



Texas Legislative Study Group

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LSG Floor Report For POSTPONED BUSINESS UNTIL 8:00 AM – Thursday, May 4, 2023

HB 4843 By: Holland	Relating to increasing the criminal penalty for the offense of unlawful possession of a firearm by a person convicted of a felony.	Community Safety-Select 11 Ayes, 0 Nays, 1 PNV, 1 Absent	<p>There has been an increase in violent crime in Texas. Persons convicted of a felony may possess a firearm in their residence after five years of their completion date of incarceration or parole. Before this, a convicted felon may be charged with unlawful possession of a firearm which is a third-degree felony and a possible minimum sentence of two years. HB 4843 intends to increase the severity of unlawful possession of a firearm by a convicted felon and to create a mandatory minimum sentence for the offense.</p> <p>HB 4843 increases the severity of unlawful possession of a firearm by a convicted felon from a third-degree felony to a second-degree felony and creates a ten-year minimum imprisonment sentence for the offense.</p> <p>The bill aims to protect Texans and reduce repeated violent offenders by increasing the penalty for unlawful possession of a firearm. There is a need for caution with this kind of penalty increase - especially without guardrails of who this particularly impacts. If the intent is to reduce violent crime, then there needs to be a specification that this is targeting people that have committed violent offenses. Not all justice-involved people who commit felonies are violent offenders but could be significantly impacted by this change. There are also the documented trends of how our criminal justice system disproportionately impacts people of color and people of lower socioeconomic status. Lastly, having a mandatory minimum sentence removes discretion from the courts to respond to individual needs or circumstances. Overall, a sweeping change with no consideration of varying factors can have drastic unintended negative impact.</p>	<u>Unfavorable</u>
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LSG Floor Report For POSTPONED BUSINESS UNTIL 9:00 AM – Thursday, May 4, 2023

SB 1401 By: Zaffirini Paxton Sponsor: Johnson, Ann	Relating to the rights of victims of sexual assault and to certain procedures and reimbursements occurring with respect to a sexual assault or other sex offense.	Homeland Security & Public Safety Ayes 6, Nay 1, PNV 0, Absent 2	<p>SB 1401 is the identical senate companion to HB 2668.</p> <p>The Sexual Assault Survivors' Task Force (SASTF) in the Office of the Governor in Texas proposed policy recommendations to develop survivor-centered and trauma-informed responses to sexual violence, which were all passed by the 87th Texas Legislature. HB 2668 is a bill that aims to strengthen the rights of sexual assault survivors concerning forensic medical examinations.</p> <p>HB 2668 seeks to increase accessibility to forensic medical examinations, improve survivors' compensation eligibility and reimbursement, and allow for survivor-centered assault kit notification procedures. It consolidates</p>	<u>Favorable</u>
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all statutory approaches for all sexual assault victims and repeals provisions that distinguish between victims who report or do not report sexual assault.

Subchapter F within in the chapter pertaining to Rights of Crime Victims refers to only victims of sexual assault who have reported through a form which have in the past restricted and denied victims by law enforcement to not receive a forensic medical examination after an assault. HB 2668 repeals Subchapter F, as the form is hindering medical access and treatment for survivors and not a crucial requirement for law enforcement to pursue the offense.

For minors, the HB 2668 requires law enforcement agencies to refer victims of sexual assault to a forensic medical examination regardless of when the assault was reported. For adults, the bill requires law enforcement agencies to refer victims to a forensic medical examination within 120 hours after the reported assault. If it's after the 120-hour period, a referral must be made by a physician, sexual assault examiner, or nurse examiner who has conducted a preliminary medical evaluation to make the necessary determination.

HB 2668 broadens the provision for reimbursement of a health care provider, sexual assault examiner, or nurse examiner who conducted the examination for the cost of the forensic portion of the examination, other medical care provided during the examination, and any other medical care provided to the victim during the 30-day period post examination, including medication and medical testing. The bill also requires the office of the attorney general to make a payment to victims of sexual assault or on their behalf of the reasonable costs from all testing and medical care, replacing the costs according to the Health and Safety Code provisions on emergency services. Additionally, the bill:

- Requires the attorney general to make a payment according to medical fee guidelines by the Texas Workers' Compensation Act;
- Limits the payment amount to \$25,000;
- Authorizes the attorney general to deny or reduce a payment if the reimbursement was recouped from a collateral source; and
- Establishes that the attorney general nor the victim is responsible for medical care costs that were not medically necessary or exceeds the fee guidelines.

HB 2668 establishes that a victim who receives a forensic medical examination that provided sufficient evidence constitutes sufficient evidence, meaning that they cooperated with the investigation to be eligible for an award payable under the state's crime victims' compensation program. It also retains and amends the provision that the law enforcement agency or state's attorney pay all costs related to the testimony of a licensed healthcare professional in a criminal proceeding regarding the results of a forensic medical examination regardless of whether the victim reported the assault.

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			<p>The bill removes the requirement to provide a written notice to the victim regarding the agency's intention to destroy the evidence and replaces it with written notification through the statewide sexual assault evidence electronic tracking system before destroying the evidence. The bill also requires the preservation and transfer of evidence to comply with the current Government Code for law enforcement agencies regarding the analysis and release of evidence of sexual assault or another sex offense.</p> <p>Overall, HB 2668 strengthens survivors' rights before, during, and after receiving forensic medical examinations, including receiving their sexual assault kit notification. SASTF ensures that all recommended policies are survivor-centered and provide a more transparent and consistent collaboration between victims of sexual assault and law enforcement agencies.</p>	
<p>HB 3317 By: Frank Rose Price Shaheen Garcia</p>	<p>Relating to programs established and operated by federally qualified health centers to provide primary care access to certain employees.</p>	<p>Health Care Reform, Select 9 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>A study by the Urban Institute estimates two-thirds of uninsured Texans are from working families. Direct primary care is a method of health care where patients pay a flat monthly fee for unlimited access to their doctor. Federally qualified health centers (FQHCs) offer various primary and preventive care services, and working families in Texas could benefit from a program that combines direct primary care and other services at a FQHC.</p> <p>HB 3317 aims to improve primary care access at FQHCs for low-income and vulnerable individuals, improve employee and family health by offering better access to health care, aid small business competitiveness by promoting a healthy workforce with attractive health care benefits, and support innovative health care services and financing for employees. HB 3317 allows FQHCs to create a primary care access program for employees and dependents of participating employers. The program aims to achieve several goals such as reducing the amount of individuals without primary care access, promoting preventive care, offering fair payment rates, and encouraging innovative health information technology use.</p> <p>FQHCs can set participation criteria and require contributions from employers and employees. Additionally, FQHCs can seek donations and grants to fund primary care services, benefits, and lower participation costs. The bill also establishes a grant program managed by The Texas Department of Insurance (TDI) and the commission to award to FQHCs, create performance goals, and monitor progress. TDI and the commission must submit a report to the legislature assessing the program's success and recommending actions to improve or support it.</p> <p>HB 3317 aims to increase primary care access for uninsured or underinsured Texans by establishing and financing federal qualified health center primary care access programs to be run by FQHCs.</p>	<p><u>Favorable</u></p>
<p>HB 3196 By: Johnson, Ann</p>	<p>Relating to prompt payment deadlines for health benefit plan claims affected by a catastrophic event.</p>	<p>Insurance 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>HB 3196 seeks to clarify and amend the current rule regarding catastrophic events and claims handling deadlines for health plans and providers. Currently, health plans and providers are required to notify the Texas Department of Insurance (TDI) within a total of 15 days for emergency extensions: 5 days after a catastrophic event plus 10 days after resuming business operations. The purpose is to provide applicable entities with relief in the event of a catastrophe that disrupts timely submission and payments of claims.</p>	<p><u>Favorable</u></p>

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			<p>HB 3196 defines a “catastrophic event” as an event beyond the control of the health plan or provider that results in significant disruption of operations such as a natural disaster, act of terrorism, cyber attack, or public health emergency. HB 3196 provides a process for health plans and providers to request an extension on claims submission and payment deadlines beyond that 15-day period in current statute. To receive an extension, entities would need to submit a written request detailing the catastrophic event and the impact on the entity’s ability to comply with deadlines. Additionally, HB 3196 includes penalty and enforcement provisions for health plans and providers who fail to comply with deadlines or make false statements in their extension requests.</p> <p>HB 3196 provides clarity and guidance to health plans and providers during catastrophic events and ensures timely and appropriate payment for services rendered.</p>	
<p>HB 4091 By: Johnson, Ann Jetton Garcia</p>	<p>Relating to the mental health needs of a minor in the managing conservatorship of the Department of Family and Protective Services.</p>	<p>Youth Health & Safety, Select</p> <p>7 Ayes, 1 Nay, 0 PNV, 1 Absent</p>	<p>Foster children often face more behavioral health challenges than their peers due to the trauma or abuse they've experienced. Texas currently has a shortage of inpatient services and beds for children in Child Protective Services (CPS). To address this, the University of Texas Health Science Center at Houston (UTHealth Houston) proposed the Successful Transitions for Adolescents–Recovery Trajectories Success (START) pilot program in collaboration with the Department of Family and Protective Services (DFPS). START is designed for CPS children with significant trauma, persistent mental health needs, and multiple failed foster placements. UTHealth Houston will dedicate an 18-bed unit for the program and may expand to the new Dunn Center hospital if successful.</p> <p>START, modeled after UTHealth Houston's successful sub-acute adult treatment program with published research findings, offers extended stays of 30-60 days and provides personalized therapy and additional recovery programming to improve long-term outcomes. However, DFPS's statutory restrictions on inpatient hospital admissions would hinder the program. Therefore, the statute needs to be amended to grant more authority for sub-acute, or longer stay, programs like START.</p> <p>HB 4091 seeks to broaden the conditions under which DFPS can request admission of a minor in their managing conservatorship to an inpatient mental health facility. Under HB 4091, this would now include cases where a physician believes that the minor's mental health has deteriorated to a point where they require and would benefit from a specialized inpatient treatment program designed to help them transition to residential treatment or a less restrictive foster care setting.</p> <p>HB 4091 aims to support Texas youth in CPS by allowing for longer stay, sub-acute style programs like START.</p>	<p><u>Favorable</u></p>
<p>LSG Floor Report For POSTPONED BUSINESS UNTIL 10:00 AM – Thursday, May 4, 2023</p>				
<p>HB 2231 By: Geren</p>	<p>Relating to the eligibility of certain events for funding</p>	<p>Culture, Recreation & Tourism</p>	<p>Tourism has been essential in creating revenue and jobs that stimulate economic growth throughout Texas. Texas created the Major Events Reimbursement Program (MERP) and the Event Trust Funds Program (ETFP) to</p>	<p><u>Favorable</u></p>

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	under the major events reimbursement program.	8 Ayes, 0 Nays, 0 PNV, 1 Absent	<p>continue the development and growth of tourism in Texas by creating incentives for various events to be held in Texas.</p> <p>HB 2231 makes the following major events eligible for funding under MERP: the Bassmaster Classic; a Federation Equestre Internationale World Cup Final; a Federation Internationale de Motocyclisme (FIM) World Supercross Championship race; Formula One United States Grand Prix; and the Professional Bull Riders World Finals. HB 2231 adds the following organizations for funding under MERP: Bass Anglers Sportsman Society, LLC; the Federation Equestre Internationale (FEI); Professional Bull Riders, LLC; SX Global; and Formula One Management Limited or its successor.</p> <p>HB 2231 expands qualified organizations and events for reimbursement and event funds that ultimately provide a beneficial economic impact and increase entertainment opportunities for all Texans.</p>	
HB 4070 By: Schaefer	Relating to the punishment for trafficking of persons, online solicitation of a minor, and prostitution and to the dissemination of certain information, including the required posting of certain signs, regarding human trafficking.	Public Education 9 Ayes, 1 Nay, 0 PNV, 3 Absent	<p>The 87th Legislature passed HB 1540, which required both public and private schools to post certain warning signs of the increased penalties for human trafficking. HB 4070 seeks to remove private schools from this required sign postage by striking language in the bill referencing private schools in the bill’s definition of “school.”</p> <p>Supporters of the legislation say that due to the nature of private schools having different regulations than public schools, they do not need to be subject to the same requirements. However, it is important to create awareness regarding human trafficking and private school students are no less susceptible to victimization, making education regarding this topic important for all. State law often requires private entities, such as bars, to display content displaying the warning signs of trafficking and who to call for help.</p>	<u>Unfavorable</u>
HB 4318 By: Walle	Relating to a grant program for crime victim notification systems.	Homeland Security & Public Safety 9 Ayes, 0 Nays, 0 PNV, 0 Absent	<p>Due to staffing issues in law enforcement and support services like 9-1-1, there are frequent delays in response time and updates for victims enduring active crimes and updates about their cases. A crime victim notification system would provide a central location for victims to file reports online and allow for an opt-in service to automate all relevant responses via email or text message. HB 4318 seeks to provide financial support for law enforcement agencies to adopt such a system that is necessary for increased public safety.</p> <p>HB 4318 directs the criminal justice division to administrative duties concerning the grant program:</p> <ul style="list-style-type: none"> ● Eligibility criteria for the grant ● Grant application procedures ● Criteria for evaluating and awarding grant applicants ● Create guidelines related to the grant amount 	<u>Favorable</u>

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			<ul style="list-style-type: none"> Establishing procedures to monitor the agencies' ability to comply with the condition of the grant <p>Under HB 4318, victims would be provided with access to more resources, simultaneously allowing for law enforcement to be adequately equipped to serve Texans.</p>	
LSG Floor Report For POSTPONED BUSINESS UNTIL 3:00 PM – Thursday, May 4, 2023				
HB 3131 By: Guerra Anchía Darby Morales, Eddie	Relating to the authority of the Railroad Commission of Texas to designate certain persons as the operator of an orphaned oil or gas well.	Energy Resources 8 Ayes, 0 Nays, 0 PNV, 3 Absent	<p>Geothermal operators can use abandoned oil and gas wells by pumping water or fluid inside the well. When electricity demand is high, geopressured water can be released to run turbines, produce electricity, and dispatch it to the power grid.</p> <p>Currently, geothermal companies cannot use old and abandoned oil and gas wells to produce electricity because there is no system in place enabling them to adopt these wells. Adopting orphaned wells will reduce the number of abandoned wells and save money that would have been spent to plug them.</p> <p>HB 3131 amends state Natural Resources Code and grants the Railroad Commission the authority to designate certain persons as operators of an orphaned oil or gas well if they make a claim and show proof that they have a right to the minerals or geothermal energy in the ground. The person must have a current lease, deed, or other documentation conveying a fee interest in the geothermal estate.</p> <p>HB 3131 helps convert wells into energy sources which promotes sustainability and reduces the number of abandoned wells.</p>	<u>Favorable</u>
LSG Floor Report For Major State Calendar – Thursday, May 4, 2023				
HB 30 By: Moody Burrows	Relating to access to certain law enforcement, corrections, and prosecutorial records under the public information law.	State Affairs 11 Ayes, 2 Nays, 0 PNV, 0 Absent	<p>Currently, availability of public information regarding detention, investigation, or prosecution of a crime does not apply to an investigation that does not result in conviction or deferred adjudication. Crimes in which suspects are not convicted because they were deceased or incapacitated during the commission of the crime are not included, this is known as the “dead suspects” exception. This measure was originally enacted by the Legislature several decades ago to protect the identity of individuals under investigation who are ultimately determined to be innocent. However, more recently the measure has been used as a loophole to withhold public information regarding law enforcement interactions with individuals. Most notably, this loophole was used to prevent the release of information regarding the tragedy in Uvalde, TX. The only reason video and other information was released is because it was leaked.</p> <p>HB 30 amends state public information law to exclude the “dead suspect” exception. HB 30 specifies that law enforcement personnel records may be released to the public when information containing the death or incapacitation of a civilian occurs in police custody or during an interaction with law enforcement. This provision</p>	<u>Favorable</u>

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			<p>is an attempt to prevent the death or incapacitation of civilians from being hidden in law enforcement personnel records to circumvent elimination of the dead suspects loophole provided under HB 30.</p> <p>The provisions of HB 30 support greater data transparency for law enforcement agencies and court systems. Additionally, the data gleaned from transparency efforts such as HB 30 can be used to inform future legislation.</p>	
<p>HB 5</p> <p>By: Hunter Meyer Burrows Shine Longoria</p>	<p>Relating to agreements to create jobs and to generate state and local tax revenue for this state.</p>	<p>Ways & Means</p> <p>11 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Background</p> <p>Last session, the Texas Legislature let Chapter 313, named after its section in Tax Code, sunset. Chapter 313 gave school property tax abatements to corporations in what was supposed to be an exchange for economic development, including investments and job creation. However, these projects had no requirement to show their economic benefits were commensurate with school districts' lost property tax revenue. Chapter 313 projects are still in effect today and under contract, and the estimated total cost to the state of all active agreements is \$31 billion for the next three decades. HB 5 aims to replace the sunsetted Chapter 313 program with a similar program that offers companies big breaks on school taxes.</p> <p>Environmental Cost</p> <p>Chapter 313 has been criticized for using public dollars to subsidize large corporations that cause environmental harm to their local communities. Members from communities that have been harmed by these projects attested to these projects causing health hazards for their communities. In 2021, manufacturing companies with active agreements under Chapter 313 were responsible for over 103 million metric tons of CO2 emissions, with 34 million metric tons being from subsidized companies in Harris, Chambers, and Galveston Counties alone. There are currently no limitations to the environmental costs that these projects cause. Projects that receive benefits under HB 5 should be required to prove that the economic benefit offsets the environmental costs related to these programs. Additionally, if these companies benefit from these tax abatements, there should be financial penalties for environmental noncompliance.</p> <p>Exclusion of Renewable Energy Projects and Impact on Rural Communities</p> <p>Chapter 313 included projects with property used for manufacturing, research and development, clean coal projects, advanced clean energy projects, renewable energy electric generation, electric power generation using integrated gasification combined cycle technology, nuclear electric power generation, computer centers, and Texas priority projects. HB 5 expands eligible projects by including national or state security projects or supply chain infrastructure projects, manufacturing projects, or investment in school districts in the state of more than \$1 billion. Manufacturing projects include food and textile, materials, and finished product manufacturing, encompassing oil and gas refining, chemical manufacturing, and semiconductor fabrication. HB 5 specifically excludes all wind and solar projects and any other intermittent power generation sources. Wind and solar projects account for two-thirds of all existing Chapter 313 agreements while only accounting for one-fourth of the cost in lost property tax revenue. Rural communities expressed concerns that they will be unable to participate</p>	<p>Unfavorable</p>

and see the same benefits that other communities may see as a result of HB 5, as they have the necessary land for these projects. Excluding wind and solar projects from HB 5 harms rural communities and does not provide equal incentives to all energy industries in Texas.

Lax Job Creation, Employee Wages, and Benefit Requirements

One of the stated purposes of HB 5 is to create new, high-paying permanent jobs and construction jobs in Texas. However, like Chapter 313, HB 5 has inadequate job requirements — only more so. Instead of requiring 10-25 jobs per project, HB 5 ties taxable property value to the number of jobs that need to be created. The highest job requirement is a minimum of 50 jobs in districts with a taxable property value of \$10 billion or less. Additionally, HB 5 allows projects to add part-time workers' time together to add up to 1,600 hours per year to count as one full-time worker. HB 5 also allows projects to count 10 temporary construction jobs as 1 full-time permanent job, along with temporary construction, maintenance, remodeling, or repair work on the project towards this job requirement. Chapter 313 was more restrictive in these requirements, making only full-time jobs count and excluding temporary construction jobs.

The wage and benefit requirements in HB 5 are weakened compared to Chapter 313. Chapter 313 required wages to be a minimum of 110% of county manufacturing wages or the multicounty council of government (COG) average. HB 5 requires that wages be 100% of the county average for *all* jobs, much lower than the wages for manufacturing jobs. HB 5 also does not include a health insurance requirement, while Chapter 313 did.

Here are the job and property investment requirements for projects based on district property value:

District Taxable Property Value	Minimum Job Creation Requirement (by the end of the first tax year of incentive period)	Project Investment Requirement (before incentive period begins)
\$10 billion	50	\$100 million
\$1 billion - \$10 billion	40	\$80 million
\$500 million - \$1 billion	25	\$50 million
\$100 million - \$500 million	10	\$25 million
>\$100 million	5	\$10 million

<p>Cost to the State HB 5 provides different reductions of taxable value for school district maintenance and operations (M&O) ad valorem taxes for eligible property starting the tax year after the year in which the agreement is entered into. Specifically, HB 5 limits the taxable values of properties to \$5 million if the independent school district (ISD) has less than \$100 million, \$25 million if the ISD has less than \$500 million, \$50 million if the ISD has less than \$1 billion, \$75 million if the ISD has less than \$10 billion, and \$100 million if the ISD has more than \$10 billion. It also exempts new construction projects that are in progress from taxation.</p> <p>The current fiscal note for HB 5 projects that it will cost \$5 million through the end of the next biennium. In 2033, this program is expected to cost around \$459 million from General Revenue funds, increasing by \$2 million from the year prior. Chapter 313 allowed corporations to give up to \$100 per student per year based on average daily attendance (ADA) to influence school districts to grant tax limitation agreements. Under HB 5, school districts will instead receive direct payments from corporations with 10% to 30% of the total tax abatement, allowing some school districts to have additional spending money with few restrictions on use and reporting. While schools can reject applications for companies already located in Texas, there is little incentive to do so, as they will not reap the same monetary benefits from rejecting applications.</p> <p>Auditing HB 5 has the same auditing requirements as Chapter 313, where a state auditor is required to review three agreements annually. These audits mostly focus on the correct processing of applications, submission of reports, and disclosure of conflicts of interest. These auditing requirements are insufficient to ensure that the companies benefiting from property tax exemptions are meeting standards.</p> <p>Out-of-State Incentives HB 5 has a goal of “providing a temporary competitive economic incentive for attracting large-scale manufacturing projects to Texas that, in the absence of the provisions providing for such agreements, would likely locate in another state or nation.” However, HB 5 does not require an assessment to demonstrate that projects who benefit from these tax incentives would not have come to Texas if not for the incentive. Therefore, this tax break may benefit those who are already in the state or who were already planning on locating their business in Texas instead of drawing new companies here.</p> <p>Limited Opportunities for Public Input Chapter 313 gave the school board 150 days to act after receiving an application unless these applicants waived this. HB 5 reduces the time a school district has to decide by requiring a vote on an agreement 35 days after the Comptroller approves this agreement. School districts must also forward all applications to the Comptroller within 7 days, with no requirement that the public have input on these decisions. HB 5 should allow more time for these decisions and require a public meeting before decisions can be made.</p>
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			<p>Longer Time Period for a Sunset Review Chapter 313 was created in 2001 and had sunset reviews due in 2007, 2011, 2014, and 2022, which led to the review that contributed to the end of the program. HB 5 sunsets on December 31, 2036, giving this program a little over 12 years after implementation before it is eligible for a review.</p> <p>Conclusion HB 5 has significant environmental, social, and fiscal impacts on Texas. HB 5 will reduce the amount of school M&O taxes obtained across Texas if these tax incentives are provided to companies that are already locating here, putting a strain on General Revenue that could go towards other vital services, including health care, human services, public safety, and higher education. HB 5 fails to protect the communities it proposes to serve from environmental costs. It also excludes wind and solar projects, precluding rural communities from realizing potential benefits of the program. HB 5 does not provide enough economic benefits with low standards for job creation, wages, and benefits. The cost to the state is significant, and there is not enough auditing required to enforce program standards. There is no proof that these benefits will draw new business to Texas. Additionally, the public is not explicitly included in the decision-making process even though it impacts their local school district and economy. Lastly, this program would not be eligible for sunset until 2036, making it difficult for the Legislature to remove this incentive if it is not benefitting Texans.</p> <p>Texas already has no income taxes, a large workforce, and a booming energy industry. The state can attract growth and jobs without allowing large companies to get more tax breaks, leaving everyday taxpayers to pick up the tab for schools, roads, and other essential services.</p>	
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LSG Floor Report For General State Calendar – Thursday, May 4, 2023

<p>HB 392 By: Thompson, Senfronia Sherman, Sr.</p>	<p>Relating to the date on which certain persons placed on deferred adjudication community supervision are eligible to file a petition for an order of nondisclosure of criminal history record information.</p>	<p>Corrections 7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>HB 392 expedites the waiting period an individual can petition to have their criminal history information sealed after being on deferred adjudication community supervision. For nondisclosure of a state jail felony offense, certain drug possession charges or fraud involving a faulty prescription, individuals can petition on or after one year of discharge or dismissal. For other offenses, individuals may petition earlier, after one year for misdemeanors and three years for eligible felonies. HB 392 lists specific offenses eligible for earlier nondisclosure.</p> <p>This will enable those who have completed deferred adjudication to seal their criminal history earlier and move on with their lives.</p>	<p style="text-align: center;"><u>Favorable</u></p>
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<p>HB 2139 By: Burrows Cain</p>	<p>Relating to statutory construction.</p>	<p>Judiciary & Civil Jurisprudence 7 Ayes, 1 Nays, 0 PNV, 1 Absent</p>	<p>The Texas Legislature uses specific jargon to ensure the intended result of the legislation is enacted. The words “shall” and “must” are often debated in how they carry out legislative intent. HB 2139 revises the Code Construction Act by clearly defining “shall” and “must,” repealing legislative intentionalism and history, establishing the severability of statutes, and making provisions for grammatical or scrivener’s errors.</p> <p><i>Shall and Must</i> HB 2139 defines “shall” as imposing a duty where the action is not discretionary and “must” as imposing a requirement that either creates a duty or creates or recognizes a condition precedent.</p> <p><i>Intentionalism and Legislative History Prohibited</i> HB 2139 prohibits a court from inquiring what the legislature intended when interpreting a statute. Instead, it requires the court to enforce the legislation as written, in agreement with the words written verbatim and their meaning to an ordinary English speaker.</p> <p>HB 2139 prohibits a court from utilizing the following legislative history when interpreting statute: any statement made during committee or on the house floor from a legislator, a committee report, or a statement of a presiding officer or the governor made when signing a bill.</p> <p><i>Severability and Saving Constructions</i> Unless a statute explicitly states it is non-severable, then every part of the legislation can be removed without affecting the rest of the statute. HB 2139 specifies that if any application of a statute is deemed invalid, preempted, or unconstitutional by a court, all remaining applications shall be severed, preserved, and remain in effect. The legislature intends that all valid, non-preempted, and constitutional applications of statutory enactments can stand alone and be enforced. A court cannot decline to enforce the severability requirements of this section using justification that would rewrite the law or involve the court in the lawmaking process.</p> <p>If a court decides not to enforce or prevent a state official from enforcing a statute, it is not considered rewriting the law or creating new laws since the statute still has the same words it had before the court's decision. A judicial injunction or declaration of unconstitutionality is: only an edict prohibiting enforcement of the disputed statute against the parties in that lawsuit and can be reversed by a higher court with a different interpretation of the law; it is not a formal amendment of the statute’s language; and does not rewrite the statute any more than a decision by the executive not to enforce a duly enacted statute in a limited and defined set of circumstances.</p> <p>If a court, in violation of this section, declares any part of the statute to be facially or totally invalid when there are discrete applications of that statutory provision that could be enforced against a person, group of persons, or circumstance without violating the federal or state law or constitution, then that part of the statute shall be interpreted, as a matter of state law, as if the legislature had explicitly limited its application to the person, group</p>	<p><u>Unfavorable</u></p>
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			<p>of persons, or circumstance as long as its application will not violate any federal law or state and federal constitution. Every court shall adopt this saving construction until the court ruling declares the statute as facially or totally invalid, preempted, or unconstitutional is vacated or overturned.</p> <p>Grammatical or Scrivener’s Error HB 2139 specifies that a grammatical or scrivener’s error does not impair the law. If an error is detected, the court can interpret the statute consistent with the understanding of an ordinary English reader.</p> <p>HB 2139 repeals sections of government code that address intention in the enactment of statutes, statute construction aids, the severability of statutes, legislative intent, liberal construction, and grammar and punctuation.</p> <p>Concerns This legislation takes away the ability of courts to interpret the law as the Legislature intended. Statute as written cannot capture all cases or situations the legislation may impact. Legislative intent is particularly important in settling redistricting cases – under this law, there would be nothing to build a voting rights case off aside from the map itself. Court interpretations allow for the adaptability and nuance of applying law outside of the written form. Further, the guidance of legislative intent provides a foundation on which courts can direct their interpretations of specific applications of the law. Courts are not the only entities that depend on legislative intent. All entities impacted by state statutes require legislative intent to understand how to carry out newly assigned duties and responsibilities or create rules to enact new policies. Without legislative intent, agencies are left without direction on how to apply completely new, sometimes a complete restructuring, of how they operate or act.</p>	
<p>HB 905 By: Moody</p>	<p>Relating to credit toward a defendant's sentence for time confined in jail or prison before sentencing.</p>	<p>Criminal Jurisprudence</p> <p>9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Over the interim, the legislature examined the issue of reentry following incarceration in Texas, and set goals to lessen barriers to reentry and employment for formerly incarcerated Texans. HB 905 aims to address such barriers by expanding eligibility for time credit for the incarcerated. Currently, state law allows a judge to grant credit towards a defendant’s sentence in a criminal case for time spent confined in jail or prison before beginning their sentence. There are concerns regarding the application of this law to those who have been charged in more than one criminal case, in which the defendant may be eligible for time served for one case but not the other.</p> <p>HB 905 requires the judge of the convicting court to give credit on the defendant's sentence for the time that they spent incarcerated for another case, if such confinement occurred between the event of the offense for which the defendant is convicted and the date the defendant is sentenced.</p> <p>HB 905 is a common sense adjustment that addresses concerns identified in the interim. Providing additional credit for any time served will help to ensure that formerly incarcerated Texans are able to rebuild their lives and</p>	<p><u>Favorable</u></p>

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			seek employment more quickly.	
HB 1009 By: Turner	Relating to criminal history record information reviews of certain individuals providing services to individuals with an intellectual or developmental disability under Medicaid.	Human Services 8 Ayes, 0 Nays, 0 PNV, 1 Absent	<p>In Texas, caregivers for individuals with intellectual and/or developmental disabilities (IDD) complete a background check by the Texas Department of Public Safety (DPS). However, this only detects convictions in Texas state courts, leaving the potential for crimes committed in other states to go unnoticed. To address this problem, HB 1009 allows community-based service providers to conduct criminal history checks on potential employees.</p> <p>HB 1009 enables a Medicaid provider that provides community-based services to Medicaid recipients through a licensed group home or residential facility operated under the Texas Health and Human Services Commission (HHSC) to obtain criminal history record information from the Texas Department of Family and Protective Services (DFPS) related to an applicant seeking employment.</p> <p>HB 1009 also requires any Medicaid provider, including a provider offering services under a 1915(c) waiver program that employs or contracts with a residential caregiver to provide community-based services to Medicaid recipients, to review state and federal criminal history record information. The provider must also receive electronic updates from the DPS on arrests and convictions for each residential caregiver employed or contracted.</p> <p>Under HB 1009, anyone convicted of an offense that prohibits employment cannot work with IDD individuals. Additionally, a Medicaid provider can discharge anyone convicted of an offense, and the HHSC can disenroll any provider from Medicaid that violates this law.</p> <p>HB 1009 seeks to safeguard IDD individuals from mistreatment.</p>	<u>Favorable</u>
HB 3860 By: Goldman	Relating to the liability of county tax assessor-collectors for certain acts of deputies.	Judiciary & Civil Jurisprudence 8 Ayes, 0 Nays, 0 PNV, 1 Absent	<p>County tax assessor-collectors may deputize auto dealers to facilitate the installation of license plates. Once a dealer receives the plates from the county tax assessor-collector, they have full control over them. If a dealer illegally sells a license plate, the assessor-collector is liable.</p> <p>HB 3860 seeks to fix this issue by exempting a county tax assessor-collector from liability for an offense or damages arising from the misuse of license plates or other fraudulent activity related to vehicle registration and titling by an individual or business entity deputized by the county tax assessor-collector to perform titling services in accordance with adopted Texas Department of Motor Vehicles rules.</p> <p>HB 3860 will free county tax assessor-collectors from any liability for misuse of license plates and place accountability on dealers.</p>	<u>Favorable</u>

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<p>HB 4966 By: King, Ken</p>	<p>Relating to law enforcement agency personnel records and the reporting of separations of license holders to the Texas Commission on Law Enforcement.</p>	<p>Homeland Security & Public Safety 5 Ayes, 2 Nays, 0 PNV, 2 Absent</p>	<p>A Texas 2036 and Benchmark Analytics report found that between 2012 and 2022, at least 1,400 dishonorably discharged officers were rehired by other law enforcement agencies in Texas. The current system for agencies to report officer separations to the Texas Commission on Law Enforcement (TCOLE) is broad and nontransparent, allowing officers who engage in misconduct to be rehired and continue the behavior, further eroding trust between law enforcement and the community.</p> <p>The Sunset Advisory Commission's 2022 staff report on TCOLE revealed that some of Texas's 2,800 law enforcement agencies, especially those in small or rural towns, may not have sufficient records of each officer's service. To address these issues, HB 4988 seeks to improve the pre-employment background check and personnel file review processes and requires all law enforcement agencies to adhere to a uniform personnel record-keeping standard.</p> <p>HB 4966 aims to reform TCOLE's discharge report system by adopting a new policy for all law enforcement agencies. TCOLE must adopt a model policy about maintaining a personnel file by law enforcement agencies. The new policy must identify the types of documents that must be kept in an officer's personnel file and specify the purpose and disclosure of the file. Once TCOLE adopts a model policy, other law enforcement agencies must adopt the model policy or a substantively similar one.</p> <p>HB 4966 also removes the current F-5 designation system, which uses "general," "honorable," and "dishonorable" to describe an officer's separation. Instead, it mandates that the new report use the categories "resigned," "terminated," or "deceased" and includes information on whether the separation occurred during an investigation, as a result of a violation of law or agency policy, or a misconduct or violation of TCOLE's rules. The bill also permits officers to contest information in the report, and TCOLE must adopt rules on filing an amended statement based on new information. HB 4966 exempts information regarding the nature of a license holder's separation from being confidential. TCOLE shall have access to the report pertaining to the circumstances of the license holder's nature of separation such as "retired", "resigned", "terminated", or "deceased". Since it is exempt from confidentiality, the public can request this report from TCOLE.</p> <p>HB 4966 would increase the transparency of why an officer is separated from their position while retaining a method for officers to correct information placed into their personnel file.</p>	<p><u>Favorable</u></p>
<p>HB 4444 By: King, Tracy</p>	<p>Relating to the management of groundwater by certain districts and the Texas Commission on</p>	<p>Natural Resources 11 Ayes, 0 Nays, 0 PNV,</p>	<p>HB 4444 updates the definitions of "waste" and "use for a beneficial purpose" to mitigate confusion between the two in state Water Code, and it updates "conservation" in relation to groundwater conservation districts. HB 4444 seeks to revise provisions relating to artesian wells that are outdated and superseded by more recent legislation.</p> <p>HB 4444 defines "conservation" as the practice of reducing water consumption, waste, and loss, increasing efficiency, and promoting recycling and reuse for future use. HB 4444 updates the definition of "use for a</p>	<p><u>Favorable</u></p>

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	Environmental Quality.	0 Absent	<p>beneficial purpose" to exclude wasteful use of groundwater and includes noncompliance with water well drilling regulations as waste. HB 4444 establishes new statutory water rights provisions and repeals certain requirements related to artesian wells, such as record-keeping, reporting, and annual reporting requirements that predate the enactment of groundwater conservation districts in 1949.</p> <p>HB 4444 helps implement recommendations to the 88th Texas Legislature from the House Natural Resources Committee interim report regarding conservation and waste of groundwater.</p>	
<p>HB 4446 By: Landgraf Tepper</p>	<p>Relating to certain licensing and permitting requirements for game rooms; authorizing an occupational permit or license; authorizing a fee.</p>	<p>Licensing & Administrative Procedures</p> <p>10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Game rooms have become notorious for harboring illegal activities such as gambling. Currently, there are no stringent rules and regulations for them, which makes it difficult for peace officers to monitor and control them effectively. HB 4446 aids the efforts of peace officers in regulating game rooms.</p> <p>HB 4446 authorizes counties to mandate that employees, other than owners or operators, obtain or renew licenses or permits periodically to continue working in a game room within the county. If the county necessitates an employee to obtain a license or permit, the employee must submit a completed application for the issuance or renewal of the license or permit along with an application fee of \$50, as required by the county. The application should consist of the person's legal name, social security number, date of birth, and other essential information, their criminal history, their fingerprints, a copy of their valid state-issued driver's license or personal identification card, social security card, recent photographs of their face and full body, and consent for a criminal history record information check.</p> <p>Additionally, under HB 4446, if a county mandates an owner or operator to have a license or permit, the owner or operator must also provide a completed application for issuance or renewal of the license or permit along with an application fee of \$1,000, as demanded by the county. The application should contain information regarding the business name with a copy of the assumed name certificate, legal name, social security number, date of birth, and other pertinent details concerning each person who owns at least 5% of the business or serves in a management role, the name and contact information of the owner of the property where the game room is situated, information concerning any other game room previously or currently operated by the applicant, their fingerprints, a copy of their valid state-issued driver's license or personal identification card, social security card, and their consent for a criminal history record information check.</p> <p>HB 4446 also prohibits counties from issuing or renewing licenses for applicants who were previously convicted of a Class B misdemeanor or higher criminal offense. All fingerprints collected from applicants must be sent to the Department of Public Safety to enable them to establish a permanent record of the fingerprints in the criminal justice information system.</p>	<p><u>Favorable</u></p>

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<p>HB 2198</p> <p>By: Hefner Troxclair Harris, Caroline</p>	<p>Relating to building height restrictions in certain municipalities.</p>	<p>Land & Resource Management</p> <p>8 Ayes, 1 Nay, 0 PNV, 0 Absent</p>	<p>Currently, local zoning codes in Texas dictate maximum building heights based on zoning districts. Some cities have introduced building height compatibility regulations, which reduce allowed heights if single-family homes are nearby, usually within 50 feet. Some cities, like Austin, have extended these restrictions beyond 50 feet, preventing high-rises up to 540 feet away from single-family homes.</p> <p>HB 2198 aims to create consistency in building height compatibility regulations for municipalities with populations over 725,000 in Texas by prohibiting the adoption or enforcement of any ordinance, regulation, or measure that limits the height of a building based on its proximity to a lot located more than 50 feet away. This applies to zoning regulations determining maximum building heights for lots as well. Instead, the proximity between a building and a lot is measured along the shortest straight line between the building and the lot's line.</p> <p>HB 2198 would not apply to height restrictions or regulations imposed by state law preserving the view of the state capitol; federal law, including a restriction or regulation affecting a military base or airport; a municipality that contains a UNESCO World Heritage Site; or a municipality related to the height of a building near an airport, including a military airport, commercial service airport, or joint-use airport.</p> <p>HB 2198 prohibits municipalities from establishing local height restrictions for buildings beyond a 50-foot radius. Critics argue this could undermine local control and potentially harm neighborhoods if applied universally across Texas.</p>	<p><u>Will of The House</u></p>
<p>HB 1803</p> <p>By: Rose</p>	<p>Relating to the eligibility of certain individuals to purchase Medicare supplement benefit plans.</p>	<p>Insurance</p> <p>6 Ayes, 1 Nays, 0 PNV, 2 Absent</p>	<p>Currently, persons with certain disabilities or end-stage renal disease are eligible for Medicare. However, Medicare may not cover all of their health-related costs, requiring them to purchase supplemental insurance offered by private companies, known as Medigap plans. These plans are limited to those under 65, leading to high cost premiums, sometimes up to \$2,310 a month. Those who qualify for Medicare under 65 are typically lower income and require more care. HB 1803 seeks to increase affordability to Medigap plans for those who need it.</p> <p>HB 1803 mandates that any entity that provides coverage under a Medicare supplement benefit plan to individuals aged 65 and above in Texas must provide the same coverage and premium rate to individuals under 65 who are eligible for and enrolled in Medicare due to disability or end stage renal disease. Additionally, HB 1803 states that any benefit, protection, policy, or procedure applicable to individuals 65 and over should apply to individuals under 65.</p> <p>HB 1803 increases access to healthcare, reduces costs, and creates greater equality in health care coverage. This bill also help rare disease patients who are Medicare beneficiaries due to ALS or qualifying disability have access to timely treatment, which can allow for them to have more comfortable, independent, and longer lives.</p>	<p><u>Favorable</u></p>

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<p>HB 1680</p> <p>By: Howard</p>	<p>Relating to the authority of certain minors to consent to Texas Home Visiting Program services.</p>	<p>Criminal Jurisprudence</p> <p>7 Ayes, 2 Nays, 0 PNV, 0 Absent</p>	<p>Nurse-Family Partnerships provide in-home support to pregnant people and families with children under the age of six. These trained experts can improve pregnancy outcomes, support child development, and help to ensure long-term stability for vulnerable families. Many of the parents they serve are under 18, but there is a current lack of clarity regarding whether a parent under 18 can consent to such services after their child is born. A parent can consent while pregnant and can consent to services for their child, but may not be able to consent to services for themselves because they are still technically a minor. This creates a barrier to vital services for families who need them.</p> <p>HB 1680 authorizes an individual younger than 18 years old to consent to enrollment in and to receive services from an applicable home visiting program if the individual is otherwise eligible for enrollment.</p> <p>Texas currently ranks in the top ten for teen birth rates, which are likely to increase considering the overturning of Roe V. Wade and the outlawing of abortion in Texas. This makes it even more pertinent that families in Texas can receive the care they need. HB 4606 will help ensure that these families receive the necessary care.</p>	<p><u>Favorable</u></p>
<p>HB 4606</p> <p>By: Allen Garcia Wu</p>	<p>Relating to the operation of a juvenile justice alternative education program by a county department of education.</p>	<p>Juvenile Justice and Family Issues</p> <p>8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Recently, Texas schools have experienced a surge in behavioral problems among students, leading to an uptick in expulsions. To address this, Harris County frequently relies on the Harris County Department of Education (HCDE) to provide alternative education programs. Simultaneously, Harris County is grappling with a backlog of court cases and is seeking ways to reduce the exposure of juveniles to the criminal justice system. One common solution to this is Juvenile Justice Alternative Education Programs (JJAEPs), which offer structured and supportive educational environments to help students continue their education while avoiding the criminal justice system. To enhance the effectiveness of alternative education programs in Harris County, HB 4606 would delegate JJAEP responsibilities to HCDE, which is well-equipped to care for these vulnerable students. Because HCDE already contracts with Harris County ISDs, these operational changes are expected to fit seamlessly into the existing system, thereby increasing efficiency.</p> <p>HB 4606 requires a department of education within a county with a population greater than 125,000 to develop a (JJAEP) in lieu of the juvenile board. The bill establishes that a department of education that operates such a program has the same authority and is subject to the same requirements as any other authorized entity that operates a JJAEP. HB 4606 would currently only apply to Harris County because it is the only Texas county with a department of education.</p> <p>HB 4606 will help increase resources to JJAEPs in Harris County and allow for a more supportive educational environment for the children that need it. This will minimize youth exposure to the justice system and better prepare students to return to their school districts to complete their education.</p>	<p><u>Favorable</u></p>

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<p>HB 4635 By: Guillen</p>	<p>Relating to organized crime, racketeering activities, and collection of unlawful debts; providing a civil penalty; creating criminal offenses.</p>	<p>Judiciary & Civil Jurisprudence 6 Ayes, 2 Nays, 0 PNV, 1 Absent</p>	<p>Criminal organizations have been a long-standing issue in Texas and continue to cause concern for law enforcement and citizens. The prevalence of these organizations has fluctuated over time, but the issue persists, with roughly 100,000 individuals in Texas being a part of a criminal organization in 2020. Many current state laws address this issue, but not many specifically target the financial aspects of gang-related crime. HB 4635 seeks to provide law enforcement with further statutory authority regarding organized crime entities and their financial resources by creating new criminal offenses, civil actions and remedies, enhanced sanctions to address organized crime, racketeering, or unlawful debt collection offenses, and the filing of RICO liens with respect to criminal offenses or civil actions.</p> <p>HB 4635 introduces three new second degree felony offenses to the Penal Code. One of these offenses is using proceeds from racketeering or unlawful debt collection to acquire real property or operate an enterprise. Racketeering would be defined as committing, attempting or conspiring to commit, or soliciting, coercing, or intimidating another person to commit a felony offense under the Securities Act, kidnapping or aggravated kidnapping, operation of a stash house, falsification offenses, public indecency, organized criminal activity, and resisting arrest, and other related offenses. Another offense that would be established is acquiring or maintaining an interest in or control of an enterprise or real property through racketeering or unlawful debt collection. This includes individuals employed by or associated with an enterprise and participating in a pattern of racketeering or the collection of an unlawful debt through that enterprise.</p> <p>HB 4635 allows a court to impose a fine, instead of the standard penalty, on a person convicted of any of these newly-created offenses if the person gained financial benefit or caused harm to another person's property or person. The fine is capped at either three times the gross value gained or the gross loss caused by the offense, plus court and investigation or prosecution costs.</p> <p>HB 4635 reduces the minimum number of people in a street gang for organized crime offenses from three to two. The bill also broadens the offense of engaging in organized criminal activity to include committing or conspiring to commit a drug possession offense with the intent to participate in the profits of a combination or as a member of a street gang. The statute of limitations for offenses created by the bill is set at five years, with a two-year extension if an action is brought by the Office of the Attorney General (OAG) or a local prosecutor during that period.</p> <p>HB 4635 allows investigative agencies to file a RICO lien notice in one or more counties. The attorney general (AG) or local prosecutor must get court authorization from district courts to file a RICO lien notice. The property owner must be notified and can move to discharge the lien if there is no probable cause or knowledge of the property's use in the offense. The lien notice is valid for 90 days and can be extended for good cause, and establishes the creation and priority of the RICO lien in favor of the state. The filing of a RICO lien notice does not affect the use of real property for revenue from the use and ownership, but not for the sale, until a judgment</p>	<p><u>Will of the House</u></p>
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			<p>of forfeiture is entered, and all forfeitures or dispositions must consider the rights of innocent persons. The notice expires after six years unless renewed, and can be terminated or released by a court.</p> <p>HB 4635 establishes special docketing procedures for cases deemed to be of special public importance to be expedited. It sets parameters for civil investigative authority, creating new civil remedies that order a defendant to divest of any interest in any enterprise, imposes reasonable restrictions on future activities or investments of a defendant, orders the dissolution of an enterprise, and orders the forfeiture of a corporation’s charter. It also allows for civil forfeiture of property used during or derived from an offense. HB 4635 provides for the seizure and storage of seized property pending forfeiture action and allows for the attorney general, local prosecutor, or affected persons to bring a civil action. Additionally, HB 4635 establishes a running period of limitations for bringing a case and sets parameters for disposition of funds obtained through forfeiture actions.</p> <p>HB 4635 allows the AG, along with local prosecutors, to do civil investigative actions similar to Chapter 140A, and prevents the AG from bringing actions relating to civil remedies, forfeitures of property, or for RICO lien. HB 4635 allows the AG to bring an action if it is of general public importance.</p> <p>Some concerns with HB 4635 are that inroads already exist to address assets used in criminal activity, both through existing criminal provisions and asset forfeiture. Asset forfeiture is used to seize real property that is or may be used in criminal activity, and many offenses, such as money laundering, possession of proceeds, and engaging in organized criminal activity already exist to address this issue. Additionally, concerns have been raised regarding the bill’s provisions relating to the OAG. HB 4635 may expand the power of the OAG through provisions regarding civil investigative actions and allows the OAG to prioritize certain cases regarding general public importance. Overall, HB 4635 may provide law enforcement and the state with a wider range of tools to address criminal organizations, but it is unnecessary in that current statute already addresses many of these issues.</p>	
<p>HB 5066 By: Geren</p>	<p>Relating to electricity service in areas of this state with a need for transmission projects.</p>	<p>State Affairs 9 Ayes, 0 Nays, 0 PNV, 4 Absent</p>	<p>The ERCOT West Texas Load Study found that the current process for building electric transmission to meet customer demand is inadequate, especially in areas with heavy oil and gas development and rapid industrial growth. ERCOT only counts new loads in its planning process once financial security has been provided, which hinders long lead-time transmission projects. This reactive planning approach creates a problem for larger customers who may need power immediately.</p> <p>HB 5066 aims to address this issue by requiring ERCOT, the Public Utility Commission (PUC), and utilities to plan the grid more proactively based on load growth information from utilities in their area. HB requires PUC to identify regions with insufficient transmission capacity and develop and implement a reliability plan to meet existing and forecasted electric loads. HB 5066 requires the plan to ensure efficient planning, identification, and approval processes and includes a provision specifically for the Permian Basin through September 1, 2025.</p>	<p><u>Favorable</u></p>

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<p>HB 5174</p> <p>By: Bonnen Capriglione Jetton</p>	<p>Relating to the establishment and administration of the Texas Semiconductor Innovation Consortium.</p>	<p>State Affairs</p> <p>10 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>Texas is among the national leaders in semiconductor and other electronic component manufacturing, generating \$15.3 billion to Texas’ gross domestic product in 2020.</p> <p>HB 5174 establishes the Texas Semiconductor Innovation Fund. Future legislatures would appropriate funds to the fund to encourage semiconductor innovation in conjunction with a consortium. Additionally, the fund will match funds from additional sources such as the federal CHIPS and Science Act to support state entities and higher education institutions involved with the fund.</p> <p>The Consortium would be governed by a nine-member executive committee composed of two government-appointed members, two lieutenant governor-appointed members, two speaker-appointed members, and the chancellor of the Texas A&M University System and University of Texas System. The bill would take effect immediately if passed with a 2/3 vote in both chambers, or September 1.</p>	<p><u>Favorable</u></p>
<p>HB 4054</p> <p>By: Goldman</p>	<p>Relating to prohibited relationships between holders of certain alcoholic beverage licenses and permits.</p>	<p>Licensing & Administrative Procedures</p> <p>10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>The Texas Alcohol and Beverage Commission (TABC) can impose fines on retailers who offer an “excessive discount” on alcoholic beverages, but does not define what “excessive” is. HB 4054 removes language in the statute relating to “excessive discounts” to avoid confusion.</p> <p>Additionally, it specifies that any form of transportation offered by a manufacturer to a retailer to attend an educational program at the manufacturer's facility is not considered an inducement, except when the manufacturer forbids the retailer from selling a competing product.</p>	<p><u>Favorable</u></p>
<p>HB 3889</p> <p>By: Canales</p>	<p>Relating to the handling of bids on certain construction contracts for highway projects and buildings.</p>	<p>Transportation</p> <p>12 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>The Texas Department of Transportation (TxDOT) and its partners have been experiencing the effects of inflation, raising the cost of building Texas highways. The current limit has not been adjusted for inflation since 1997, and this bill seeks to address this issue. HB 3889 aims to increase the bid limit for local highway improvement and maintenance projects from below \$300,000 to below \$1 million. Moreover, HB 3889 enables the Texas Transportation Commission to permit bids on building construction projects requiring less than \$1 million.</p> <p>HB 3889 enables the commission to establish rules that allow bids on contracts for the construction of a building that involves less than \$1 million to be filed with the director of the Texas Department of Transportation (TxDOT) division responsible for the construction of the building. The bids will be opened and read at a public meeting held by the division director or the director's designee. The commission may delegate to the director or their designee the right to accept or reject bids received and award a contract to the lowest bidder.</p> <p>For certain highway project contracts that the commission may allow competitive bids, HB 3889 increases the maximum estimated amount for these projects from less than \$300,000 to less than \$1 million.</p>	<p><u>Favorable</u></p>

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			HB 3889 addresses bid limits on highway projects and considers rising inflation and labor and material supply challenges that have increased the cost of highway construction in Texas.	
HB 4075 By: Romero, Jr.	Relating to the regulation of certain occupations by the Texas Behavioral Health Executive Council; authorizing fees.	Human Services 9 Ayes, 0 Nays, 0 PNV, 0 Absent	<p>Interested parties have raised concerns regarding the difficulty of out-of-state licensed marriage and family therapists entering the Texas workforce. HB 4075 seeks to streamline the process for these mental health professionals.</p> <p>HB 4075 amends several aspects of a marriage and family therapist associate license. HB 4075 transitions the responsible body for approving graduate internships in marriage and family therapy or equivalent internships to the Texas State Board of Examiners of Marriage and Family Therapists. HB 4075 removes the statutorily prescribed work experience requirements and the minimum number of hours or supervised provision of direct clinical services. Instead, the Texas Behavioral Health Executive Council (BHEC) is responsible for determining the minimum number of work experience hours and hours of supervised provision of direct clinical services.</p> <p>HB 4075 authorizes BHEC to grant a regular license to an applicant who is licensed in good standing to independently practice as a marriage and family therapist in another state or jurisdiction, meets the requirements to qualify for a Texas license, and files the appropriate application for the license with BHEC. In addition, HB 4075 removes provisions relating to BHEC issuing provisional licenses to these individuals.</p> <p>HB 4075 grants BHEC the authority to establish agreements with other states to issue licenses through reciprocity if their licensing, certification, or registration standards are similar to those in Texas.</p> <p>HB 4075 would increase the number of mental health professionals in the state to address Texans' critical mental health needs.</p>	<u>Favorable</u>
HB 4309 By: Neave Criado Button	Relating to prohibiting certain nondisclosure or confidentiality provisions in employment agreements.	International Relations & Economic Development 8 Ayes, 0 Nays, 0 PNV, 1 Absent	<p>In recent years, more survivors of workplace sexual assault and harassment have come forward to tell their stories. However, many survivors are legally prevented from disclosing critical information to law enforcement due to certain nondisclosure agreement provisions. Intended to protect trade secrets or company practices, these agreements have been misused to conceal sexual harassment or assault within organizations, keeping survivors from coming forward and filing charges against perpetrators.</p> <p>HB 4309 seeks to address this issue by rendering any provision in a nondisclosure, confidentiality, or other agreement between an employer and employee void and unenforceable if it (1) prohibits or limits an employee from notifying local or state law enforcement or regulatory agencies about sexual assault or harassment committed by an employer's employee or at the employee's workplace; or (2) prohibits an employee from disclosing facts surrounding any sexual assault or harassment, including the alleged offender's identity, to any person during investigations, prosecutions, legal proceedings, or dispute resolutions.</p>	<u>Favorable</u>

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			<p>HB 4309 exempts negotiated settlement agreements or administrative actions and only applies to agreements entered into before, on, or after the bill's effective date.</p> <p>HB 4309 addresses the misuse of nondisclosure agreements in Texas by nullifying clauses that prevent employees from reporting sexual assault or harassment to law enforcement or regulatory agencies. This bill seeks to foster a just and accountable work environment, empowering Texas workers and safeguarding their right to a harassment-free workplace.</p>	
<p>HB 3486 By: Turner</p>	<p>Relating to higher education curricula, including course enrollment and credit and degree and certificate programs.</p>	<p>Higher Education</p> <p>8 Ayes, 0 Nay, 0 PNV, 3 Absent</p>	<p>The 86th Legislature passed SB 25, which significantly reformed the process and protections for community college students to help them better understand how their credits will apply when transitioning to a four-year institution. HB 3486 seeks to enhance these reforms by revising fields of student curricula, transferability of credentials, and certain dispute resolution procedures.</p> <p><i>Student Curricula</i> HB 3486 authorizes the Texas Higher Education Coordinating Board (THECB) to approve a core curriculum of less than 42 semester credit hours for an associate degree program if it would promote degree-awarding or credit transfer. Under these provisions, HB 3486 replaces the requirement for THECB to use negotiated rulemaking procedures to adopt rules for the core curriculum with the requirement to appoint a committee to advise THECB under the Administrative Procedure Act.</p> <p><i>Transferability of Credit</i> HB 3486 expands eligibility for the early college education program by allowing students, within five years of starting high school, to earn both a high school diploma and a transferable associate degree (either an applied or academic degree) with a completed field of study curriculum approved by the THECB. HB 3486 redefines “degree program” to include an academic associate degree or a bachelor’s degree from a public junior college and clarifies that the term “certificate program” excludes associate degrees from technical institutes or junior colleges students, as defined by THECB rule.</p> <p>THECB may allow an institution to adopt a set of courses specific to a field of study curriculum, not exceeding six semester credit hours, for the degree program offered by the institution. Upon completion, the courses may be transferred to an institution and substituted for the institution's lower division requirements for the degree program.</p> <p><i>Dispute Resolution Procedures</i></p>	<p><u>Favorable</u></p>

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			<p>If an institution intends to deny the transfer of course credits earned in a different institution’s core curriculum or the board’s field of study curriculum, the institution must: give written notice of its intent to deny and its reasons for denial, attempt to resolve the application of the course credit to the student’s degree requirements with the other institution, and resolve the dispute within 45 days of the student’s enrollment. If the student does not find the dispute satisfactorily resolved, the institution must notify the commissioner of higher education of its reasons for the denial. Within 20 business days of the date the commissioner receives notice of the dispute, the commissioner must make a final decision and give written notice to all involved parties. In addition to collecting certain data regarding transfer disputes, HB 3486 expands the duties of the board in transfer disputes to include a posting online of each case the commissioner of higher education is considering.</p> <p>HB 3486 extends the deadline for institutions to provide the THECB and the Legislature with an annual report of nontransferable credit from March 1st to May 1st. It adds that the report must include whether the institutions complied with the dispute resolution process and still chose not to grant academic credit for the course.</p> <p><i>Texas Direct Associate Degree</i> The "Texas Direct" associate degree shall be awarded to a student by an institution of higher education if the student completes a field of study curriculum developed by the board and either the institution's core curriculum or an abbreviated core curriculum related to a specific approved field of study curriculum that is transferable to one or more institutions. The institution would include an appropriate notation on the student's transcript upon completing requirements.</p> <p><i>Impact</i> HB 3486 will allow a student’s hard-earned credits to be easily transferable so that time, money, and effort are not wasted.</p>	
<p>HB 3418 By: Canales</p>	<p>Relating to the implementation by the Texas Department of Transportation of a vehicle mileage user fee pilot program and a task force to assist in developing and evaluating the program.</p>	<p>Transportation 10 Ayes, 1 Nays, 0 PNV, 2 Absent</p>	<p>Diesel and gas taxes are significant revenue sources for building and fixing roads in Texas. There are new technologies and more cars that don't run on those fuels. The trucking industry that relies on combustion engines bears the brunt of diesel and gas taxes for maintaining Texas highways. HB 3418 seeks to evaluate if it's possible to use a different way to collect money for roads, like charging drivers based on how much they drive.</p> <p>HB 3418 requires the Texas Department of Transportation (TxDOT), in consultation with the Texas Department of Motor Vehicles (TxDMV) and the Texas A&M Transportation Institute, to develop and implement the vehicle mileage user fee pilot program. This pilot program will assess for a user fee on motor vehicle owners based on miles traveled on Texas public roads. The pilot program will test the reliability, ease of use, cost, and public acceptance of technology and methods to count miles traveled by motor vehicles, report the miles traveled of particular vehicles, and collect participant payments. The program will analyze and evaluate the technologies and methods used by the program, primarily focusing on protecting reported data, ensuring operator privacy, and</p>	<p><u>Favorable</u></p>

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			<p>adapting pricing based on when and where the operator is driving. The program will also evaluate how enforceable a vehicle mileage fee is, how operators could bypass or manipulate paying it, and its impact on the fee's equity.</p> <p>HB 3418 requires TxDOT to establish a process to ensure participants are not required to spend more on fees and taxes associated with road usage than if they had not participated in the program. This process may include refunding participants for motor fuel taxes paid by participants or other forms of compensation. HB 3418 requires TxDOT to apply for federal funding offered via the Surface Transportation System Funding Alternatives Program to help fund the program. TxDOT must apply for available grants until the application results in full or partial funding.</p> <p>HB 3418 establishes a seven-member vehicle mileage user fee task force to guide the development and implementation of the program. HB 3418 provides the composition of the task force. The task force must host at least three public hearings to receive public feedback regarding issues or concerns about the program. TxDOT can create and maintain a website to allow public feedback to be submitted electronically. The task force is also responsible for evaluating the program and making recommendations to TxDOT on the design and evaluation criteria for the program and alternative approaches to motor fuel taxes.</p> <p>TxDOT must submit a report summarizing program results, including the feasibility of permanently assessing a vehicle mileage fee and how the fee compares to other alternatives or supplements to motor fuel taxes. The report must also include TxDOT's recommendations and suggested legislative changes required to implement the recommendations. HB 3418 provides an exploration to maintain revenue sources for Texas as vehicle technologies change.</p>	
<p>HB 3297 By: Harris, Cody Harless</p>	<p>Relating to the elimination of regular mandatory vehicle safety inspections for noncommercial vehicles and the imposition of replacement fees.</p>	<p>Homeland Security & Public Safety</p> <p>5 Ayes, 1 Nays, 0 PNV, 3 Absent</p>	<p>Texas is one of the few states still requiring an annual safety inspection for noncommercial vehicles, while other states have eliminated this requirement. HB 3297 seeks to remove the mandate for these safety inspections in Texas.</p> <p>HB 3297 repeals provisions mandating vehicle safety inspections for noncommercial vehicles while keeping safety inspections for commercial vehicles and providing vehicle emission inspections in specific cases. HB 3297 repeals provisions relating to which vehicles and equipment are and are not subject to inspection, a one-year inspection period, a two-year initial inspection period for passenger cars and light trucks, an extended inspection period for certain vehicles, a provision allowing a facility to perform both safety and emission inspections if the facility is qualified to do so, and provisions related to various inspection fees.</p> <p>HB 3297 establishes the inspection program replacement fee. Individuals applying for initial registration or renewals for motor vehicles, trailers, semitrailers, pole trailers, and mobile homes will pay an annual fee of \$7.50 and other registration fees. The bill also specifies how the comptroller should deposit the fee. In addition, HB</p>	<p><u>Unfavorable</u></p>

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			<p>3298 requires a one-time fee of \$16.75 instead of \$7.50 for certain vehicle registrations. HB 3298 provides a list of vehicles that would be exempt from this program.</p> <p>The bill eliminates the requirement for appointees to the vehicle inspection advisory committee to represent inspection station owners and operators and instead includes appointees from counties conducting vehicle emissions testing and safety inspections only.</p> <p>Concerns The 85th Legislature approved a study on the importance of safety inspections in promoting road safety. The UT Executive study, supported by the Department of Motor Vehicles and Department of Public Safety, found that vehicle inspections are crucial for saving Texan lives and should be kept to prevent accidents.</p> <p>HB 3297 still requires emission inspections for specific instances but does specify if the gas cap check will be included in the emission inspection. There are concerns that eliminating the safety inspection and maintenance (I/M) program will undermine the Statewide Implementation Plan (SIP) and compromise the safety of Texas drivers. SIP was created in 1999 to comply with federal regulations. SIP created a required, standard testing gas cap or “gas pressure check” to aid in reducing the release of emission gasses. Vehicle I/M programs are required for certain ozone and carbon monoxide nonattainment areas like Bexar County, Houston, Dallas, and El Paso County.</p> <p>Changes introduced in HB 3297 would require approval from the U.S. Environmental Protection Agency (EPA). Until the new changes are approved, the existing standards would still be federally enforceable. If the EPA disapproved the revisions made to SIP, Texas would be subject to sanctions like loss of federal highway funds and requirements for increased emissions offsets. The EPA could issue a federal implantation plan to implement the I/M program.</p> <p>Overall, HB 3297 does not adequately address the potential drawbacks of its changes and ignores empirical findings requested by the legislative body. Safety inspections are essential for promoting road safety and preventing emissions despite the inconvenience. However, HB 3297 does not guarantee Texans' vehicles are safe enough to drive or ensure road safety.</p>	
<p>HB 2735 By: King, Tracy</p>	<p>Relating to security required before filing suit against a groundwater conservation district.</p>	<p>Natural Resources 10 Ayes, 0 Nays, 0 PNV,</p>	<p>There has been an increase in third-party protestant appeals of permits approved by groundwater conservation districts (GCDs) in Texas. It is thought that this is happening frequently because those appealing aren't sharing the cost burden of such appeals. HB 2735 aims to resolve this by making it mandatory for the appealing party to post a security bond.</p>	<p><u>Favorable with Concerns</u></p>

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		1 Absent	<p>HB 2735 amends the state Water Code and mandates GCDs establish the amount of security required to file a suit challenging a rule or order made by the district, such as an appeal of a decision on a permit application. HB 2735 limits the required amount of security to \$100,000 but allows an increase in the amount of security posted by a party other than the applicant to cover the applicant's defense costs, up to a cap of \$100,000.</p> <p>HB 2735 applies the Civil Practice and Remedies Code provisions regarding the amount of security to an appeal from a district court decision on a permit application. The amount of security required for the appeal will include the amount of any civil penalty awarded, interest for the estimated duration of the suit or appeal, as well as attorney's fees and costs required for the district to defend against the suit and appeal. This is intended to ensure that the amount of security required for an appeal is fair and accurately reflects the potential costs associated with the appeal.</p> <p>HB 2735 requires that the security must be filed in the registry of the district court where the suit is filed to ensure that the security is accessible to cover costs related to the appeal.</p> <p>HB 2735 aims to protect GCDs from bearing excessive defense costs and help ensure that protesters share the costs of an appeal fairly. However, there are concerns that this could financially strain appellants, reduce community engagement in GCD determinations, and potentially restrict access to justice for those seeking to challenge a district's decision. GCDs are one of the only regulatory entities in the state assured to have their attorney fees reimbursed, if they win. Additionally, plaintiffs are prohibited from being awarded court costs and attorney fees when they win against a GCD. Landowners and appellants are already burdened by financial strain when they litigate against a GCD, and HB 2735 makes pursuing legal avenues even more inaccessible.</p>	
<p>HB 2800</p> <p>By: Paul Morales, Eddie</p>	<p>Relating to meetings of a county election board.</p>	<p>Elections</p> <p>9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Interested parties have raised concerns that county election board meetings should be made more accessible to county residents to enhance their trust and confidence in the electoral process.</p> <p>HB 2800 seeks to resolve this issue by mandating a county election board meeting to be conducted in person and be made open to the public. Additionally, if the county has a website, the county clerk is required to post a notice of each meeting at least 48 hours before the scheduled meeting.</p> <p>HB 2800 aims to provide more transparency to Texans regarding elections.</p>	<p><u>Favorable</u></p>
<p>HB 2827</p> <p>By: Burns Slawson</p>	<p>Relating to the permitting of and performance of annual soil tests for certain concentrated</p>	<p>Environmental Regulation</p> <p>6 Ayes, 0 Nays,</p>	<p>Dairy farms in the Bosque River Watershed must obtain individual permits for concentrated animal feeding operations (CAFO), which are more expensive and require more work in comparison to general permits due to the extent of environmental considerations. This may cause delays and increase the risk of costly hearings. Farmers argue that they are already using management practices to reduce runoff and adopting advanced</p>	<p><u>Unfavorable</u></p>

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	<p>animal feeding operations by the Texas Commission on Environmental Quality.</p>	<p>0 PNV, 3 Absent</p>	<p>technology to handle waste. HB 2827 aims to maintain water quality conditions while making it easier for farms to get permits.</p> <p>HB 2827 amends the state Water Code by changing the permit required by the TCEQ for concentrated animal feeding operations in certain watersheds from an individual permit to a general permit. HB 2827 prohibits the TCEQ from requiring animal waste management training for operators but requires operators to keep and submit records of manure, litter, wastewater application, and soil sample analysis. The general permit cannot require soil sampling of third-party waste fields, and annual reports must include soil sample results.</p> <p>HB 2827 repeals two provisions, one concerning a permit prohibition from the TCEQ for issuing general permits for the discharge of agricultural waste into designated water impairment zones, and one that requires a phosphorus reduction plan for operations with high phosphorus levels.</p> <p>Concerns While the intent of HB 2827 is to reduce what farmers may consider a regulatory burden, the bill repeals very important environmental standards and protections for critical water sources in the process. According to an analysis of the bill by the TCEQ in March, changes under HB 2827 contradict the established plan to reduce dangerous phosphorus levels in the Bosque River Watershed, which provides the water needs of more than two hundred thousand Central Texans. An additional consequence of HB 2827 is a loss of opportunity for public input due to the shift from individualized permitting to the general permitting process. Under the current process, permits are tailored to individual sites and prioritize environmental considerations.</p>	
<p>HB 3286 By: Klick</p>	<p>Relating to certain prescription drug benefits under the Medicaid managed care program.</p>	<p>Health Care Reform, Select</p> <p>7 Ayes, 0 Nays, 0 PNV, 4 Absent</p>	<p>Texans on Medicaid have limited access to prescription medications due to the state's Medicaid preferred drug list, which can result in serious health consequences. Recent managed care contract changes have further restricted managed care organizations' (MCOs) ability to grant exceptions to the preferred drug list, forcing them to choose between patient care and contract violations. In contrast, patients in the commercial market benefit from mandatory step therapy exception processes, allowing for more flexibility in accessing essential medications.</p> <p>HB 3286 aims to improve access to medications for Texas Medicaid patients by adding protections similar to those in the commercial market, ensuring Medicaid patients have access to necessary medications without being forced off effective treatments. HB 3286 establishes a database for providers to verify if drugs are on the state's preferred drug list.</p>	<p><u>Favorable</u></p>

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			<p>HB 3286 requires Medicaid managed care organizations (MCOs) to grant exceptions to the preferred drug list under specific circumstances, such as when:</p> <ul style="list-style-type: none"> • the preferred drug may cause harm or is expected to be ineffective for the patient • previous discontinuation of the preferred drug due to ineffectiveness or adverse reactions • the preferred drug is not in the best interest of the recipient due to clinical appropriateness or potential barriers to the recipient's care plan • the recipient is taking a non-preferred antidepressant or antipsychotic drug, was prescribed this drug before being discharged from an inpatient facility, is stable on the medication, and is at risk of complications from switching to another drug • the preferred drug is unavailable due to reasons beyond the MCO's control, such as short supply according to the FDA Drug Shortages Database or manufacturer back order • the preferred drug is unavailable at a pharmacy within a 10-mile radius of the recipient <p>HB 3286 also requires the Health and Human Services Commission (HHSC) to provide a searchable online database for providers to determine if a prescription drug or drug class is subject to prior authorization requirements, clinical edits, or other restrictions. HHSC must take reasonable actions to keep the database up-to-date with current information. HB 3286 allows for delayed implementation of its provisions if a federal waiver or authorization is required.</p> <p>HB 3286 aims to improve Medicaid patients' access to essential medications by incorporating exception protections into the Texas Medicaid program.</p>	
<p>HB 3887 By: Canales</p>	<p>Relating to the establishment and posting of the maximum loads permitted on certain bridges.</p>	<p>Transportation 12 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Commissioners courts of various counties or governing bodies of municipalities are notified by the Texas Department of Transportation (TxDOT) when a bridge under the county's or municipality's jurisdiction is inspected and qualifies for a lower load rating than is currently permitted. The entity notified is then required to post notices on the road or highway approaching the bridge of the maximum load permitted on the bridge. Recently, federal law has changed on load posting requiring a change in state law.</p> <p>HB 3887 authorizes TxDOT to post a notice required for a bridge under the jurisdiction of a county or a municipality if the department is required or authorized under federal law to post the notice. This must be done in accordance with federal law.</p> <p>HB 3887 simply ensures state law parallels federal law.</p>	<p><u>Favorable</u></p>

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<p>HB 1105 By: Price Cortez</p>	<p>Relating to the administration of a medication and the ordering and administration of an immunization or vaccination by a pharmacist.</p>	<p>Public Health 7 Ayes, 4 Nays, 0 PNV, 0 Absent</p>	<p>Access to immunizations and vaccines is crucial for Texans' healthcare, particularly in rural areas with limited local physicians. With the federal Public Readiness and Emergency Preparedness Act expiring, Texas could develop a framework for pharmacists to provide accessible immunization and vaccination services.</p> <p>HB 1105 seeks to allow pharmacists to administer immunizations or vaccinations to patients age three or older or for patients under three if referred by a physician following their written protocol. However, concerns have been raised that pharmacies, while essential for providing seasonal vaccinations like flu and COVID-19, should not replace the best-practice care offered in a medical home - a team-based healthcare delivery model led by a healthcare provider.</p> <p>HB 1105 directs the Texas State Board of Pharmacy to specify conditions for pharmacists to administer medication or order and administer immunizations or vaccinations. One condition is that the pharmacist possesses the necessary skill, education, and certification, as specified by the Texas State Board of Pharmacy, to order or administer the immunization or vaccine. Another condition is that the authority to administer an immunization or vaccination may be delegated to a certified pharmacy technician.</p> <p>It also eliminates several existing conditions, such as a licensed health care provider authorized to administer the medication not being reasonably available or if failure to administer the medication, other than an immunization or vaccination, might result in a significant delay or interruption of a critical phase of drug therapy. Additionally, it lifts the prohibition on pharmacists administering medication at a patient's residence and removes the requirement that a pharmacist can only administer an immunization or vaccine under a physician's written protocol and meet board-established standards.</p> <p>HB 1105 requires pharmacists to notify a prescribing physician within 14 days of administering an immunization or vaccination, a longer window than the current 24-hour requirement. The Texas State Board of Pharmacy must also establish minimum education and continuing education standards, incorporating specific CDC training.</p> <p>HB 1105 updates adequate supervision by a physician for patients under three to include established physician-patient relationships and referrals to pharmacists. Pharmacists can order or administer immunizations or vaccinations for patients three or older without such a relationship if the vaccine is FDA-approved or listed in the CDC's federal Advisory Committee on Immunization Practices (ACIP) routine schedule and follows ACIP's vaccine-specific recommendations.</p> <p>Critics argue that optimal healthcare for children requires a physician-led coordinated team in a medical home, where physicians and pharmacists collaborate to ensure children's health and well-being. Families with questions or concerns about immunizations can benefit from a trusting relationship between physicians and patients to better understand vaccination advantages. Pharmacies' role in providing seasonal vaccinations should not</p>	<p><u>Favorable with Concerns</u></p>
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			<p>replace the best-practice care offered in medical homes, as one-off visits could result in missed screenings, diagnoses, and care that a primary care physician could catch. Physicians overwhelmingly participate in the Texas Vaccines for Children Program, while most pharmacies do not.</p> <p>HB 1105 aims to increase Texas children’s access to immunizations and vaccinations through increasing pharmacist administration capabilities. Still, it could put the viability of practices and best-practice care for children at risk by deterring them from seeking care in a medical home.</p>	
<p>HB 636 By: Patterson</p>	<p>Relating to the applicability to election judges of a prohibition on the carrying of a handgun at a polling place.</p>	<p>Community Safety-Select 7 Ayes, 3 Nays, 0 PNV, 3Absent</p>	<p>Texas law prohibits firearms and other weapons in certain locations, such as polling places, during early voting and on election day. There are some exceptions to this rule, including peace officers who are there to maintain safety. The Office of the Attorney General (OAG) released an opinion stating that election judges have the right to carry a firearm while performing their duties.</p> <p>HB 636 exempts presiding election judges, early voting clerks, and deputy early clerks serving as election judges from the offense of possessing a handgun on the premises of a polling place. The OAG cited a 1913 court decision which established that the presiding officer had the authority to maintain order and prevent breaches of peace and violations. However, concerns have been raised about voter intimidation, as it is deemed illegal under the Voting Rights Acts of 1965.</p> <p>HB 636 amends the Penal Code to exempt licensed to carry election judges from the offense of intentionally, knowingly, or recklessly possessing or going with a prohibited weapon on those premises. However, permitting certain election judges to carry firearms at polling places could increase voter intimidation, create liability for counties, and cause confusion over who has the authority to restrict firearms in locations such as primary and secondary schools and churches. While higher institutions can prohibit firearms, including for election judges, if the polling place is on their campus, a grocery store would not have that right under this bill.</p>	<p><u>Unfavorable</u></p>
<p>HB 33 By: Landgraf Morales, Eddie Metcalf</p>	<p>Relating to the enforcement of certain federal laws regulating oil and gas operations within the State of Texas.</p>	<p>Energy Resources 7 Ayes, 0 Nays, 0 PNV, 4 Absent</p>	<p>Taxes collected from oil and natural gas production in FY 2022 totaled more than \$10.8 billion for the state of Texas. This revenue is used to support many vital state functions such as transportation infrastructure, public education, and more. The aim of HB 33 is to safeguard this essential revenue by protecting the oil and gas industry by ceasing to implement any federal regulations that are more stringent than state law. HB 33 prohibits state agencies and officials from assisting federal agencies or officials in enforcing federal laws that seek to regulate oil and gas operations.</p> <p>HB 33 adds a chapter in the state Natural Resources Code limiting the authority of federal agencies to regulate any activity associated with the exploration, development, production, processing, and transportation of oil and gas in Texas. State agencies and their employees cannot assist federal agencies or officials with enforcing any federal law or regulation related to oil and gas operations if that law includes a prohibition, restriction, or regulation that is not present under Texas state laws.</p>	<p><u>Unfavorable</u></p>

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			<p>HB 33 directs the attorney general to defend any agency of the state that the federal government attempts to sue for action or omission falling under this legislation. This provision is intended to protect state agencies from federal lawsuits related to the enforcement of federal laws regulating oil and gas operations.</p> <p>HB 33 does not prohibit a state agency from entering into a memorandum of agreement with a federal agency to implement a federal law if such an agreement is authorized by state law. This provision aims to allow for collaboration between state and federal agencies while still prioritizing state law over federal law.</p> <p>Concerns While it is the duty of the state to provide essential services like public education, it is also its duty to protect public health. State agencies, like the Texas Commission on Environmental Quality and the Texas Railroad Commission refer to environmental stewardship and public health and safety in their mission statements. In light of the state's numerous moderate to severe nonattainment areas, it is imperative that the state work with federal agencies in enforcing the laws.</p> <p>HB 33 may end up costing the state in the long run as a result of lawsuits for noncompliance of federal law and a loss of federal funds for environmental compliance or grants for state/federal partnerships. HB 33 will further complicate the efforts of environmental organizations and advocates, under citizen enforcement provisions of the Federal Clean Air Act, in holding petrochemical plants, refineries and gas processing units accountable for violating environmental laws, as they may be engaged in legal battles against the Office of the Attorney General.</p> <p>The serious problems associated with oil and gas operations require all levels of government to solve. Texas needs more cooperation with federal environmental regulators, not less.</p>	
<p>HB 1385 By: Moody</p>	<p>Relating to access to criminal history record information by county offices providing pretrial release services.</p>	<p>Criminal Jurisprudence 5 Ayes, 0 Nays, 0 PNV, 4 Absent</p>	<p>In Texas, many major cities have pretrial service offices that monitor defendants before their charges are resolved. This assists the state in tracking data regarding recidivism and justice involvement. Over time, this data serves many purposes, including assisting policymakers in creating legislation that best serves the public as well as the justice-involved. Historically, the Department of Public Safety (DPS) has provided criminal history information to these pretrial offices, but has recently ceased due to an adjustment in the agency's statutory interpretation of current law. HB 1385 seeks to remedy this so that pretrial offices have the necessary information to continue this valuable research.</p> <p>HB 1385 expands the entities for which DPS must grant access to criminal history information to include a county office monitoring the pretrial release of a defendant. This would include community supervision and corrections</p>	<p><u>Favorable</u></p>

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			<p>departments, as well as personal bond offices.</p> <p>HB 1385 will assist the legislature in evidence-based policy making by ensuring that pretrial service offices have the data needed to continue their research.</p>	
<p>HB 1879</p> <p>By: Darby King, Tracy O. Murr Dean</p>	<p>Relating to the provision of counseling services by certain providers under Medicaid and reimbursement for those services.</p>	<p>Human Services</p> <p>7 Ayes, 2 Nays, 0 PNV, 0 Absent</p>	<p>In Texas, the demand for mental health services is not being met because there aren't enough qualified professionals available to provide these services. As mental health facilities are being created, there is a need to incentivize newcomers and existing behavioral health providers. HB 1879 addresses this by allowing specific master's level behavioral health providers to be reimbursed by Medicaid while completing their clinical training.</p> <p>HB 1879 updates the provision requiring the Health and Human Services Commission to assure a Medicaid recipient may select a licensed clinical social worker, instead of a licensed master social worker, to perform any covered health care service or procedure authorized by law.</p> <p>HB 1879 requires the HHSC to assure a Medicaid recipient may select a licensed marriage and family therapist associate, or a licensed professional counselor associate fulfilling their supervised practice requirements to receive full licensure to perform the services and procedures authorized by law. In addition, HB 1879 requires the same to be done for a licensed master social worker pursuing their education and training to become a licensed clinical social worker.</p> <p>HB 1879 also mandates that HHSC reimburse providers, including a federally qualified health center, for covered counseling services at a rate equal to 70% of the rate paid to licensed psychiatrists or psychologists for similar services. Finally, HB 1879 allows for delayed implementation should a federal waiver or authorization be required.</p> <p>HB 1879 seeks to increase the number of mental health professionals in Texas, ultimately enhancing Texans' mental and emotional well-being.</p>	<p><u>Favorable</u></p>
<p>HB 1896</p> <p>By: Guillen Plesa</p>	<p>Relating to civil and criminal liability for the unlawful disclosure or promotion of intimate visual material.</p>	<p>Criminal Jurisprudence</p> <p>9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Recent technology has emerged in which artificial intelligence (AI) can be used to apply an individual's likeness to already existing intimate visual material, or create entirely new intimate visual material using their likeness, even though they weren't an actual participant. Often, these instances stem from malicious intent or an attempt to disrupt an individual's personal or professional life, often called "revenge porn." HB 1896 seeks to address this growing issue by acknowledging the role of AI and other computer software in the production of such material.</p> <p>HB 1896 expands the types of material for which the offense of unlawful disclosure or promotion of intimate visual material applies to include a depiction of a person who is recognizable as an actual person by defining features such as birth marks or facial likeness and whose image was used in creating or modifying the visual</p>	<p><u>Favorable</u></p>

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			<p>material, including computer-generated visual material using AI or other computer software.</p> <p>HB 1896 is a step towards ensuring that the legislature is adapting along with new technology and keeping the public safe.</p>	
<p>HB 2265</p> <p>By: Leach Guillen Martinez</p>	<p>Relating to the award of compensatory damages caused by certain delays under governmental construction contracts.</p>	<p>State Affairs</p> <p>9 Ayes, 0 Nays, 0 PNV, 4 Absent</p>	<p>Private contractors often have to accept nonnegotiable contractual clauses for government construction projects. These clauses may shift the consequences of delays caused by government entities to private sector contractors; this means contractors bear the financial burden for delays that are not their fault without fair compensation.</p> <p>HB 2265 prohibits government entities from including contractual clauses that shift the consequence of delays caused by the government entity to private sector contractors. In doing so, HB 2265 aims to make government construction contracts fairer. HB 2265 does not include construction contracts related to disaster recovery or critical infrastructure facilities and only applies to construction contracts entered into after the bill's effective date.</p>	<p><u>Favorable</u></p>
<p>HB 2350</p> <p>By: Harris, Cody</p>	<p>Relating to the authority of a political subdivision to regulate certain activities.</p>	<p>Licensing & Administrative Procedures</p> <p>6 Ayes, 4 Nays, 0 PNV, 1 Absent</p>	<p>Texas professionals are often required to adhere to licensing requirements from both state and local governments, leading to additional fees, particularly for those operating in multiple cities with varying requirements. HB 2350 aims to preempt local licensing requirements for occupations with a state-issued license, preventing local governments from imposing additional licensing requirements or regulations on these professionals.</p> <p>HB 2350 seeks to prohibit political subdivisions from adopting or enforcing any rules or policies that require a person with a state-issued occupational license to possess a local license for the same occupation or that impose more stringent or inconsistent regulations with state law regarding contracts for goods or services.</p> <p>However, HB 2350 could negatively impact Texans who fall victim to predatory lending practices, as it would preempt local laws regulating these practices. Over the past decade, payday and auto title lending have caused significant economic losses and job reduction in Texas. Currently, 49 cities have ordinances covering 11 million Texans, which provide the only protection against these abusive practices. HB 2350 could lead to more predatory lending in Texas.</p> <p>While HB 2350 intends to reduce burdens on Texas professionals by preempting local licensing requirements for state-regulated occupations, it could also nullify valuable payday and auto title lending ordinances, leaving Texans without significant protection against exploitative lending practices.</p>	<p><u>Unfavorable</u></p>

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<p>HB 2534 By: Turner</p>	<p>Relating to the confidentiality of working papers and electronic communications of administrative law judges and appeals judges under the workers' compensation system.</p>	<p>Judiciary & Civil Jurisprudence 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Workers' compensation disputes are disagreements between participants in a workers' compensation claim, typically about whether or how much an injured employee may receive from medical or income benefits. During a contested case hearing, parties provide testimony, documentation, and cross-examine witnesses to present their argument to the judge. If the judge's decision is appealed, the dispute may be considered by the DWC appeals panel. There have been instances of open records requests for dispute-related documentation, hindering the panel's ability to efficiently offer a resolution to the involved parties.</p> <p>HB 2534 seeks to prevent this by exempting the following working papers and electronic communications of an administrative law judge or appeals judge in connection with contested case hearings or the appeals panel: notes and electronic communications recording the observations, thoughts, questions, deliberations, or impressions of an administrative law judge or appeals judge; drafts of a decision; and drafts of an order.</p> <p>HB 2534 will help these judges get through cases quicker and with more efficiency.</p>	<p><u>Favorable</u></p>
<p>HB 2443 By: Harris, Cody</p>	<p>Relating to the authority of certain persons to petition a groundwater conservation district to change certain rules.</p>	<p>Natural Resources 9 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>The Texas Water Code gives some authority to groundwater conservation districts (GCDs) to make rules. However, residents with property interests in groundwater cannot petition the district to introduce a rule or change one. To increase accountability, HB 2443 proposes a way for these property owners to petition a GCD to change or adopt rules.</p> <p>HB 2443 amends the state Water Code and allows a person who owns property with a real property interest in groundwater to petition the GCD to modify or adopt a rule. The district must prescribe the form and procedure for submitting, considering, and disposing of the petition, and must either deny the petition or engage in rulemaking consistent with the granted petition within 90 days of receiving it. This provision does not create a private right of legal action for the petitioner, and the GCD must still follow its rules and procedures for considering the petition.</p> <p>GCDs must adopt rules to implement the provisions under HB 2443 no later than December 1, 2023.</p> <p>HB 2443 aims to ensure that the interests of property owners are represented and considered in groundwater conservation decision-making.</p>	<p><u>Favorable</u></p>
<p>HB 2616 By: Vasut</p>	<p>Relating to the operation of and lighting equipment for medical examiner vehicles and vehicles</p>	<p>Transportation 11 Ayes, 0 Nays, 0 PNV,</p>	<p>Medical examiners and justices of the peace often get stuck in traffic while traveling to a dead body investigation on a roadway. HB 2616 allows emergency lights on their vehicles while responding to accident scenes to perform their duties as a coroner. This would help prevent delays and enable first responders to respond to other incidents more quickly.</p>	<p><u>Favorable</u></p>

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	operated by justices of the peace in certain circumstances.	2 Absent	<p>HB 2616 allows medical examiner and justice of the peace vehicles to be equipped with mounted or temporary signal lamps that meet certain requirements to warn others of their approach while performing duties related to a dead body investigation. HB 2616 states that these vehicles are not exempt from driving with due regard for safety, and other drivers must yield to them as they would to any authorized emergency vehicle.</p> <p>HB 2616 intends to enable medical examiners and justices of the peace to arrive more quickly and safely at the scene of a fatality so that they can carry out their duties promptly and efficiently.</p>	
HB 2291 By: Slawson	Relating to the carrying or possession of a handgun by certain retired judges and justices.	Community Safety-Select 10 Ayes, 0 Nays, 0 PNV, 3 Absent	<p>The current law prohibits carrying a weapon in certain places like schools, courtrooms, and polling stations. However, some individuals like active or retired peace officers and judicial officers are exempted as they have high-risk occupations. But retired judicial officers lose their exemption once they retire, leaving them vulnerable to threats they faced while active.</p> <p>HB 2291 proposes to amend the current statute by allowing retired judicial officers with a handgun license to be exempted from the offense of carrying a weapon in prohibited places. This bill aims to give the same standard of protection to retired judicial officers as that given to retired peace officers. It is especially crucial in rural counties where few peace officers are present, and retired judicial officers have had experience in high-risk felony cases that still pose a threat to them and their families.</p>	<u>Favorable</u>
HB 1833 By: Shaheen	Relating to increasing the criminal penalty for the offense of criminal mischief involving a public power supply.	Criminal Jurisprudence 8 Ayes, 0 Nays, 0 PNV, 1 Absent	<p>Recently, attacks on public power substations in Texas have been increasing in frequency, with over twenty occurring in 2022, compared to just six in 2021. In one attack, four public power substations in Washington State were targeted, causing roughly 14,000 homes and businesses to lose power. These outages can be incredibly dangerous for the public. HB 1833 seeks to deter individuals from committing this act by creating an enhancement for the offense of criminal mischief in certain circumstances.</p> <p>HB 1833 enhances the penalty from a state jail felony to a third degree felony for the offense of criminal mischief in which the financial loss is less than \$30,000 and the actor causes impairment or interruption of property used for public power supply or causes a public power supply to be diverted. Additionally, the bill raises the maximum amount of financial loss conduct that constitutes such an offense from less than \$30,000 to less than \$150,000.</p> <p>HB 1833 will help ensure that the public has a reliable power supply system.</p>	<u>Favorable</u>
HB 1794 By: Schaefer Hefner Howard	Relating to funding for The University of Texas at Tyler's school of pharmacy.	Appropriations 25 Ayes, 0 Nays, 0 PNV,	<p>The pharmacy school at the University of Texas Tyler is currently not eligible for state formula funding for instruction, operations, or infrastructure. HB 1794 makes the pharmacy school eligible by repealing the provision of the Education Code establishing its ineligibility for such funds. Pharmacists are critical to promoting public health.</p>	<u>Favorable</u>

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Ashby Clardy		2 Absent		
<p>HB 1528 By: Smith</p>	<p>Relating to magistrations proceedings for criminal defendants and the retention of related records, to services and representation provided to indigent criminal defendants and indigent juveniles, and to the governance and administration of the Texas Indigent Defense Commission.</p>	<p>Criminal Jurisprudence 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Recently, the Texas Indigent Defense Commission (TIDC) has expressed the need to improve Texas’ indigent defense system. The right to counsel is absolutely vital to a healthy democracy, and indigent defense aims to protect that right by ensuring that those who cannot afford counsel are provided with quality representation. HB 1528 seeks to enact necessary improvements to indigent defense in Texas by making adjustments and clarifications regarding Managed Assigned Counsel (MAC), public defender reimbursement, magistrate duties, and more.</p> <p>Court Appointed Representation HB 1385 revises the conditions under which a court must appoint an attorney to represent a defendant filing a writ of habeas corpus. These conditions are: if the defendant is or may be innocent of the offense; is or may be guilty of a lesser offense; was or may have been convicted under an unconstitutional law; or was or may be convicted in violation of the United States or Texas constitution. An appointed attorney will be required to investigate any applicable claim.</p> <p>Magistrate Proceedings HB 1528 requires a magistrate who is conducting an initial appearance proceeding following an arrest to ensure that the arrested individual can hear and see the proceeding through videoconference, and if this is not possible, appoint counsel for the person if able or notify the appointing authority. Additionally, if the magistrate has reasonable cause to believe that the arrested person may be mentally ill, to begin the correct procedures regarding mental illness. HB 1385 extends the period for which communication records between a magistrate and an arrested person must be retained to at least two years following the final judgment.</p> <p>Public Defender’s Office HB 1528 allows an attorney who is currently engaged in a private practice of criminal law to be employed by the public defender's office part-time for the purposes of representing indigent clients. The bill removes the requirement for the public defender's office to report to the courts the financial situation of any individual they have been appointed to represent and authorizes the appointing judge to hold a hearing regarding the defendant's entitlement to indigent representation.</p> <p>Managed Assigned Counsel Programs (MAC) HB 1528 allows a MAC to, with good cause, remove counsel from representing an indigent defendant as well as an appointment list. The bill also provides a definition for “managed assigned counsel program” for the purposes of the appointed support services for their clients, approving payment to an attorney or other professional involved in the case, and overseeing and ensuring the quality of representation for clients under the counsel of MAC</p>	<p><u>Favorable</u></p>

attorney's.

HB 1528 requires a MAC program to retain a plan of operation that includes a policy regarding how an attorney may withdraw or be removed from a case. The bill also authorizes a program to receive the necessary information to perform its functions, even if that information is protected by attorney-client privilege, attorney work-product privilege, or constitutional or statutory rights of a client represented by an appointed attorney. This information would be confidential and not subject to disclosure.

HB 1528 allows a MAC director's designee to carry out certain responsibilities of the program director regarding compensation of appointed counsel and requires travel reimbursement for non-public defender counsel representing a defendant in a noncapital criminal case confined in a facility more than 50 miles away.

HB 1528 authorizes a county served by a MAC program to appoint trial counsel in a capital case in the manner provided by the program's plan of operation. Any attorney appointed in this manner must be on the approved list of attorneys for a death penalty case. If a county is served by both a MAC and a public defender's office, a judge of the court in which the case is filed must give priority to appointment to the public defender's office.

Texas Indigent Defense Commission (TIDC)
 HB 1528 revises provisions regarding the board of the TIDC by increasing its membership by one member who is a director of a MAC program in Texas and one member who is a justice of the peace, municipal court judge or appointed magistrate. The bill removes the option that a chief public defender's designee may serve as a member. The MAC program board member would be required to disclose that they are a director of a program if that program comes before the board for a vote regarding funding. Additionally, the bill makes adjustments to term expiration for board members

Impact
 HB 1528 is incredibly comprehensive in its approach to ensuring that all indigent defendants in Texas are properly represented. The right to counsel is fundamental to the health of our democracy; without it, our criminal justice system is simply a production with no real input on an individual's innocence or guilt. HB 1528 takes steps towards ensuring that all Texans are not just afforded the right to an attorney, but one who has the bandwidth, skills, and time to properly address their case. This will help prevent wrongful convictions and, consequently, ensure that the correct actor is apprehended.

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<p>HB 3867 By: Bucy Allen</p>	<p>Relating to requirements regarding certain behavior management for a student enrolled in a special education program of a public school.</p>	<p>Youth Health & Safety, Select 6 Ayes, 1 Nays, 0 PNV, 2 Absent</p>	<p>HB 3867 directs public school personnel to perform a mental and physical health wellness check for students enrolled in special education after an incident of physical restraint. When students pose a threat to themselves or others, it may become necessary for school personnel to use restraint as a means of safely de-escalating an emergency situation. However, even when using safe techniques, the use of restraint can be traumatic to students leaving them with continued stress or anxiety after the restraint. Currently, Texas law provides for the use of restraints only by appropriately trained school personnel and for parents to be notified by school administration for each incident of restraint of their student, but there are currently no requirements in statute for an evaluation of the student's well-being after an incident of restraint.</p> <p>HB 3867 adopts procedures regarding the use of restraint and time-out by a public school district employee or volunteer, or an independent contractor of a district in the case of a student with a disability receiving special education services. The bill requires the district to notify the student's parent or person standing in parental relation to the student, in writing, whether a mental and physical health screening was conducted within a reasonable amount of time after the restraint and the results of the screening.</p> <p>HB 3867 also requires the district to conduct a timely overall health assessment after an incident of restraint to assess the student's holistic well-being with evidence-based assessments for a mental health screening performed by a school counselor, school psychologist, or similarly qualified district professional and a physical health screening performed by a school nurse or similarly qualified district professional. The district must place a copy of the mental and physical health screening with the results in the student's special education eligibility school records.</p> <p>Even though there are times when the use of restraint can be necessary, it leaves students stressed and oftentimes more anxious. HB 3867 formulates a plan to ensure students are given the tools to process these traumatic experiences.</p>	<p><u>Favorable</u></p>
<p>HB 3827 By: Lambert</p>	<p>Relating to the regulation of earned wage access services; requiring an occupational license; providing an administrative penalty; imposing fees</p>	<p>Pensions, Investments & Financial Services 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>HB 3827 creates a regulatory scheme for earned wage access services providers in the state of Texas. Earned wage access (EWA) allows employees to access a portion of their earned wages, outside of a traditional pay cycle. EWA services do not charge interest and instead earn profit from nonmandatory tips and fees for quicker bank transfers of funds.</p> <p>HB 3827 defines EWA services as the business of providing services that allow Texas consumers to access their earned but unpaid income, either through consumer-directed wage access services or employer-integrated wage access services, or both. The bill defines "earned but unpaid income" as income that a consumer has earned or accrued through their services to an employer but has not yet been paid by the employer at the time the earned wage access provider pays the consumer. The bill also defines "employer" as a person or entity that employs a consumer or is contractually obligated to pay earned income to a consumer in exchange for their provision of services. This does not include a customer of the employer or a person whose obligation to pay is not related to</p>	<p><u>Will of the House</u></p>

the consumer's employment. HB 3827 would establish regulations and licensing requirements for earned wage access providers in Texas, providing consumers with greater protection and transparency in accessing their earned but unpaid income.

Application for Issuance of Required

HB 3827 requires any entity who wishes to offer or provide earned wage access services in Texas to hold a license. The bill prohibits any person from using any device, subterfuge, or pretense to evade the licensing requirement. However, the bill explicitly exempts banks, credit unions, savings banks, or savings and loan associations organized under the laws of the United States or under the laws of the financial institution's state of domicile, from having to obtain a license to offer or provide earned wage access services in Texas. In addition, the bill also exempts employers that offer a portion of salary, wages, or compensation directly to their employees or independent contractors before the normally scheduled pay date from having to obtain a license. This exemption is likely included to ensure that employers who offer their own earned wage access services to their employees are not unduly burdened by the licensing requirements of the bill.

HB 3827 outlines the requirements for individuals or entities seeking to obtain a license to offer or provide earned wage access services in Texas. The application must contain relevant information required by the Consumer Credit Commissioner, such as the approximate location from which the business will be conducted and identification of the business's principal parties in interest. Additionally, an investigation fee of \$200 and a license fee must be paid by the applicant, with the amount of the license fee to be determined by the Finance Commission of Texas in a manner that covers the costs of administering the bill. If required by the commissioner, the applicant must file a bond with the application, in the amount of \$10,000, issued by a surety company, a person or an organization that assumes the responsibility of paying the debt in case the debtor policy defaults or is unable to make the payments, qualified to do business in Texas. The bond must be in favor of the state for the use of the state and any person who has a cause of action against the license holder, and must be conditioned on the license holder's faithful performance under the provisions of the bill and rules adopted thereunder, as well as the payment of all amounts due to the state or other persons during the period for which the bond is given. Furthermore, the aggregate liability of a surety to all persons damaged by the license holder's violation of the bill is capped at the bond amount.

HB 3827 mandates that the commissioner should conduct an investigation upon receipt of an application and the necessary bond and fees. The commissioner must issue a license if the applicant meets the eligibility requirements and the commissioner finds their financial responsibility, experience, character, and general fitness satisfactory. If the commissioner determines that the applicant is ineligible, they must notify the applicant and provide a hearing within 60 days of the notification, upon request. The commissioner must approve or deny the application within 60 days after the filing of a completed application or completion of the hearing, unless an

extension is agreed upon in writing. If the application is denied, the commissioner must retain the investigation fee and return the license fee.

HB 3827 outlines provisions regarding an issued license, including that the license is valid for a period not exceeding two years as prescribed by finance commission rule. The license must state the license holder's name and address of the office where business is conducted, or if online, the address of the license holder's headquarters. License holders are prohibited from conducting business under a different name or location than stated on the license, except when the business is conducted entirely online. License holders must display the license at their place of business or include the license number on their website if the business is conducted online. Net assets of at least \$25,000 must be maintained for each office for which a license is held, and a license holder operating entirely online must also maintain net assets of at least \$25,000. The license holder must pay a fee for each license held before the 30th day before the license expires, and the license will expire if the fee is not paid before the 16th day after receiving written notice of delinquency.

HB 3827 explains that the commissioner's decision regarding the suspension or revocation of a license and the evidence considered must be made available to the public in the commissioner's records. The bill also allows the commissioner to reinstate a suspended license or issue a new license under certain circumstances, and outlines the process by which a license holder can surrender their license. The bill further clarifies that the suspension, revocation, or surrender of a license does not impact any contractual obligations between the license holder and their customers entered into before the revocation, suspension, or surrender, and that surrendering a license does not absolve the license holder of liability for any actions committed prior to the surrender.

HB 3827 mandates that if a license holder intends to move an office from the location specified on the license, they must provide written notice to the commissioner at least 30 days before the move. The commissioner is then required to amend the license accordingly. The bill also allows a license to be transferred or assigned only with the approval of the commissioner.

Limiting Liability for Late Licensure

HB 3827 provides a provision for persons who obtain or renew a license after the expiration date to limit their liability by paying all prior license fees they should have paid and a late filing fee as determined by the bill. If a person renews an expired license and pays the required fees and late filing fee, they will be considered to have held the required license for all purposes as if it had not expired. The person will also be exempt from any penalty or forfeiture related to not holding a license during the period covered by the license fees and late filing fee. The benefit of these provisions will apply to a license holder's employees or agents, employers, predecessors, successors, and assigns but will not apply to any other person required to be licensed related to consumer protection regarding financial services.

<p>Disclosure Statement HB 3827 imposes several disclosure requirements on earned wage access (EWA) providers. Specifically, before executing a contract with a consumer for EWA services, the provider must provide the consumer with a written or electronic disclosure that informs the consumer of their rights under the contract, fully and clearly discloses each fee associated with the EWA services, includes an explanation of the consumer's right to proceed against the surety bond, and provides the name and address of the surety company that issued the bond. The provider must also notify the consumer of any material changes to the disclosure statement before implementing the change and keep a copy of the disclosure statement, including any notifications of material changes, in its files. These disclosure requirements apply only to contracts for EWA services entered into on or after the bill's effective date.</p> <p>Contract For Services HB 3827 sets out several requirements for contracts for earned wage access services between providers and consumers. Contracts may be in writing or electronic form, and must include the date, the consumer's written or digital signature, and language that is easily understandable. The contract must disclose that the provider must offer the consumer at least one option to obtain proceeds at no cost, that fee obligations are subject to limitations on repayment, how proceeds will be provided, that the consumer may cancel participation at any time without a fee, that the provider must have policies for responding to questions and complaints, that the provider must comply with privacy and information security laws, and that any tips, gratuities, or donations must be voluntary and disclosed. Providers must comply with applicable federal Electronic Fund Transfer Act regulations and reimburse consumers for any overdraft or non-sufficient funds fees resulting from the provider seeking payment before or in a different amount than disclosed. The bill requires providers to make the completed contract available to the consumer and to include in their files a copy of the contract with the consumer's acknowledgement of receipt.</p> <p>Consumer Protections H.B. 3827 imposes several restrictions and prohibitions on earned wage access service providers to protect consumers. These restrictions include requirements for written or electronic contracts, clear disclosures of fees and terms, and offering at least one no-cost option to consumers. The bill also prohibits providers from sharing fees or donations with employers, accepting payment through credit cards, charging late fees or penalties, reporting consumer information to credit agencies, requiring credit reports or scores, and using certain collection methods.</p> <p>The bill also prohibits providers from engaging in false or misleading practices, fraudulent or deceptive acts, unlicensed advertising, and attempts to make consumers waive their rights under the bill. These restrictions and prohibitions aim to ensure transparency and fairness in the provision of earned wage access services to consumers.</p>

Administration of Provisions

HB 3827 authorizes the Texas Finance Commission to adopt rules to enforce the provisions of the bill related to earned wage access services. The commissioner is required to recommend proposed rules to the commission. Reasonable and necessary fees will be established by the commission for carrying out the commissioner's powers and duties under those provisions. Under the bill, the commissioner or the commissioner's representative has the authority to examine each place of business of each licensed provider and investigate the provider's transactions and records, including books, accounts, papers, and correspondence, as they relate to the business subject to the license. The licensed provider is required to pay the commissioner an amount assessed by the commissioner to cover the cost of an examination, as well as a proportionate share of general administrative expenses.

The licensed provider is required to give the commissioner free access to the provider's office, place of business, files, safes, and vaults, and provide electronic copies of books, accounts, papers, and correspondence as requested by the commissioner. A violation of this requirement can result in the suspension or revocation of the provider's license. During an examination, the commissioner or the commissioner's representative is authorized to administer oaths and examine any person under oath on any subject pertinent to a matter that the commissioner is authorized or required to consider, investigate, or secure information about under the bill. Information obtained under these provisions is confidential.

HB 3827 grants the commissioner the power to investigate and obtain information on violations of the bill's earned wage access services provisions. The commissioner can investigate the records of licensed providers or anyone else who is reasonably suspected of violating the bill, even if they claim not to be subject to it. The bill also subjects its earned wage access services provisions to the investigative and enforcement authority granted to the commissioner under the Finance Code. Additionally, the bill requires the commissioner to provide a certificate of good standing or a certified copy of a license, rule, or order to any person who applies and pays the associated cost. The transcript of a hearing held by the commissioner under the bill is deemed to be a public record. Finally, the bill mandates that licensed providers maintain on file with the commissioner the name and address of the provider's registered agent for service of process.

HB 3827 requires licensed providers to keep a record of each transaction and maintain it electronically or physically in Texas for a certain period of time. Providers must file an annual report with the commissioner, containing relevant information about their business operations in Texas for the preceding year. The report is confidential and must be under oath and in a form prescribed by the commissioner. The commissioner is required to prepare and publish a consolidated analysis of provider reports annually.

HB 3827 authorizes the commissioner to impose an administrative penalty against any person who intentionally violates or causes a violation of the bill's earned wage access services provisions or a rule adopted under it. The

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			<p>bill allows the commissioner to order a provider who violates the provisions or rules to make restitution to an identifiable person.</p> <p>Applicability Provisions HB 3827 provides an exemption to a person who holds a license to provide earned wage access services from the Money Services Act or other statutory provisions that regulate interest, loans, and financed transactions concerning earned wage access services provided by that person. The bill specifies that if there is a conflict between the provisions of the bill and any other provisions of the Finance Code related to consumer protection in financial services, the bill provisions will retain control. Additionally, the bill invalidates any waiver of a provision of the bill by a consumer, meaning that consumers cannot give up their rights under the bill through a contractual agreement or any other means.</p> <p>Criminal History Check HB 3827 amends the Government Code to entitle the commissioner to obtain information from the Texas Department of Public Safety (DPS) criminal history record information that relates to an applicant for a license to provide earned wage access services.</p> <p>Impact There are some concerns that because EWA services are relatively new to the market, the implications of widespread use are unknown. The bill creates a regulatory structure where there is none.</p>	
<p>HB 3136 By: Campos</p>	<p>Relating to the issuance by the Texas Department of Housing and Community Affairs of certain federal forms for purposes of allocating low income housing tax credits; authorizing an administrative penalty.</p>	<p>Urban Affairs</p> <p>8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Texas developers complete Internal Revenue Service (IRS) Form 8609 to obtain a housing credit allocation under the federal low income housing tax credit program. Concerns have been raised about unreasonable delays in the issuance of IRS Form 8609 by the Texas Department of Housing and Community Affairs (TDHCA).</p> <p>HB 3136 mandates a 120-day deadline for TDHCA to issue Form 8609 after receiving the documentation packet and outlines the specific components that must be included in the packet, such as a development cost schedule, nonprofit status, and a summary of the sources and uses of funds for the development.</p> <p>HB 3136 allows for administrative penalties such as monetary fines or prohibiting participation in the low-income housing tax credit program for up to two years if a development owner intentionally provides incorrect information. HB 3136 stipulates that certain forms and contents of the documentation must align with TDHCA's prescribed application cycle based on the 2022 qualified allocation plan. TDHCA must adopt rules to implement the bill's provisions, including rules specifying the manner, deadline, and fees for submitting a documentation packet.</p>	<p><u>Favorable</u></p>

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			<p>Under HB 3136, TDHCA must submit a quarterly report to the legislature containing information on submitted documentation packets, issued Forms 8609, reasons for delays, average issuance time, rejected applications, and reasons for rejections. The bill's changes apply to applications submitted during cycles based on the 2023 qualified allocation plan or later.</p> <p>HB 3136 aims to improve the efficiency and transparency of the low-income housing tax credit allocation.</p>	
<p>HB 3462 By: Noble</p>	<p>Relating to the consolidation of ombudsman programs administered by the Health and Human Services Commission.</p>	<p>Human Services 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Following the Sunset Advisory Commission's review of the Health and Human Services Commission (HHSC), the 84th Legislature passed SB 200, which required HHSC to consolidate all ombudsman offices under the health and human services system. While the offices were consolidated, the five associated statutes remained unchanged, and as a result, clients needing the assistance of an ombudsman, the ombudsman staff, and HHSC program staff face a confusing set of authorities and procedures established by the five separate ombudsman statutes. HB 3462 will align, consolidate and streamline the statutes governing the five ombudsman offices, bringing more efficiency to the program.</p> <p>HB 3462 authorizes HHSC's executive commissioner to establish several ombudsman programs like the health and human services ombudsman, the ombudsman for children and youth in foster care, the ombudsman for managed care assistance, the ombudsman for behavioral health access to care, and the ombudsman for individuals with intellectual or developmental disabilities (IDD). The executive commissioner shall appoint an ombudsman for each of the ombudsman programs, serving at the commissioner's will.</p> <p>HB 3462 also aligns and standardizes the powers and duties of an ombudsman to specify that, in addition to providing necessary assistance to children and youth in DFPS conservatorship in making complaints and reporting allegations of abuse or neglect, an ombudsman is required to provide any necessary assistance to children and youth in DFPS conservatorship, elderly persons, persons with disabilities and any other person in making complaints against a program within the health and human services system or reporting allegations of abuse, neglect, or exploitation.</p> <p>Under HB 3462, DFPS and HHSC must provide written notice to an ombudsman on whether DFPS or HHSC adopted or rejected the ombudsman's recommended corrective action resulting from the ombudsman's determination that there was wrongdoing or negligence by the agencies or an employee of the agencies. If DFPS or HHSC rejects a recommended corrective action, DFPS or HHSC must include the reason for the rejection.</p> <p>Although the five ombudsmen are currently located in one office, they have different powers and duties. HB 3462 will bring consistency and strengthen ombudsman offices at HHSC to better support vulnerable populations.</p>	<p><u>Favorable</u></p>

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<p>HB 4447 By: Cook</p>	<p>Relating to impoundment, storage, and notification fees for vehicles stored at vehicle storage facilities; authorizing fee increases and decreases; requiring the adjustment of authorized fees.</p>	<p>Licensing & Administrative Procedures 8 Ayes, 1 Nay, 0 PNV, 2 Absent</p>	<p>The 86th Legislature passed HB 1140 which allowed the Texas Department of Licensing and Regulation (TDLR) to adopt biennial price adjustments for impoundment and storage fees based on changes to the consumer price index (CPI). However, this change did not account for TDLR’s adjustment of maximum notification fees or the ability for TDLR to address the CPI changes from 2005-2019. HB 4447 would allow impoundment, storage, and maximum notification fees to reflect CPI changes based on the last 15 years.</p> <p>HB 4447 allows the Texas Commission on Licensing and Regulation (TCLR) to adjust the applicable fees in effect on December 31, 2005, multiply them by the percentage increase or decrease in CPI that occurred from December 31, 2005 to December 31, 2019, and then publish the new rates on TDLR’s website.</p> <p>Under HB 4447, TCLR is required to increase the maximum amount of the notification fee by an amount equal to the sum of:</p> <ul style="list-style-type: none"> • the maximum amount of the notification fee in effect on December 31, 2019 multiplied by the percentage increase TCLR applied to the impoundment and storage fees adopted on October 25, 2019. • the maximum amount of the notification fee multiplied by the percentage increase TCLR applied to the impoundment and storage fees adopted on October 29, 2021. <p>This provision expires on September 1, 2025.</p> <p>HB 4447 clarifies existing statute by authorizing TDLR to implement certain applicable fees.</p>	<p><u>Favorable</u></p>
<p>HB 4402 By: Bell, Keith Buckley VanDeaver Landgraf Talarico</p>	<p>Relating to the administration of certain assessment instruments, the accountability rating system for assessing campus and district performance, and an extracurricular and cocurricular allotment under the Foundation School Program.</p>	<p>Public Education 8 Ayes, 2 Nay, 0 PNV, 3 Absent</p>	<p>The public school accountability system in Texas overly relies on standardized testing, causing harm to students, parents, campuses, and districts. The STAAR exams exceed the minimum federal requirements and the system's calculation of student achievement and closing gaps domains is based on test performance. HB 4402 seeks to address public concern regarding "high-stakes testing" by enabling public schools to prioritize various programs and initiatives that promote student success across multiple areas of growth and development.</p> <p><i>Through-Year Assessment Program</i> HB 4402 changes the Integrated Formative Assessment Pilot Program to a Through-Year Assessment Program. Beginning with the 2027-2028 school year, Texas Education Agency (TEA) must develop a through-year assessment for each subject and grade that is tested through the STAAR. TEA must develop an implementation plan for the transition from STAAR to through-year assessment. The plan must evaluate the administration of the test in Texas, including identifying improvements in instructional support from school districts and taking the necessary action to improve test administration. TEA may require a school district to participate in a pilot program for the administration of the through-year test and report information regarding the implementation. The assessment must consist of at least three tests over the school year and must be offered in Spanish for emergent bilingual students.</p>	<p><u>Favorable with Concerns</u></p>

		<p>The assessment scores of third through eighth grade students shall be a summative calculation based on the scores of each individual test administered as part of the through-year assessment. The commissioner of education must adopt rules regarding the weights given to each individual test within the through-year assessment.</p> <p>HB 4402 changes the requirements for TEA to release the questions and answer keys to each standardized test from every three years to a yearly basis and clarifies the deadline for TEA to notify districts of test results, and the notice must be given within 21 days of the last test, unless delay is necessary to maintain validity and reliability standards. HB 4402 also removes the current provision that allows the State Board of Education (SBOE) to adopt a nationally recognized test in reading and math for select students in the spring.</p> <p>HB 4402 also allows for the paper administration of assessment instructions on request. Requests for a paper format test must be submitted to the district by December 1st. The number of students who can take an applicable test in paper format for any single administration is limited to 1% of the total number of students enrolled in the district. If requests exceed the limit, they will be accepted on a first-come, first-served basis until the maximum number is reached.</p> <p><i>Student and Parent Satisfaction Indicators</i> HB 4402 requires the commissioner to establish an advisory committee to adopt a survey to be conducted by districts, with indicators of student and parent satisfaction, in order to evaluate district and campus performance. The implementation of this indicator must be done before the 2027-2028 school year, and districts may be required to participate in a pilot program or provide requested information relating to student and parent satisfaction. The survey content must first be approved by the State Board of Education before being conducted by the district.</p> <p><i>Local Accountability System Grant Program</i> The bill requires TEA, from funds appropriated, to provide grants to schools for planning and implementation of local accountability systems.</p> <p><i>Extracurricular and Cocurricular Allotment</i> HB 4402 entitles a district to an annual extracurricular and cocurricular allotment for each student in average daily attendance equal to the basic allotment, or, if applicable, the sum of the basic allotment and the small and mid-sized district allotment to which the district is entitled, multiplied by .003.</p> <p><i>Performance Indicators and Ratings</i> <u>Performance Indicators</u> Among the current performance indicators, HB 4402 includes the following indicators for the accountability</p>	
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<p>HB 698 By: Neave Criado Hull Anchía Herrero Wu</p>	<p>Relating to the remote participation of certain persons in a proceeding for the issuance or modification of a protective order.</p>	<p>Juvenile Justice & Family Issues</p> <p>7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Over the interim, the Juvenile Justice & Family Issues Committee examined the obstacles to reporting domestic violence and how technology could help. Advocates from family violence centers spoke to the legislature about how virtual hearings made a difference for some victims of family violence when attempting to obtain a protective order, as abuse survivors often fear facing their perpetrator in court. HB 698 allows courts to conduct virtual protective order hearings and modifications.</p> <p>HB 698 requires a court, on written request, to provide a method by which an applicant or witness can provide testimony or participate remotely in a hearing on issuing or modifying a protective order unless the court finds good cause to deny the request. The bill applies to family violence cases pending or filed on or after the bill's effective date.</p>	<p><u>Favorable</u></p>

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			Courts around the state have already seen an increase in protective order applications and cases moving through the judicial process. HB 698 would expand this access throughout the state, giving these survivors a sense of security and empowerment to speak up for themselves and their families.	
HB 380 By: Bucy	Relating to the Secretary of State posting on the Secretary of State’s internet website databases containing certain information about elections.	Elections 8 Ayes, 1 Nay, 0 PNV, 0 Absent	<p>Despite existing law requiring the Texas Secretary of State (SOS) to publish specific information on their website regarding candidates and officeholders, some parties argue that additional efforts are necessary to ensure Texans are informed about all aspects of the election process. HB 380 addresses this concern by calling for certain political entities to collaborate with the SOS to establish and manage a comprehensive database of election-related information.</p> <p>HB 380 mandates the SOS to publish a database on their website that includes the names of current officeholders and candidates for mayor, school board, or city governing board, building on what is done for partisan offices in the primary and general election. The database should contain the name of the candidate or office holder, the office they hold or are seeking, whether it is an at-large or district election, the election dates, their public mailing address, and other public contact information if available. Candidates must also specify if they filed as a write-in. Under HB 380, counties or political parties affiliated with candidates and political subdivisions must provide the SOS with information for each candidate.</p> <p>HB 380 requires the entity responsible for giving notice of an election to electronically deliver information for the SOS’s database of election information. For the database of election information, the authority responsible for giving notice of the election will provide the information each January. If the authority is a county or a political party, they will provide it directly to the Secretary of State. If the authority is a city or school board, they will provide it to the county who will forward. For the database of candidates and officeholders, a county with whom a declaration of candidacy is filed, a state or county chair of a political party, or the presiding officer of a political party’s convention must provide information to the Secretary of State.</p>	<u>Favorable</u>
HB 5311 By: Toth	Relating to the creation and operation of a development zone by and the tax revenue received by The Woodlands Township; providing authority to issue bonds; providing authority to impose assessments and	Urban Affairs 9 Ayes, 0 Nays, 0 PNV, 0 Absent	<p>State law allows collecting mixed beverage tax proceeds to be remitted to municipal and county governments. Still, only the county portion of this tax is collected in the Woodlands Township. There is also a desire for additional hotel-related economic development services to support tourism within the district.</p> <p>HB 5311 authorizes the Woodlands Township’s board of directors to create, designate, describe, assign a name to, and appoint the governing body for an economic development zone in the district. This body will undertake one or more projects to provide supplemental advertising, promotion, or business recruitment services for the area to increase hotel activity. This development zone would be subject to the same laws and regulations that govern a development zone created by the board to promote initial development or substantial redevelopment of an area.</p> <p>HB 5311 authorizes a development zone of one or more hotels to fund or provide hotel-related services. HB 5311 establishes a project fund for a development zone as an alternative to a tax increment fund. It allows an</p>	<u>Favorable</u>

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	taxes.		<p>agreement to dedicate revenue from the project fund to pay project costs. HB 5311 allows this development zone to enter into an agreement with a convention or visitors bureau within or adjacent to the district.</p> <p>HB 5311 requires a development zone composed solely of one or more hotels to be dissolved by the district’s board if a petition of dissolution of the zone is signed by the owners of at least 60% of the assessed value of the real property in the zone. HB 5311 requires the district to assume the development zone’s assets, powers, functions, liabilities, and outstanding debt.</p> <p>HB 5311 would allow the district to collect the mixed beverage tax as if it were an incorporated municipality to enable the revenue to stay within the district. HB 5311 will enable the Woodlands Township to continue growing and stimulating its economy.</p>	
<p>HB 5264 By: Bowers Allen</p>	<p>Relating to the adoption and use of certain performance indicators to measure and evaluate career school or college programs.</p>	<p>International Relations & Economic Development</p> <p>9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Texas currently lacks adequate review and oversight of the quality and value of education provided by career schools and colleges. Introducing performance indicators will protect students from substandard programs and ensure they do not waste time or money. These indicators will also help employers identify well-trained employees and maintain public safety by guaranteeing professionals receive proper training.</p> <p>HB 5264 directs the Texas Workforce Commission (TWC) to create performance indicators for evaluating the quality and student achievement of career school and college programs. The TWC must periodically review and revise these indicators. The indicators should assess various aspects, including industry recognition, completion rates, certification availability, employment prospects, third-party certifications, and alignment with best practices.</p> <p>HB 5264 also requires the TWC to develop a methodology for determining minimum acceptable standards for career schools and colleges based on these performance indicators. Annually, the TWC must evaluate 20% of career school and college programs across Texas for compliance. Programs that fail to meet the minimum standards become ineligible for contracts with local workforce development boards. The TWC must publish a list of reviewed programs meeting the minimum acceptable standards by September 1 each year, with the initial list published by September 1, 2024.</p> <p>HB 5264 aims to improve standards of review and oversight through performance indicators for assessing the quality of learning and student achievement in career school and college programs.</p>	<p><u>Favorable</u></p>
<p>HB 3323 By: Goodwin</p>	<p>Relating to food system security and resiliency planning.</p>	<p>Agriculture & Livestock</p> <p>7 Ayes, 0 Nay,</p>	<p>Feeding Texas reports that one out of eight Texas experience food insecurity, further exacerbated by long-lasting chain supply issues from the COVID-19 pandemic, the 2022 baby formula shortage, and the 2023 egg shortage. The food supply chain in Texas has been vulnerable to many disruptions. HB 3323 aims to address this by establishing the Texas Food System Security and Resiliency Planning Council to address food system security and ensure Texas has a secure and resilient food supply.</p>	<p><u>Favorable</u></p>

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		<p>0 PNV, 2 Absent</p>	<p>HB 3323 requires the development of a state food system security plan by the Office of Food System Security and Resiliency if established within the Texas Department of Agriculture (TDA) by an act of the 88th legislative regular session, or by the TDA’s food nutrition division. The plan is required to provide for the development and management of food system security throughout Texas, account for times of severe drought, natural disaster, man-made disaster, or other calamities, and include legislative recommendations needed or wanted to facilitate the plan’s purpose. The bill requires whichever office that is overseeing the plan to seek advice from the Department of State Health Services (DSHS) and the Texas Parks and Wildlife Department (TPWD) while developing the plan. The plan is to be delivered to the governor, lieutenant governor, the speaker of the House of Representatives, and specific chairs of standing legislative committees.</p> <p>The office is to establish the 24-member Texas Food System Security and Resiliency Council which is to provide guidance and review the state food system security plan. The council will consist of members appointed by the governor, lieutenant governor, the speaker of the House of Representatives, and the TDA with non-voting members outlined in the bill. HB 3323 establishes the food security planning fund and the Texas food system security and resiliency projects fund as dedicated funds in the general revenue consisting of legislative appropriations, gifts, grants including federal grants, donations received for the fund, and interest earned on invested money in the funds.</p> <p>The office will be responsible for awarding grants to eligible recipients, including local governmental entities, a nonprofit organization, or a farm or agricultural product, to increase food system security or resiliency in Texas. HB 3323 identifies the criteria to be considered as an eligible recipient for grants under the fund and restricts the use of the fund to awarding grants and the grant program’s administration.</p> <p>Overall, HB 3323 creates a food security council and grant program to aid in ensuring a dependable and robust food supply for generations of Texans to come.</p>	
<p>HB 3439 By: Johnson, Ann</p>	<p>Relating to veterinary services performed on certain animals in the care of a releasing agency.</p>	<p>Agriculture & Livestock</p> <p>8 Ayes, 0 Nay, 0 PNV, 1 Absent</p>	<p>In Texas, many families have endured financial difficulties which impacts their ability to receive veterinary care for their pets. The challenge many low-income Texans face in providing care for their pets has led to limited options and resources, especially in medical emergencies. As a result, many pet owners are forced to surrender their pets to shelters that are already overcrowded.</p> <p>Current legislation prohibits a veterinarian employed by a releasing agency (animal shelter) from performing nonemergency veterinary services other than sterilization on an animal that the animal shelter knows or should know has an owner. However, it includes an exception for an animal whose owner is indigent.</p> <p>HB 3439 provides clarification of the qualifications of an animal owner for their animal to receive veterinary services from a veterinarian employed by a releasing agency. HB 3439 changes the current qualification that the</p>	<p><u>Favorable</u></p>

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			<p>owner is indigent to a new set of conditions. The new conditions are that the owner, an individual or family, whose income is less than the federal poverty level for their household size or no more than 80% of the medium income for the area in which the owner lives. The owner is to submit evidence to the releasing agency that they qualify based on their income.</p> <p>HB 3439 will allow veterinarians and shelters to be able to support families in keeping their pets while they are going through financial difficulties and help mitigate the increasing populations in releasing agencies.</p>	
<p>HB 3137 By: Isaac Bumgarner</p>	<p>Relating to prohibited local regulation with respect to a firearm or air gun.</p>	<p>Community Safety-Select</p> <p>8 Ayes, 4 Nays, 0 PNV, 1 Absent</p>	<p>Current law prohibits municipalities from enforcing any requirement for firearm owners to obtain liability insurance coverage for damages resulting from negligent or willful acts involving the use of firearms or air guns. An air gun uses compressed air or other gasses to fire projectiles.</p> <p>San Jose, California has passed an ordinance that requires gun owners to obtain and maintain liability insurance for damages resulting from negligent or willful acts involving the use of firearms or air guns, and pay an annual registration fee. HB 3137 seeks to prevent municipalities and counties from adopting similar ordinances.</p> <p>HB 3137 prohibits a municipality or county from adopting ordinances that require a firearm owner to obtain liability insurance. The bill also clarifies that a county's authority to regulate explosives and weapons do not apply to firearms or air guns.</p> <p>These laws would restrict municipalities and counties from making decisions based on the needs and will of their community.</p>	<p><u>Unfavorable</u></p>
<p>HB 4246 By: Orr Rogers Slawson Patterson Ashby</p>	<p>Relating to delivery of certain unclaimed money for scholarships for rural students, rural economic development, and energy efficiency assistance.</p>	<p>Business & Industry</p> <p>9 Ayes, 0 Nay, 0 PNV, 0 Absent</p>	<p>Electric cooperatives are seeking to increase their ability to retrieve unclaimed property by up to 50% within a year, compared to the current \$2 million limit. The electric cooperatives argue that the retained funds from overpayments of their ratepayers and members would be better used to benefit their local communities.</p> <p>HB 4246 changes the cap on the total amount that may be transferred during a state fiscal year by all nonprofit cooperatives corporations to a scholarship fund for rural students to stimulate rural economic development or to provide energy efficiency assistance to members of electrical cooperatives from \$2 million to 50% of total money reported for that year by the nonprofit cooperative corporations. HB 4246 removes the limitation that no more than 20% of such funds of each nonprofit cooperative be used for economic development.</p> <p>HB 4246 overall would allow electric cooperatives to utilize unclaimed property by contributing to aid their local communities.</p>	<p><u>Favorable</u></p>

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<p>HB 4713</p> <p>By: Plesa Rose Price Oliverson Perez</p>	<p>Relating to group health benefit plan coverage for early treatment of first episode psychosis.</p>	<p>Insurance</p> <p>6 Ayes, 2 Nays, 0 PNV, 1 Absent</p>	<p>Approximately 3,000 Texans between the ages of 12-35 experience their first episode of psychosis (FEP) each year, but the state can only serve about 35% of them using coordinated specialty care (CSC). CSC is a recovery-oriented, team approach to treating early psychosis that promotes easy access to care and shared decision-making among specialists, the person experiencing psychosis, and family members. Research has shown that CSC for FEP leads to better long-term outcomes for individuals. Unfortunately, commercial insurance doesn't cover CSC for young people.</p> <p>HB 4713 addresses this by requiring group health benefit plans to cover certain FEP diagnoses, including CSC services for individuals under 26 years.</p>	<p><u>Favorable</u></p>
<p>HB 2133</p> <p>By: Thimesch Swanson</p>	<p>Relating to authorizing political subdivisions to change the date on which the general election for officers is held.</p>	<p>Elections</p> <p>9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>HB 2133 authorizes political entities, other than counties or municipalities, which conduct their officer's general election on the November uniform election date, to shift their election date to the May uniform election date until December 31, 2024.</p> <p>HB 2133 only applies to The Colony, Texas, a municipality with a population of more than 30,000, through which a State Highway 121 runs, and is wholly located in a county with a population of more than 500,000 that borders two counties, each of which has a population of more than 2 million.</p> <p>HB 2133 aims to reduce confusion and increase voter turnout in elections.</p>	<p><u>Favorable</u></p>
<p>HB 4779</p> <p>By: Bhojani Moody Rose Darby Leach</p>	<p>Relating to the prosecution of the criminal offense of organized retail theft.</p>	<p>Criminal Jurisprudence</p> <p>9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>At present, there is a significant overlap between the offenses of organized retail theft and property theft in Texas statute. This means that a person who engages in minor shoplifting can be arrested and charged with organized retail theft, because the actor can technically be arrested for either offense. HB 4479 seeks to address this issue by revising conduct that constitutes the offense of organized retail theft.</p> <p>HB 4779 revises the offense of organized retail theft by making the offense applicable to merchandise valued only over \$2,500 and by replacing the provision that the actor intentionally engages in applicable conduct with the condition that the actor engages in the conduct with the intent to support, facilitate, or engage in the theft of retail merchandise, as well as the redistribution for that merchandise.</p> <p>HB 4779 helps to ensure the fairness of the justice system by making clear the conditions for overlapping offenses.</p>	<p><u>Favorable</u></p>
<p>HB 3377</p> <p>By: Jones, Venton Oliverson </p>	<p>Relating to HIV and AIDS tests.</p>	<p>Public Health</p> <p>9 Ayes, 0 Nays, 0 PNV,</p>	<p>Approximately 91% of new HIV cases in Texas stem from sexual contact. The 2019 Department of State Health Services (DSHS) HIV Surveillance Report shows that only 77% of people living with HIV had at least one lab test. To achieve a target of at least 90% of individuals with HIV being aware of their status, Texas needs additional strategies, including incorporating HIV testing into routine STI screenings to reduce barriers and help identify and decrease transmission.</p>	<p><u>Favorable</u></p>

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<p>Rose Anderson Wu</p>		<p>2 Absent</p>	<p>HB 3377 requires health care providers to submit blood samples for HIV diagnostic tests, regardless of whether an HIV test is part of a primary diagnosis, unless the individual opts out. Providers must obtain consent or inform the individual about the HIV test. If the test result is positive, providers must share information on available HIV health services and referrals to community support programs.</p> <p>The Health and Human Services Commissioner (HHSC) executive commissioner must establish rules to implement the bill's provisions while considering the latest CDC recommendations for HIV testing. HB 3377's implementation is only mandatory if funding is appropriated for it. If not implemented in a fiscal year, the HHSC must include this information and a cost estimate in its legislative budget request for the next biennium. These provisions expire on September 1, 2027, and any suspended duty of HHSC becomes mandatory.</p> <p>HB 3377 establishes an opt-out HIV testing system for individuals receiving STI medical screenings, contributing to a significant step forward in HIV prevention and awareness in Texas.</p>	
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