and chronic illness management, dental screening and treatments, basic health education, and nutritional support. To provide services to students under 18, the clinics require parental or guardian consent.</p> <p>SB 1966 instructs the Health and Human Services Commission (HHSC) to establish a grant program, facilitating healthcare organizations in initiating, maintaining, and growing a school-based healthcare initiative. The bill offers detailed grant application and monitoring processes, ensuring the program's success and accountability. To safeguard the state's interests, HHSC can award grants only when a contract with the grant recipient exists, ensuring public benefit and state returns. The provisions outlined in SB 1966 are contingent upon legislative appropriations. If the legislature does not specifically allocate money for these purposes, the HHSC has the discretion to implement these provisions using other available funds.</p> <p>SB 1966 seeks to improve the overall health profile of underserved communities in Texas, making it a strategic step towards reducing health disparities and advancing health equity across the state.</p>	<b><u>Favorable</u></b>
<b>SB 853</b>  By: Hancock  Sponsor: Goldman	Relating to electricity service provided by certain municipally owned utilities.	State Affairs  9 Ayes, 3 Nays, 0 PNV, 1 Absent	<p>Currently, Austin Energy is the municipally owned utility serving the Capitol Complex and state agency facilities and has its rates determined by the Austin City Council. However, ratepayers within the City of Austin do not have the authority to request a review of those rates by the Public Utility Commission of Texas (PUC), unlike Austin Energy ratepayers residing outside the city limits who possess that right. SB 853 aims to grant ratepayers within the City of Austin, including the State of Texas and its agencies, the opportunity to have the rates established by the Austin City Council assessed and reviewed by the PUC.</p> <p>SB 853 introduces a process for reviewing rates of municipally owned utilities that serve the Capitol complex. It allows a group of retail customers, representing at least five percent of the utility's customers, to file a petition for commission review of their rates. The Public Utility Commission of Texas (PUC) will initiate a proceeding within 90 days to determine if the rates are consistent with those available to similarly situated customers in areas with customer choice. If the rates are consistent, the petition is denied. If the rates are at least 10 percent higher than</p>	<b><u>Unfavorable</u></b>

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

			<p>comparable rates, the PUC will conduct a full review of the rates and determine if they are just and reasonable. If not, the commission will set new rates that are fair and consistent with rates in areas with customer choice. Under SB 853, the PUC must provide the municipally owned utility with an opportunity to respond to the review conducted. They must also make the commission's review and the utility's response publicly available on the PUC's website.</p> <p>SB 853 redefines the jurisdiction of the PUC over municipally owned utilities. The commission's jurisdiction is limited to certain purposes, including regulating wholesale transmission rates, certifying retail service areas, regulating rates under specific circumstances, establishing a code of conduct for anticompetitive and affiliate activities, setting terms and conditions for open access to facilities, administering energy credits programs, requiring utility operation reports for load and market power analysis, and evaluating cybersecurity preparedness for certain utilities.</p> <p><b>Concerns</b> As proposed, SB 853 requires a petition be signed by at least five percent of Austin Energy customers to the PUC to review rates. The PUC must consider the petition, and potentially order a new rate hearing for Austin Energy if rates were found to be different to what customers could receive in the competitive market. The bill would add a bureaucratic layer on municipally-owned utilities that would increase costs and prove burdensome when making rate adjustments. These additional costs would then be passed along to ratepayers. Texans would be better served if the proposed legislation directed PUC to provide best practices that municipality owned utilities could follow in terms of rate making. Additionally, the bill asserts that Austin Energy should allow the state to examine the rates set for state agencies, citing similarities with how other municipalities handle their utility services. However, the actual language of the bill extends beyond state agency buildings, encompassing all customer types, ranging from residential to large industrial customers. This broader scope enables any customer to request a rate review and potentially challenge existing rates.</p>	
<p><b>SB 1075</b></p> <p>By: King</p> <p>Sponsor: Guillen</p>	<p>Relating to facilities and construction machinery used to respond to power outages.</p>	<p>State Affairs</p> <p>11 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>An update to the Texas Utilities Code was introduced after Winter Storm Uri to allow transmission and distribution utilities (TDUs) to lease temporary emergency power during load-shed events or widespread power outages caused by storms or hurricanes. The goal was to protect public safety without disrupting the competitive generation market. These assets cannot be used to sell power in the wholesale market and are set to expire on September 1, 2029. Since the law was implemented, utilities have used these assets multiple times to help Texans during power outages. However, the requirement for utilities to lease rather than own the assets has made them more expensive due to additional costs. There is also a need for clarity on when and how these assets can be used, the quantity that utilities can obtain for public safety, and the process for cost recovery by the Public Utility Commission of Texas (PUC). SB 1075 aims to reform the relevant code by removing the expiration date, allowing TDUs to lease assets from affiliated owners to reduce costs for TDUs and customers. SB 1075 also expands on how these assets can be used during power outages while addressing cost recovery concerns at the PUC.</p>	<p><b><u>Favorable with Concerns</u></b></p>

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

			<p>SB 1075 makes specific provisions of the Public Utility Regulatory Act (PURA) relating to the authority of TDUs permanent by removing the expiration date of these authorizations. As a result, TDUs may lease and operate facilities to restore power during widespread power outages, along with procuring, owning, and operating transmission and distribution facilities, or collaborate with other TDUs to do so.</p> <p>SB 1075 expands the scope of power outage scenarios to which they apply. Instead of being limited to "widespread power outages," SB 1075 introduces the concept of "significant power outages." These include outages that affect a significant number of customers for at least six hours, outages in areas covered by a disaster or emergency declaration, outages served by radial transmission or distribution facilities that pose risks to public health or safety and last at least 12 hours, and outages that impact critical infrastructure facilities like hospitals, healthcare facilities, law enforcement facilities, fire stations, or water and wastewater facilities.</p> <p>SB 1075 authorizes the Texas Division of Emergency Management (TDEM), ERCOT, and the executive director of the PUC to determine if a power outage, which doesn't meet the defined criteria, should be considered a significant power outage. This allows for flexibility in identifying power outages that still pose substantial risks. SB 1075 grants TDUs the right to determine if a power loss lasting at least 12 hours, affecting customers served by a radial transmission or distribution facility, poses a risk to public health or safety. SB 1075 removes restrictions on when TDUs can lease and operate temporary emergency energy facilities during power outages.</p> <p>SB 1075 allows an affiliate of the TDU to own and lease these facilities to the TDU as long as the lease costs adhere to the payment requirements outlined in the PURA for calculating rates. Importantly, SB 1075 clarifies that owning and leasing these facilities alone does not categorize the affiliate as a power generation company under PURA or Public Utility Commission (PUC) rules. However, if the affiliate engages in the business of owning and leasing these facilities to third parties unrelated to the TDU, they are considered a competitive affiliate under PURA and PUC rules. Additionally, if the affiliate exclusively focuses on owning and leasing these temporary emergency facilities to the TDU, and the TDU can demonstrate that leasing from the affiliate provides greater benefits to ratepayers compared to leasing from an unrelated third party, the affiliate is considered a competitive affiliate solely for rate computation under PURA.</p> <p>SB 1075 requires TDUs to promptly notify the PUC and market participants and submit a report after the deployment ends. SB 1075 replaces the competitive bidding requirement with soliciting and considering competitive bids before leasing a facility. Cost recovery rules state that the requested costs cannot be treated as transmission costs, giving TDUs the option to categorize them as distribution substation equipment costs or distribution transformer costs unless determined otherwise by the PUC. The PUC can review costs and refund customers through periodic rate adjustment proceedings.</p>	
--	--	--	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

		<p>SB 1075 establishes that the lack of previous approval from the PUC or the cost associated with leasing, procuring, owning, or operating such facilities should not be grounds for dismissal in rate adjustment or other rate-making proceedings. SB 1075 requires TDUs to conduct assessments every four years to determine the necessary capacity of facilities for power restoration during significant outages. Factors to be considered in the assessment include extreme weather conditions, system hardening and vegetation management efforts, expenditures on distribution facilities and system automation, load shed obligations, the presence of remote communities and critical infrastructure facilities, TDU's emergency operations plan, and other engineering or operational needs. These assessments will be submitted to the PUC for review.</p> <p>SB 1075 grants authority to the PUC to establish the capacity of facilities that TDUs can operate during significant power outages. The PUC can also set reasonable conditions for their operation, including duration times and prioritizing usage for critical infrastructure facilities. SB 1075 allows TDUs to provide or use facilities from other entities through mutual assistance agreements during significant power outages. TDUs are also authorized to lease facilities short-term in response to such outages under specific conditions. These conditions include considering the emergency nature of the outage, limiting the lease term to the duration of the emergency, notifying the PUC within 30 days of the lease agreement, and having the costs reviewed by the PUC in rate adjustment or rate-making proceedings.</p> <p>SB 1075 includes construction machinery owned by a TDU and used for maintenance or repair of electrical lines or substations during power outages among the machinery exempt from vehicle registration requirements based on temporary usage on highways.</p> <p>In conclusion, SB 1075 enhances the power restoration capabilities of transmission and distribution utilities during widespread outages. By expanding the authority of TDUs and removing limitations, SB 1075 enables a more comprehensive deployment of temporary emergency electric energy facilities, helping to restore power to Texans in various outage scenarios. These revisions help support the resiliency of the power grid.</p> <p><b>Concerns</b> Although there is a need to ensure our grid's resilience and prevent power outages, these proposed changes would allow utilities to own distributed generation and charge ratepayers affecting the competitive market for utilities.</p> <p>One concerning provision is the broad definition of a "significant power outage." The bill explains various criteria for declaring a power outage, including directives from ERCOT and declarations by entities such as TDEM, ERCOT, or PUCT. The flexibility of allowing TDUs to determine if a loss of electric power poses a risk to health or safety could lead to enabling TDUs to include specific investments in their rates. Additionally, the bill expands the circumstances under which utilities can make these investments by permitting them to "own or</p>	
--	--	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

			<p>lease” facilities that provide energy when they anticipate a significant power outage, thus lacking limitations on when utilities can own and operate mobile generation facilities.</p> <p>Another provision is the permittance of Texas utilities to lease or own mobile generation equipment up to 3% of their peak load. This is concerning because many leading utilities in the state are in areas currently struggling with significant air quality issues, like the Dallas-Fort Worth and Houston-Galveston-Brazoria airsheds that fail to meet ozone standards set by the U.S. EPA. By allowing utilities to operate gas or diesel emergency generation equipment, particularly during the hot summer months when ozone levels peak, the bill could worsen air pollution in areas already experiencing public health and compliance concerns.</p> <p>Furthermore, the bill assumes that these facilities are inherently valuable and necessary, and it considers investments of up to three percent of peak load as sensible, justifiable, essential, and recoverable. This legal declaration further tips the scales in favor of utilities when determining rates and recovering costs for emergency power generation and restoration, potentially motivating utilities to possess such equipment. Encouraging utilities to predominantly own highly polluting mobile generators for a significant portion of their peak demand, up to three percent, does not serve the best interests of ratepayers or the air quality in the affected regions.</p> <p>In summary, SB 1075 exhibits a bias towards utilities, neglecting the rights of ratepayers and impeding the progress of innovation.</p>	
<p><b>SB 958</b></p> <p>By: Campbell</p> <p>Sponsor: Hernandez</p>	<p>Relating to the prohibited release by a public agency of personal affiliation information regarding the members, supporters, or volunteers of or donors to certain nonprofit organizations; creating a criminal offense.</p>	<p>State Affairs</p> <p>11 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Donor list privacy for nonprofit organizations has a legal history dating back to the 1958 NAACP v. Alabama case and upheld in the 2021 Supreme Court ruling. However, state disclosure laws about nonprofits remain unclear. SB 958 aims to resolve this by prohibiting public agencies from releasing personal affiliation information related to certain nonprofits. This includes any data that identifies an individual as a nonprofit's member, supporter, volunteer, or donor.</p> <p>SB 958 prevents public agencies and their staff from demanding disclosure of personal affiliation information or publishing such data if they have it. They also cannot require contractors or grantees to submit a list of their supported nonprofits. Yet, SB 958 also provides for instances where disclosing personal affiliation information is necessary. This includes state-required reports, court-issued warrants, court proceedings, and voluntarily released data.</p> <p>Specific situations involve the release of identities of nonprofit organization members or officials in any report, unless they are individual donors. Information derived from donations to a public agency-affiliated nonprofit can be disclosed unless the donor requests anonymity. The office of the governor or registered national securities associations can also access this information.</p> <p>The Texas Department of Criminal Justice can request this information for security purposes, while the attorney</p>	<p><b><u>Favorable</u></b></p>

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

			<p>general can obtain it for investigations, provided it's strictly used for that purpose. Personal affiliation information may also be disclosed in court documents or public communications related to legal proceedings, only if the accused party is found guilty or liable.</p> <p>Under SB 958, a person alleging a violation can seek legal action, potentially obtaining injunctive relief and at least \$2,500 in damages per violation, along with other compensations. They can also sue the public agency, waiving and abolishing any applicable sovereign or governmental immunity. Violations of SB 958's provisions are classified as a Class B misdemeanor.</p> <p>SB 958 aims to strengthen Texans' privacy rights regarding their nonprofit affiliations.</p>	
<p><b>SB 829</b></p> <p>By: Kolkhorst</p> <p>Sponsor: Goodwin   Gerdes   González, Mary</p>	<p>Relating to cottage food production operations.</p>	<p>Public Health</p> <p>11 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>The cottage food industry, an essential part of the U.S. local economy, has seen considerable growth. The Texas Cottage Food Law permits home-based entrepreneurs to sell specific foods to consumers without a license, but with some restrictions. These limitations, like a gross income cap and restrictions on food types and selling venues, can be challenging for some producers.</p> <p>SB 829 aims to simplify these regulations, enhancing the business climate for cottage food producers in Texas. It defines a "cottage food production operation" as an individual or nonprofit that produces food products in a residential setting. Under SB 829, baked goods include goods that are time and temperature controlled for safety, but do not contain meat, poultry, shellfish, or fish. The bill also increases the annual income cap for these operations from \$50,000 to \$100,000.</p> <p>"Cottage food vendors" under SB 829 are individuals or organizations contracted to sell food on behalf of a cottage food operation, excluding some baked goods. They can sell applicable food, excluding baked goods, directly to consumers through various channels, such as farmers' markets, farm stands, food service establishments, and retail stores, provided they display a prominent sign disclosing that the product was produced in a private residence. SB 829 also changes labeling requirements for such foods, mandating the inclusion of a preparation date and a disclosure stating the food is not subject to government licensing or inspection. For certain baked goods requiring specific storage conditions, safe handling instructions must be provided and the food must be stored and delivered at the appropriate temperature. Cottage food production operations are not required to include their address on the label if they register with the Department of State Health Services (DSHS).</p> <p>SB 829 limits local government authority, including health departments, over cottage food operations, prohibiting them from requiring licenses, permits, or fees for direct sales. Violators of this prohibition can lose their employment.</p> <p>SB 829 seeks to expand the cottage food industry in Texas, including military veterans and their families</p>	<p><b><u>Favorable</u></b></p>

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

			participating in the Battleground to Breaking Ground Program, which provides training for them to become cottage food producers.	
<b>SB 950</b> By: Kolkhorst  Sponsor: Leach	Relating to the attorney general's defense of a district or county attorney against certain lawsuits in federal court.	State Affairs  12 Ayes, 0 Nays, 0 PNV, 1 Absent	Current law does not give explicit authority for the Office of the Attorney General (OAG) to defend a district attorney for the enforcement of a state statute or to defend a county attorney in any matter. SB 950 aims to make it clear that the OAG has authority to defend a state district attorney or county attorney in federal court if the cause of action relates to the enforcement of a state statute and the attorney requests assistance in the defense.  SB 950 authorizes the attorney general to defend a state district attorney or county attorney in federal court if the district or county attorney is a defendant because of their office, the cause of action relates to the enforcement of a state statute, and the district or county attorney requests the attorney general's assistance in the defense. SB 950 only applies to a court action filed in federal court on or after the effective date.  SB 950 allows the attorney general to defend state district or county attorneys in federal court.	<b><u>Favorable</u></b>
<b>SB 436</b> By: Middleton  Sponsor: Leach	Relating to the punishment for the offense of purchasing or selling human organs; increasing a criminal penalty.	Criminal Jurisprudence  6 Ayes 0 Nay 0 PNV 3 Absent	The current penalty for buying or selling human organs is a Class A Misdemeanor. While it's difficult to ascertain the exact breadth of the issue, some reports claim that trafficked organs make up roughly 10% of organ transplants across the world. SB 436 seeks to deter this behavior by enhancing the penalty.  SB 436 increases the penalty for the sale or purchase of human organs from a Class A Misdemeanor to a state jail felony.  SB 436 may help to deter actors from trafficking organs.	<b><u>Favorable</u></b>
<b>SB 1087</b> By: Schwertner  Sponsor: Harris, Cody	Relating to authorization and reimbursement for certain examination fee subsidies paid for public school teachers and students.	Public Education  13 Ayes, 0 Nays, 0 PNV, 0 Absent	Texas law currently provides subsidized fees for one industry-based certification (IBC) examination per student and for cybersecurity certification examinations for teachers, which are later reimbursed by the state. However, students in career and technology education (CTE) programs can earn between one and three IBCs. Due to limited flexible operating funds for CTE programs, school districts struggle to fund these additional certifications. As a result, students and teachers face financial barriers in obtaining entry-level certifications that are part of one or multiple programs of study. SB 1087 aims to expand certification examination fee subsidies to cover all IBC exams taken by eligible students and all CTE-related certification examinations taken by teachers.  SB 1087 eliminates the limit on the number of subsidies a student can receive for certification examinations required to obtain a license or certificate within a career and technology education program. SB 1087 also broadens the range of certification examinations that qualify for subsidies for teachers, including any certification examination related to career and technology education instead of only cybersecurity. Additionally, SB 1087 clarifies that the Texas Education Agency (TEA) will reimburse public school districts for each certification examination fee paid by the district on behalf of a student. SB 1087 allows teachers and students to complete more than one fully funded IBC exam to become certified in multiple CTE areas.	<b><u>Favorable</u></b>

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

<p><b>SB 1204</b> By: Paxton Sponsor: Capriglione</p>	<p>Relating to state and local government information technology and information security.</p>	<p>State Affairs 13 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>With the increasing prevalence and complexity of cybersecurity threats, it is evident that state agencies in Texas need a comprehensive strategy to enhance their security measures and modernize their planning tools. It is necessary to ensure the safety and integrity of public data and systems by building on recommendations from the Joint Oversight Committee on Investment in Information Technology Improvement, the Work Group on Blockchain Matters, and the Department of Information Resources' (DIR) Biennial Performance Report.</p> <p>SB 1204 creates the Information Sharing and Analysis Organization, under the DIR, as an intrastate entity. It allows DIR to establish an equivalent interstate organization for states to share information about cybersecurity threats, best practices, and remediation strategies. It also mandates that unless specifically barred by law or internal regulations, state agencies should accept digital signatures included in any electronically delivered communication or payment.</p> <p><b>Information Security Assessments</b> SB 1204 simplifies information security assessments by removing some of the previous requirements, but maintaining a strong emphasis on evaluating the information security risk profile of each state agency. Previously, agencies had to perform a biennial assessment of their data governance program, which might involve their data management officer, and adhere to rules set by the DIR. Agencies also had to report their assessments, covering all aspects of their digital infrastructure and security, to the DIR and possibly to certain government officials. Under SB 1204, agencies must now undertake their security assessment in collaboration with either the DIR or a DIR-approved vendor and are only obliged to submit their findings directly to the DIR.</p> <p>SB 1204 directs the DIR to incorporate the outcome of an agency's information security assessment when gathering data about an agency's information technology infrastructure condition. Each agency must now submit information to DIR by June 1 of each even-numbered year. The DIR is tasked with assigning one of three information security ratings—'above average,' 'average,' or 'below average'—to each agency except for higher education institutions. Factors considered in determining these ratings include the state of the agency's information technology infrastructure, the agency's overall information security risk relative to its risk environment, and any other documentation or information requested by the DIR. SB 1204 instructs the DIR to determine improvement strategies and make recommendations for any state agency given a 'below average' rating and aid agencies in evaluating if enhanced security measures would bolster their information security. The DIR must make audit reports available to the legislature and Legislative Budget Board (LBB) staff.</p> <p>The DIR must compile a public summary of its biennial report on the condition of state agencies' information technology infrastructure, ensuring no confidential information is disclosed. SB 1204 repeals provisions requiring the entire report to be publicly accessible or provided on request and eliminates the need to seek attorney general's approval for withholding confidential information. Instead, all data related to the report, including information provided by state agencies, is classified as confidential and exempt from public disclosure.</p>	<p><b>Favorable</b></p>
---------------------------------------------------------------	------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------

Both the state agency and DIR can now redact or withhold confidential information without requiring attorney general's approval.

SB 1204 permits the LBB, after reviewing the report, to direct DIR to include any state agency with an information security rating in a statewide technology center. Selected agencies will be notified by the DIR as stipulated by applicable provisions, and DIR is not obliged to conduct a cost and requirements analysis for these selected agencies. SB 1204 allows a state agency employee, who serves as the agency's information security officer, to be jointly appointed to the same role across two or more state agencies, with DIR approval.

**Digital Ledger Technology**  
 S.B. 1204 directs the DIR to create and distribute guidelines for state agencies on the utilization of distributed ledger technology, including blockchain. These guidelines must include a model to aid in determining whether such technology suits an agency's requirements and may encompass examples of potential applications, sample procurement and contractual language, along with educational resources about distributed ledger technology for agencies.

**Strategic Plans**  
 S.B. 1204 mandates the DIR to create guidelines for state agencies to include in their operational strategic plans a description of customer service technology, such as phone systems and websites, that enhance customer service performance, unless otherwise modified by the LLB or governor. As part of these strategic plans, agencies must incorporate an IT modernization strategy, detailing their intended approach to transform their IT and data services into a more advanced, integrated, secure, and efficient technological environment. The DIR is authorized to supply a template for this plan.

**Peer to Peer Payments**  
 S.B. 1204 allows for the use of peer-to-peer payments as an electronic payment method for transactions by state agencies or local governments via the state's online portal. The DIR must identify at least three widely-used peer-to-peer payment systems that guarantee data privacy and financial security, and publish this list to its website. This list must be reviewed and updated every two years, as needed.

**Funding**  
 SB 1204 allows the DIR to use appropriated funds to promote shared information technology services, such as data center, disaster recovery, and cybersecurity services, to state agencies and local governments, with approval from the DIR executive director. It also permits the use of funds from the technology improvement and modernization fund to address potential or actual system security breaches or ransomware attacks within state agencies. Funds cannot be used to pay individuals who commit electronic data tampering offenses.

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

			<p>SB 1204 seeks to bolster cybersecurity and modernize information technology infrastructure within Texas state agencies, enhancing safety and service quality for all Texans. SB 1204 emphasizes information sharing as a key strategy for identifying and mitigating threats and gives the DIR the power to create both an intrastate and interstate organization for sharing crucial information about cybersecurity threats, best practices, and remediation strategies. Finally, it helps modernize state agency interaction with the public by requiring them to accept digital signatures in electronic communications and payments.</p>	
<p><b>SB 1119</b>  By: Kolkhorst  Sponsor: Landgraf</p>	<p>Relating to studies of buildings and facilities owned, leased, or otherwise occupied by this state.</p>	<p>State Affairs  12 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>As the workforce continues to see an increase in remote work and a decrease of office space usage, the legislature has seen a need to reevaluate the usage of state agency buildings. SB 1119 requires the Legislative Budget Board (LBB) to conduct periodic studies on the state's use of space, including leased and state-owned spaces, with the aim of identifying potential cost savings, efficiencies, and the benefits of maintaining a comprehensive database of state-owned and leased properties.</p> <p>Under SB 1119, the LBB is mandated to conduct a study and submit a report to the legislature by September 1, 2024, and every six years thereafter. The study should determine the amount of money being spent on leased space for state agencies, explore the potential to relocate personnel from leased space to existing state-owned space, identify any efficiencies or cost savings that can be achieved by consolidating personnel and resources into existing state-owned space and assess any efficiencies or cost savings that can be achieved by consolidating personnel and resources into existing leased space if state-owned space is not available. The study will also examine the impact of consolidations on the state's insurable assets and evaluate the potential benefits of establishing and maintaining a comprehensive, regularly updated database of all buildings and facilities owned, leased, or occupied by the state.</p> <p>In this study, the LBB is responsible for collecting information from state agencies regarding the buildings and facilities that are owned, leased, or occupied by a state agency (excluding institutions of higher education). This includes the agency in charge, ownership/lease status, name/number, address, square footage, available square footage, occupancy changes, continuity of government plans, and average monthly utility expenses. Real property data will be collected from institutions of higher education through the Texas Higher Education Coordinating Board along with similar information as what is collected from state agencies.</p> <p>SB 1119 requires state agencies to provide their telework policies to the Texas Facilities Commission and the State Office of Risk Management upon request. Once data is collected, the LBB or a designated state agency must consolidate the collected information into a single database accessible to legislators, executive heads of state agencies and institutions of higher education, and their designated representatives by June 1, 2024.</p> <p>SB 1119 requires that the report include a comprehensive strategy for ensuring the efficient utilization of all state properties. Additionally, the LBB, State Office of Risk Management, and Texas Facilities Commission are required to create maps identifying the locations of state-owned, leased, or occupied buildings and facilities.</p>	<p><b><u>Favorable</u></b></p>

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

			<p>According to the bill, the information collected and produced is exempt from public disclosure. The LBB has the authority to consolidate the study and report with other mandated reports on space allocation by state agencies. State agencies are required to identify opportunities for consolidating personnel and resources into state-owned or leased spaces based on the report's findings.</p> <p>SB 1119 is a practical piece of legislation that has the potential to achieve dual benefits of cost savings for the state and reduced pressure on the power grid. If agencies consolidate into less buildings that the state owns rather than lease, they could save money by using state energy management systems.</p>	
<p><b>SB 1182</b></p> <p>By: Eckhardt</p> <p>Sponsor: Lujan</p>	<p>Relating to motor vehicle registration and license plates.</p>	<p>Transportation</p> <p>11 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Texas has over 22 million registered vehicles, a number that continues to rise as more people and vehicles relocate to the state, as reported by the Texas Department of Motor Vehicles (TxDMV). Vehicle titling, registration, and license plate issuance are significant aspects of the Transportation Code. The state generates more than \$4.5 billion in fees and taxes from vehicle registration, title, and sales. However, certain sections of the Transportation Code contain inconsistencies, contradictions, and outdated provisions that require revision. SB 1182 aims to clarify contradictions, eliminate ambiguities, and ensure that the Transportation Code aligns with TxDMV's current practices for titling, registration, and licensing.</p> <p><b>Registration &amp; Temporary Registration</b> SB 1182 amends the state Transportation Code and clarifies the status of 72- or 144-hour permits, as well as one-trip or 30-day trip permits, stating that they are temporary registration permits and not substitutes for vehicle registration. SB 1182 mandates that a 72- or 144-hour temporary registration permit must be present in the vehicle, or in the case of a trailer or semitrailer, in the motor vehicle that is towing it, at all times while the permit is valid, including during vehicle operation.</p> <p>SB 1182 establishes that vehicles with temporary registration permits must comply with statutory requirements for vehicle inspection, reinspection, and emissions inspection. SB 1182 changes how temporary registration permits are displayed. Instead of a tag in the rear window, the permit must be attached to the vehicle's rear license plate area, ensuring it is visible and legible at all times, even while driving. If the vehicle doesn't have a rear license plate area, the permit must be securely attached for easy inspection. SB 1182 requires the registration receipt for the permit to be carried in the vehicle following TxDMV's guidelines.</p> <p>SB 1182 adds truck tractors to the list of vehicles that must display a compliant license plate assigned by TxDMV during the registration period when operating on a public highway. This provision applies to offenses committed on or after the effective date of the bill. The existing law remains applicable to offenses or any related element that occurred before the effective date.</p> <p><b>Specialty License Plates</b></p>	<p><b>Favorable</b></p>

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

		<p>SB 1182 grants authority to TxDMV to issue special license plates for farm trailers or farm semitrailers weighing 4,000 pounds or less. These plates are designated for temporary highway use when transporting specific agricultural products, livestock, or related supplies for certain purposes. SB 1182 states that owners are not obligated to register farm trailers, farm semitrailers, farm tractors, or implements of husbandry weighing 4,000 pounds or less if they are only operated temporarily on highways.</p> <p>SB 1182 expands the authorization for license plates issued to veterans with disabilities. Veterans can now request to include the emblem of their branch of service or an emblem from another specified license plate they are entitled to for their military service. SB 1182 allows veterans to choose one emblem or design from any military specialty license plate they are entitled to for their license plates. SB 1182 exempts recipients of the Legion of Merit medal from paying a vehicle registration fee for one set of military specialty license plates. SB 1182 establishes a \$30 fee for the issuance of a set of professional firefighter specialty license plates.</p> <p>SB 1182 removes the fee for issuing specialty license plates for gold star mothers, fathers, spouses, or family members. The same applies to specialty plates for volunteer firefighters, certified fire protection personnel, rental utility trailers, and travel trailers. SB 1182 removes the authorization for TxDMV to issue honorary consul specialty license plates.</p> <p>SB 1182 modifies the allocation of fees collected from the issuance of Keep Texas Beautiful specialty license plates. Instead of being used for TxDMV's litter prevention and community beautification programs as currently specified, the remaining fee amount (after deducting administrative costs) must be utilized for litter prevention and community beautification programs associated with the Texas Department of Transportation. SB 1182 updates the authorization for TxDMV to design and issue specialty license plates. It expands the scope to include recognition of Texas aerospace and aviation, and mandates that the design and issuance of these specialty plates be done in consultation with the aerospace and aviation office of the Texas Economic and Development Tourism Office.</p> <p>SB 1182 updates specialty license plates for the Texas Commission for the Deaf and Hard of Hearing. It requires TxDMV to issue license plates supporting services for the deaf and hard of hearing, in consultation with the Health and Human Services Commission (HHSC). SB 1182 changes how the fee collected from these license plates is allocated. Instead of going to the Texas Commission for the Deaf and Hard of Hearing, the remaining fee will now be directed to HHSC. These funds will be utilized for direct services programs, training, and education specifically benefiting individuals who are deaf and hard of hearing.</p> <p>SB 1182 aligns Transportation Code with current practices and contributes to a more effective, fair, and inclusive transportation system in Texas, benefiting individuals, communities, and industries alike.</p>	
--	--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

**Texas Legislative Study Group – An Official Caucus of the Texas House of Representatives**

<p><b>SB 1011</b> By: Parker Sponsor: Cook</p>	<p>Relating to the punishment for the offense of trafficking of persons.</p>	<p>Criminal Jurisprudence 6 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>Human trafficking has become an increasingly concerning issue in Texas, with the number of arrests occurring for the offense in 2020 peaking at 185. These rates have been rising since 2007, and traffickers generally target vulnerable populations, such as children, the unhoused, runaways, and the incarcerated. Because incarcerated populations are already confined it is easy for traffickers to make them vulnerable and isolated. SB 1011 seeks to address this issue by increasing the penalty for human trafficking of those who are confined in jail.</p> <p>SB 1011 expands the conduct that constitutes a first degree felony for human trafficking to include an individual who recruits, entices, or obtains a trafficked person from a correctional facility while the trafficked person was confined in the facility.</p> <p>SB 1011 will further help to protect vulnerable populations from trafficking.</p>	<p><b><u>Favorable</u></b></p>
<p><b>SB 1219</b> By: Kolkhorst Sponsor: Landgraf</p>	<p>Relating to the confidentiality of fraud detection and deterrence and counterterrorism information under the public information law.</p>	<p>State Affairs 11 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Texas' public information law contains various exemptions that prevent the disclosure of certain types of information. However, there are currently no specific exceptions in place for information concerning fraud deterrence, fraud detection, and counterterrorism for state agencies engaged in combating fraudulent activities. The purpose of SB 1219 is to address this gap by introducing confidentiality protections within the state's public information law. The bill aims to ensure that information pertaining to fraud detection, fraud deterrence measures, and counterterrorism measures remains confidential and is not subject to public disclosure.</p> <p>SB 1219 establishes that any information related to measures taken to detect and prevent fraud or counterterrorism activities (political or military activities designed to prevent or thwart terrorism), when in the possession of a governmental body, will be treated as confidential. It implies that the public does not have the right to access or obtain this specific information through public information requests.</p> <p>The rationale behind SB 1219 is to safeguard state agencies involved in fighting fraud. If the details of their fraud detection and deterrence methods were made public, it would essentially provide potential criminals with a guide of how to improve their fraudulent schemes and defraud the agency more effectively. Therefore, SB 1219 seeks to provide necessary safeguards by granting confidentiality protections to such information under the state's public information law.</p>	<p><b><u>Favorable</u></b></p>