



Texas Legislative Study Group

An Official Caucus of the Texas House of Representatives

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

STEERING COMMITTEE

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

LSG Floor Report For POSTPONED BUSINESS UNTIL 9:00 AM – Saturday, May 6, 2023

<p>HB 3544 By: Moody</p>	<p>Relating to payment of certain court costs associated with interpreters.</p>	<p>Judiciary & Civil Jurisprudence</p> <p>8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Many individuals with limited English proficiency (LEP) lack access to court interpreters, violating Title VI of the Civil Rights Act, requiring state courts that receive federal assistance to provide interpreters to persons with LEP. In Texas, some low-income litigants and legal aid providers must pay for their own language access services, such as interpreters, despite the Texas Rules of Civil Procedure stating that court-appointed professionals are a covered court cost for those with a valid statement of inability to pay.</p> <p>HB 3544 seeks to ensure that all individuals, regardless of financial situation or spoken language, can fully participate in the justice system. The bill clarifies that a party who files a statement of inability to afford payment of court costs is not required to pay for an interpreter unless the statement has been contested in court and the party has been ordered to pay. This exemption does not apply to interpreter services for individuals who are deaf, hard of hearing, or have communication disabilities, which must be provided free of charge per federal and state laws.</p> <p>Under HB 3544, each county auditor, or other individual designated by the county's commissioners court, shall submit information on the interpreter-related funds that the county spent in civil and criminal proceedings to the Office of Court Administration (OCA).</p> <p>Failing to provide interpreters leaves individuals less capable of understanding and defending their legal rights regarding their children, homes, and freedom. HB 3544 would help ensure equality in the justice system for these Texans.</p>	<p><u>Favorable</u></p>
<p>HB 3709 By: Noble</p>	<p>Relating to the franchise and insurance premium tax credit for the certified rehabilitation of certified historic</p>	<p>Ways & Means</p> <p>11 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>The Texas historic preservation tax credit is given to help rehabilitate certified historic structures. This tax credit helps restore historic structures so that they can continue to generate state and local taxes. This tax credit is currently under the Franchise Tax section (Chapter 171) of the Tax Code, and can be applied against either franchise tax or the insurance premium tax. There has been discussion about repealing the franchise tax, and if it were repealed, this section of Tax Code would also be removed, disallowing usage of the Texas historic preservation.</p>	<p><u>Favorable</u></p>

OK for Distribution

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

	structures.		HB 3709 aims to resolve this potential issue by creating a new chapter of tax code (Chapter 172) for the Texas historic preservation tax credit. It allows an entity to apply for a credit for all or part of the tax to be used towards their property and casualty insurance premium tax; life, health, and accident insurance premium tax; title insurance premium tax; and reciprocal and interinsurance exchange premium tax. HB 3709 protects the Texas historic preservation tax credit from being repealed along with the franchise tax.	
HB 2198 By: Hefner Troxclair Harris, Caroline	Relating to building height restrictions in certain municipalities.	Land & Resource Management 8 Ayes, 1 Nay, 0 PNV, 0 Absent	<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>	<u>Will of The House</u>
HB 3657 By: Anchía	Relating to notaries public; creating a criminal offense.	Judiciary & Civil Jurisprudence 8 Ayes, 0 Nay, 0 PNV, 1 Absent	<p>Deed fraud has been increasingly reported, where individuals illegally acquire property ownership by falsifying the owner's signature and filing a fraudulent deed.</p> <p>HB 3657 allows the secretary of state to reject an application or suspend or revoke the commission of a notary public due to inadequate record keeping. Additionally, HB 3657 would require a notary public to retain the requisite notary records until the 10th anniversary of the date of notarization.</p> <p>HB 3657 would also enact criminal offense for those who knowingly perform a notarization when the person for whom the notarization was performed did not personally appear before the notary public at the time of notarization. The penalty would be a Class A misdemeanor for all notaries performed in this manner, but would</p>	<u>Favorable</u>

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

			<p>elevate to a third degree felony if the notarized document involved the transfer of real estate.</p> <p>Furthermore, HB 3657 would require the secretary of state to establish educational requirements for newly appointed notary public and continuing education requirements for reappointment notary publics.</p> <p>HB 3657 aims to enhance the credibility, knowledge, and documentation of traditional notaries public in response to the growing concern of deed fraud.</p>	
<p>HB 3843</p> <p>By: Wilson</p>	<p>Relating to a study and report by the Texas Department of Transportation regarding toll project entities.</p>	<p>Transportation</p> <p>11 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Constituents have expressed that current law makes it difficult to compare the practices and operations of toll project entities due to difficulty in accessing information to do so. HB 3843 responds to this by requiring the Texas Department of Transportation (TxDOT) to compare the practices and operations of all toll project entities statewide. The study must include comparisons of toll operations, customer complaints, billing practices, and other factors deemed appropriate by TxDOT. TxDOT must then report the study’s findings to the governor, lieutenant governor, and the legislature.</p> <p>Some contend that the study may be improved by examining alternative practices or procedures that would improve the performances of toll agencies, provide recommendations to improve, and expand on how customer complaints would be compared. It is essential that the study would allow for a fair comparison of similar situations.</p>	<p><u>Favorable</u></p>
<p>HB 2675</p> <p>By: Jetton</p>	<p>Relating to the deposit of funds into court registries by the clerks of justice courts.</p>	<p>Judiciary & Civil Jurisprudence</p> <p>8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Currently, only county and district court clerks can deposit funds awarded to minors in the court registry, excluding justice courts. Concerns have been raised about this lack of authority, given justice courts’ recent expansion of jurisdiction from \$10,000 to \$20,000 and subsequent increase of auto accident cases involving minors.</p> <p>HB 2675 authorizes justice courts to deposit funds set apart for minors into the court registry until the funds can be legally disbursed.</p> <p>HB 2675 facilitates justice courts’ efficient handling of money awarded to minors, bringing them in line with county and district courts.</p>	<p><u>Favorable</u></p>
<p>SB 604</p> <p>By: King</p> <p>Sponsor:</p>	<p>Relating to land services performed by a landman.</p>	<p>Energy Resources</p> <p>8 Ayes, 0 Nays,</p>	<p>SB 604 is the identical senate companion for HB 1915. Current statute is not reflective of services performed by a landman in Texas. As a result, these laws need to be revised to ensure that landmen receive fair and equal statutory protections and benefits.</p>	<p><u>Favorable</u></p>

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

Henfer		0 PNV, 3 Absent	<p>HB 1915 amends the state Occupations Code and expands the exemption for non-attorneys who perform acts related to mineral or mining interests in real property. The exemption now covers any act related to land services as long as they don't hold themselves out to be licensed attorneys. This includes negotiating mineral or energy rights, reviewing title status, managing rights derived from interests in minerals or energy, and pooling such interests.</p> <p>The bill defines "mineral" as substances considered minerals in Texas, including hydrocarbons and other minerals, regardless of depth. "Other energy sources" include natural resources necessary to produce energy like geothermal, hydroelectric, nuclear, solar, and wind energy. Transactions involving the sale, lease, or transfer of an interest in real property related to such a natural resource are exempted from The Real Estate License Act.</p> <p>HB 1915 also includes landmen as among the individuals exempt from the Private Security Act, who in the course and scope of their services would not qualify for exemption otherwise. This change excludes payments made to nonemployees for landman services related to other energy sources from a taxable entity's total revenue for franchise tax purposes.</p> <p>HB 1915 is a clean-up bill that updates language in statute to ensure the code reflects the nature of landman industry practices in the present day.</p>	
--------	--	--------------------	---	--

LSG Floor Report For POSTPONED BUSINESS UNTIL 10:00 AM – Saturday, May 6, 2023

<p>HB 1803 By: Rose</p>	<p>Relating to the eligibility of certain individuals to purchase Medicare supplement benefit plans.</p>	<p>Insurance 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>
------------------------------------	--	--	---	--------------------------------

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

<p>HB 3548</p> <p>By: Anchía Sherman, Sr. Jones, Venton Lalani Cook</p>	<p>Relating to increasing the criminal penalty for assault of certain hospital personnel.</p>	<p>Criminal Jurisprudence</p> <p>8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Recently, violence against medical workers has increased, with the rate of violent attacks growing by 63% between 2011 and 2021. COVID-19 exacerbated this issue, with 44% of nurses reporting violence against them during Spring of 2020. This in combination with the extreme shortage of healthcare professionals underscores a need for enhanced protection for those who work in the medical field.</p> <p>HB 3548 seeks to address this by enhancing the penalty for an assault that results in bodily injury from a Class A misdemeanor to a third degree felony, if the actor committing the offense assaults known hospital personnel while they are providing services. Applicable personnel include nurses, physicians, physician assistants, maintenance or janitorial staff, receptionists, and other individuals who work in a facility that is licensed as a general hospital or special hospital, including state hospitals.</p> <p>Hospital personnel have stood on the frontlines of a public health crisis for years in order to protect Texans. It is vital that their health and safety is prioritized by the state.</p>	<p><u>Favorable</u></p>
<p>LSG Floor Report For POSTPONED BUSINESS UNTIL 12:30 PM – Saturday, May 6, 2023</p>				
<p>HB 5277</p> <p>By: Bucy</p>	<p>Relating to public access to criminal proceedings.</p>	<p>Criminal Jurisprudence</p> <p>9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>In Texas, most court proceedings are publicly accessible. This ensures transparency, due process, and equal treatment under the law. However, some Texas counties have not been providing public access to bail hearings or have not provided adequate information to the public regarding how to access or attend such hearings. This creates barriers to the court process, weakening transparency and putting the rights of Texans at risk.</p> <p>HB 5277 seeks to address this by including hearings in front of a magistrate following an arrest in the types of hearings that must be accessible to the public. For each such proceeding, HB 5277 requires the court to publish the following information on their website or the location the hearing will be held, how the public may ask about an arrested person or proceeding, the time and location of the proceeding, and how the public may access the proceeding, including a livestream if applicable. If a court can not provide in-person access to the public, the bill dictates that the court must establish a process for the public to access a livestream or videoconference of the proceeding by January 1, 2024.</p> <p>HB 5277 allows any individual, the media, or the Attorney General to file a petition for a writ of mandamus, which is a court order that compels a government entity to perform a duty they are legally required to perform, to the bill's provisions.</p> <p>HB 5277 will allow greater access to court proceedings for the public, helping to ensure the health of our democracy and the rights of Texans.</p>	<p><u>Favorable</u></p>

LSG Floor Report For Major State Calendar – Saturday, May 6, 2023

<p>HB 3162 By: Klick</p>	<p>Relating to advance directives, do-not-resuscitate orders, and health care treatment decisions made by or on behalf of certain patients, including a review of directives and decisions.</p>	<p>Public Health 8 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>The Texas Advance Directives Act was passed in 1999 to resolve conflicts between families and physicians when disagreements exist over continuing care of patients. When the physician feels that continued treatment is ethically or morally unjustified and seeks to end life support for a patient against the wishes of the family, it establishes a legal path that must be followed to protect the physician and the institution. Proponents believe it reduces morally unjustifiable treatment of terminal patients, while opponents argue that it places too much power on physicians and institutions.</p> <p>The most controversial provision of the Act is known as the 10-day rule. It grants hospital committees the power to terminate treatment for patients, even those who are conscious and have chosen to continue life-sustaining treatment, after ten days if the patient or their family cannot find another facility to accept them. However, the transfer process can be difficult to navigate.</p> <p>HB 3162 seeks to improve existing laws by establishing clear procedures for patient transfers, enhancing protections for all parties involved, and establishing requirements for ethics or medical committees reviewing advance directive refusals. The bill includes provisions that extend notice and transfer exploration periods, prohibit disability considerations by committees, establish a data collection and reporting mechanism, prevent the override of patient DNR preferences, and eliminate redundant notice requirements for DNR orders.</p> <p><i>Procedures Regarding Directives to Physicians</i> A Directive to Physicians and Family or Surrogates is designed to help an individual communicate their wishes about medical treatment sometime in the future when they cannot make their wishes known because of illness or injury. HB 3162 limits the applicability of when a physician can refuse to honor a patient's advance directive or health care decision to situations where the patient is deemed incompetent or incapable of communication. A medical ethics committee process under the Texas Advance Directives Act (TADA) allows physicians and patients the chance to resolve a dispute over whether end-of-life care is futile and causing the patient harm. HB 3162 mandates that the committee consider the patient's well-being but refrain from judging their quality of life. In cases where the review assesses the appropriateness of requested life-sustaining treatment, the committee must consider whether the treatment would prolong dying, cause severe pain, exacerbate medical problems, meet standard care, or align with the patient's documented wishes.</p> <p>HB 3162 states that the ethics or medical committee cannot consider a patient's disability, defined by reference to the federal Americans with Disabilities Act of 1990, that existed before the current admission unless it's relevant in determining whether the medical or surgical intervention is medically appropriate.</p>	<p><u>Favorable</u></p>
-------------------------------------	---	--	--	--------------------------------

Notification Requirements

HB 3162 modifies the notice requirements for a person responsible for a patient's health care decisions in the event of a physician's refusal to comply with an advance directive or health care decision.

Currently, the responsible person is given a 48-hour notice prior to an ethics or medical committee review meeting to discuss the patient's directive. HB 3162 extends the duration of the notice to seven days prior to a meeting and specifies that it must be written.

Committee Meetings and Attendance

HB 3162 strengthens the rights that a responsible person is entitled to during the process of determining the next steps for the patient. For example, the responsible person is entitled to participate in the committee meeting, be accompanied by certain patients' family members or legal counsel, and receive a written statement of the names and titles of each committee member involved. During the open portion of the meeting, they have the opportunity to explain the rationale for the health care request, respond to patient-related information presented, and voice concerns about compliance with the review process and the bill's patient disability provisions, including expressing opinions on the relevance of the patient's disabilities to the committee's decision on medical appropriateness. The responsible person is also entitled to receive a written notice of the committee's decision, which should include an explanation for deeming the requested life-sustaining treatment medically inappropriate, if applicable.

HB 3162 grants the responsible person the option to receive electronic access to the patient's medical record related to the treatment received at the facility, as well as all reasonably available diagnostic results and reports, instead of receiving physical copies. The bill expands the scope of medical records the person is entitled to access from the preceding 30 calendar days to the records of the patient's entire current admission to the facility.

HB 3162 bars physicians, healthcare professionals, and authorized persons from attending or participating in the executive session of a patient's ethics or medical committee case. If legal counsel plans to attend, the healthcare facility or responsible person must provide written notice at least 48 hours before the meeting.

HB 3162 eliminates the provision that restricts the attending physician's responsibility to transfer the patient only in case of a disagreement during the review process. HB 3162 requires the physician to make reasonable efforts to transfer the patient once the responsible person receives written notice about the meeting discussing the patient's directive.

Medical Treatment

HB 3162 mandates that if an attending physician has determined that life-sustaining treatment is medically inappropriate, and the committee has confirmed this decision, another physician responsible for the patient's care or the attending physician must perform each medical procedure that meets the following criteria:

- The medical procedure is necessary and reasonable to transfer the patient to another physician, care setting, or facility that complies with the directive.
- An authorized representative from another facility expressed that they would accept the patient's transfer if the procedure is performed.
- The physician performing the procedure determines that it is within the prevailing standard of care, not medically inappropriate, and they have the necessary training and experience.
- The physician performing the procedure has medical privileges at the patient's facility and the facility has the resources to perform it.
- The person responsible for the patient's healthcare decisions consents to the procedure on behalf of the patient.

Time Frame for Life Sustaining Treatment

HB 3162 modifies the time frame for withholding or withdrawing life-sustaining treatment, extending the period from the 10th day to the 25th calendar day after providing a start notice to the responsible person or performing a medical procedure for which a delay notice was given, whichever comes first. This is subject to extension by a court order. The bill also clarifies that the physician's requirement to perform a medical procedure under certain conditions does not mandate the procedure be performed after the 25-day period expires.

In cases where the attending physician and committee have deemed life-sustaining treatment as medically inappropriate, the responsible person will receive a delay notice if a medical procedure meets all necessary conditions, or a start notice if no procedure satisfies the conditions. If a delay notice is given and any conditions are no longer met before the procedure, the responsible person will receive a start notice with a statement explaining the change. Consent for the medical procedure must be provided within 24 hours of the request.

Liability

HB 3162 clarifies the legal protections for physicians and health care professionals who participate in tracheostomy or percutaneous endoscopic gastrostomy medical procedures. They are not subject to civil liability if the procedure is performed in accordance with the bill's provisions. They are also not subject to criminal liability, except when they have acted with specific malicious intent to cause the death of the patient, and that conduct significantly hastened the patient's death. The bill also defines unprofessional conduct, stating that physicians and health care professionals are not engaging in unprofessional conduct unless they acted with a specific malicious intent to harm the patient during the medical procedure.

Do Not Resuscitate (DNR) Orders

HB 3162 changes the authorized physician for issuing a DNR order to a physician providing direct care to the patient, or the attending physician under certain circumstances. The physician may issue the order based on various directions, including written or oral directions from the patient, directions in a qualifying advance directive, directions from a patient's legal guardian or agent, or a treatment decision made in accordance with the procedure when the person is incompetent or incapable of communication.

HB 3162 considers as valid an order issued by the attending physician of a patient who is incompetent or otherwise mentally or physically incapable of communication if the decision is agreed on by the person responsible for the patient and is concurred in by another physician who is not involved in the direct treatment of the patient or who is a representative of an ethics or medical committee of the health care facility in which the person is a patient.

HB 3162 requires healthcare providers to disclose DNR orders to patients who were previously incompetent, but are now deemed competent by a physician.

HB 3162 adds a new requirement, under which the physician must revoke a DNR order if any the advance directive that serves as the basis for the order is properly revoked or the patient or their responsible party expresses intent to revoke the DNR.

The bill requires an attending physician who issues a DNR order on the basis that it is medically appropriate and that the patient's death is imminent regardless of the provision of cardiopulmonary resuscitation to revoke the order if, in the attending physician's reasonable medical judgment, the condition of the patient's death being imminent is no longer satisfied.

Consent to Medical Treatment Act

HB 3162 changes the process for obtaining consent for medical treatment from a surrogate for comatose, incapacitated, or otherwise incapable patients. The surrogate option can only be used if the patient does not have a legal guardian or medical power of attorney agent available after a reasonable inquiry.

HB 3162 modifies who can act as an adult surrogate for medical decision-making. HB 3162 allows the patient's adult children to act as surrogates rather than one adult child with permission from the siblings or a majority of the available adult children. The bill also removes the ability for someone "clearly identified" to act for the patient or a member of the clergy to act as a surrogate.

Reporting

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

			<p>HB 3162 requires healthcare facilities to submit a report to the Health and Human Services Commission (HHSC) within 180 days of receiving written notice of a meeting to discuss a patient's directive. The report must include patient demographics, insurance coverage status, time from admission to notice, case review by the ethics or medical committee, and transfer status, and any outcomes. Furthermore, the report must show whether life-sustaining treatment was withheld or withdrawn and the patient's disposition, with specific categories for each, and whether the facility was informed of any public disclosures relating to the patient or facility personnel.</p> <p>The bill mandates that HHSC keeps the information submitted by a healthcare facility confidential, except as provided by the bill. HHSC is required to publish an annual report on its website, which includes aggregated information from reports submitted by healthcare facilities, and information on the total number of patients categorized by sex, race, age group, insurance coverage status, and disposition after life-sustaining treatment is withheld or withdrawn, if ten or more reports are submitted. If HHSC receives fewer than 10 reports, it may include the aggregate information for all years for which it received the information in the next annual report, along with a statement identifying each year during which an underlying report was submitted. No identifiable information will be included.</p> <p>Impact HB 3162 aims to strike a balance between the medical judgment of physicians and the rights and needs of patients and their families.</p>	
--	--	--	--	--

LSG Floor Report For General State Calendar – Saturday, May 6, 2023

<p>HB 4078 By: Geren</p>	<p>Relating to motor vehicle franchised dealers and the reimbursement of motor vehicle franchised dealers by manufacturers and distributors for warranty, recall, and preparation and delivery work.</p>	<p>Transportation 9 Ayes, 1 Nays, 0 PNV, 3 Absent</p>	<p>How motor vehicle manufacturers, distributors, and franchised dealers work together is regulated by state law and the franchise agreement. The state created these rules to prevent unfair practices, ensure the marketplace is competitive, and protect consumers. The Texas Department of Motor Vehicles (TxDMV) has the power to ensure these rules are followed. Currently, manufacturers or distributors must pay dealers a fair amount for warranty work and can't pay the dealers less than what they charge regular customers. Reportedly, some manufacturers may not pay their dealers enough for recall or warranty work, and some have charged their dealers' extra money or changed parts numbers to underpay them. HB 4078 ensures dealers get paid the same amount for warranty and recall work as regular customers.</p> <p>HB 4078 prohibits a motor vehicle manufacturer or distributor from forcing a dealer to comply, take an adverse action, or initiate an action or proceeding in response to a dealer not participating in a manufacturer or distributor program or taking action against a dealer seeking a right or remedy available to them by law or agreement.</p>	<p><u>Favorable</u></p>
--	--	--	--	--------------------------------

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

		<p>HB 4078 modifies rules for how motor vehicle manufacturers and dealers handle warranties and recalls. Manufacturers or distributors must give TxDMV their current requirements for dealer duties regarding recalls upon request. Specific requirements, like warranty and recall requirements from manufacturers or distributors, can only be enforced if reasonable. In addition, manufacturers and distributors are prohibited from paying or reimbursing a dealer for recall work than the dealer charges a customer for similar non-warranty work.</p> <p>HB 4078 removes the requirement for a manufacturer or distributor to use the greater of certain labor rates in determining the amount to charge a retail customer for warranty work. HB 4068 establishes the formulas manufacturers and distributors must use to compute the amount of money a dealer will charge a customer for labor and parts for warranty or recall work and produces the fewest repair orders. If a manufacturer or distributor supplies a part for a warranty or recalls repair at no cost or reduced cost, they must compensate the dealer for their cost for the part plus an amount equal to the dealer's markup. HB 4078 requires the manufacturer or distributor to pay the dealer for remote installations, repairs, and other outlined functions.</p> <p>HB 4078 expands the contents of a written notice from a manufacturer or distributor to a deal requesting an adjustment to the dealer's warrant work rate to include the request's reduction or claimed material inaccuracy. The submitted rate must take effect 60 days after the manufacturer or distributor receives the request for an adjustment in the dealer's work rate if the manufacturer or distributor fails to respond within that time. A manufacturer or distributor who reduces or claims a material inaccuracy must provide the reasons for these actions. These reasons must include an explanation, evidence substantiating them, a copy of the calculations used to determine a material inaccuracy and a proposed labor or parts rate as applicable. In addition, HB 4078 establishes procedures for dealers to file a protest if their request is reduced or claimed to be materially inaccurate, and a warranty parts rate cannot be adjusted more than once a year.</p> <p>HB 4078 mandates that a manufacturer or distributor must pay a dealer's claim for reimbursement for recall work within 30 days of approval of the claim. If there is a dispute over payment for warranty work, recall work, or dealer preparation and delivery work, the issue must be resolved according to the penalty and enforcement provisions for motor vehicle sales or leases.</p> <p>HB 4078 extends the rules that prohibit a manufacturer or distributor from charging back a dealer for money paid for an approved claim from warranties and recalls to apply to the sale or lease of motor vehicles. HB 4078 expands the prohibition against auditing an approved and paid claim after the first anniversary of submission to the sale or lease of motor vehicles. HB 4078 forbids manufacturers or distributors from reducing a dealer's compensation for warranty, recall, or preparation and delivery work by imposing additional charges or reducing the return reserve allowance. This applies to all products, including motor vehicles and parts, but doesn't prevent normal price increases. Finally, HB 4078 prohibits manufacturers or distributors from using special part numbers that result in lower dealer compensation than what is specified under the bill.</p>	
--	--	---	--

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

			<p>HB 4078 aims to establish fair and transparent procedures for reimbursement of dealers for warranty and recall work, as well as to prevent unfair practices by manufacturers or distributors. HB 4078 seeks to promote a more equitable and efficient relationship between dealers, manufacturers, and distributors in the sale and maintenance of motor vehicles.</p>	
<p>HB 3545 By: Moody</p>	<p>Relating to civil liability arising from a firearm hold agreement.</p>	<p>Judiciary & Civil Jurisprudence</p> <p>8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Gun owners can have their guns temporarily held by federal firearms licensees to get guns out of their homes when necessary. This temporary hold can prevent suicides and other tragedies from taking place in communities. However, federal firearm licensees have expressed concerns about being liable for any damages caused after returning guns to their owners.</p> <p>HB 3545 aims to resolve these concerns by making a federal firearm licensee that operates lawfully immune from liability for any act or omission arising from a firearm hold agreement that results in personal injury or death, including after the firearm is returned to the owner by the licensee at the termination of the agreement. Immunity from civil liability does not apply to cases of unlawful conduct or gross negligence of the licensee.</p> <p>HB 3545 protects federal firearm licensees from liability when they are fulfilling contractual agreements, ensuring that they are able to provide these critical services to the public without fear of potential lawsuits. Protecting these licensees could potentially help make these services more widely available to Texans who need them.</p>	<p><u>Favorable</u></p>
<p>HB 4557 By: Darby Leach Bonnen Guillen Landgraf</p>	<p>Relating to liability for capturing and storing carbon dioxide.</p>	<p>Judiciary & Civil Jurisprudence</p> <p>5 Ayes, 3 Nays, 0 PNV, 1 Absent</p>	<p>Carbon capture, utilization, and storage (CCUS) is a process used to capture carbon dioxide (CO₂) emissions from industrial processes and power plants to prevent them from entering the atmosphere. There are already CCUS projects in operation or development in the Houston area and West Texas. Like other pipeline and storage activities, there is the potential for leaks from the storage sites or issues with transport. Released CO₂ into the air or groundwater poses health risks to nearby communities. Proper regulation and oversight can mitigate risks and civil action can help ensure companies operate safely and responsibly. Without the ability to take legal action, residents would have little recourse if they suffered harm due to the activities of CCUS companies.</p> <p>HB 4557 would significantly reduce the ability to bring an action against a defendant on the basis that captured or stored CO₂, or a process associated with capturing or storing CO₂, is a pollutant, constitutes a nuisance under common law, or has caused a nuisance-related injury.</p> <p>HB 4557 specifies that claimants cannot recover noneconomic damages against a defendant for damages for injury to a person or property, including for interference with a possessory interest or ownership right or an injury to crops or an animal, resulting from: the transmission or injection of captured CO₂ into a geologic storage facility, including seismic activity; subsurface migration of stored CO₂, including a claim for trespass or conversion resulting from subsurface migration of stored CO₂ into cavities, voids, reservoirs, or other formations; or environmental damages allegedly caused by captured or stored CO₂ being accidentally released</p>	<p><u>Unfavorable</u></p>

		<p>unless certain conditions are met. The claimant would have to establish actual damages and one of the following to claim noneconomic damages:</p> <ul style="list-style-type: none"> • The company concealed, withheld, or misrepresented information relating to the permitting authority's decision to grant the company a permit to transport, capture, or store CO₂ and their permit was granted not more than five years prior to the date the CO₂ was injected, migrated, or escaped. • The company was not in compliance with a legal requirement that was intended to protect a person or property from the kind of damage that occurred, and where otherwise would not have occurred. • Part of the company's conduct was not part of an applicable permitting process and their actions were opposite from standard industry practice, they did not comply with standards due to economic reasons, and this damage would not have occurred if they had complied. <p>HB 4557 limits a claimant's ability to recover noneconomic damages in a civil action for interference with access to underground minerals or water due to the storage of captured CO₂. To recover damages, the claimant must prove actual damages and that the defendant withheld or misrepresented information that the permitting authority relied on it. Claimants who receive compensation in consideration of the possibility that a geologic storage facility may prevent or impede access to or interfere with the production of underground minerals or water are not entitled to recover damages.</p> <p>HB 4557 also limits the economic damages available for the increased cost of accessing or producing minerals or water, or the present value of minerals or water that cannot be produced due to the carbon capture storage facility. HB 4557 states that a claimant cannot recover exemplary damages in a civil action unless they provide proof required under HB 4557 and fulfill the legal requirements for recovering exemplary damages.</p> <p>Impact HB 4557 prevents claims on the basis that CO₂ is a pollutant, nuisance, or caused an injury, increases the burden of proof to recover noneconomic damages, and limits liability for preventing access to water and minerals. HB 4557 harms Texans and the environment by limiting a legal source of accountability for these companies. Incorrectly stored or transported CO₂ can be extremely dangerous to Texans, and cause significant health impacts, contaminate water supplies, cause property damage, prevent access to minerals, and harm livestock.</p> <p>Texas is already the opportune place for CCUS projects, especially along the Gulf Coastal region. Companies like ExxonMobil, Talos Energy, Occidental Petroleum and others are making plans to utilize Texas' unique combination of geologic pore space, existing energy infrastructure, and large workforce. HB 4557 uses the guise of attracting CCUS businesses to the state to stifle any potential wrongdoing by industry. It's unnecessary and inhibits Texans' right to hold companies accountable for damages.</p>	
--	--	--	--

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

<p>HB 3443</p> <p>By: Canales Cook Capriglione Noble Morales, Eddie</p>	<p>Relating to adding a designation on a person's driver's license or commercial driver's license indicating that the person is licensed to carry a handgun.</p>	<p>Community Safety-Select</p> <p>9 Ayes, 1 Nay, 0 PNV, 3 Absent</p>	<p>Texans with Department of Public Safety (DPS) issued driver's and handgun licenses must carry both cards. However, there is confusion regarding if a license to carry (LTC) can be considered a form of identification due to its similar appearance to a driver's license. Additionally, it can be inconvenient to carry both a driver's license and an LTC. HB 3443 seeks to address this by allowing handgun license holders to opt to have their proof of license added to their driver's or commercial driver's license (CDL).</p> <p>HB 3443 requires DPS to adopt rules allowing applicants seeking a handgun license to elect to include a designation indicating they are licensed to carry a handgun on their driver's license or CDL. Applicants may only receive this designation if they meet the qualifications to obtain a handgun license and retain this designation as long as they are licensed to carry. DPS must include the designation on each driver's license, or CDL, issued to LTC holders who elect for it, including the handgun license number and a statement for how long the LTC is effective. With this designation, handgun license holders may use their driver's license, or CDL, to verify their handgun license status with a magistrate or peace officer. LTC holders may also provide their driver's license or CDL and their LTC for such situations.</p> <p>HB 3443 would not change the conditions for someone to receive an LTC and allows for a convenient merging of two documents. The merged document would allow those that review to know the person is authorized to carry a weapon, like a peace officer.</p>	<p><u>Favorable</u></p>
<p>HB 3026</p> <p>By: Oliverson</p>	<p>Relating to the administration of a prescription drug manufacturer or third-party prescription assistance program.</p>	<p>Health Care Reform, Select</p> <p>11 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>The 87th Texas Legislature established Texas Cares to offer prescription drug benefits to uninsured individuals. However, the Health and Human Services Commission (HHSC) found that 98% of the top 200 prescribed medications are already accessible through discount or manufacturer patient assistance programs (PAPs), which often serve individuals with incomes between 250 and 600% of the federal poverty level. However, PAPs have complex application processes, frequently changing requirements, and limited awareness among doctors and patients. Additionally, the prescription drug market has evolved with new players such as CostPlus and Amazon and the availability of lower-cost generic insulin.</p> <p>HB 3026 aims to authorize the HHSC to create a new prescription drug assistance program and make the existing requirement to create a prescription drug savings program for specific uninsured individuals optional. The program will use funds to pay the prescription drug rebate amount at the point of sale and return the rebate to the fund, ensuring the amounts credited to the fund equal the amounts paid.</p> <p>HB 3026 is mandated to develop a program to increase prescription drug access for certain individuals through a prescription drug manufacturer or third-party patient assistance program. HHSC must ensure this program is designed to provide the greatest value for program enrollees by considering drug availability, net costs, state costs, and other factors determined by HHSC. In addition, HHSC must ensure that the program benefits exclude prescription drugs for elective pregnancy terminations. HHSC will oversee the program's implementation and develop enrollment application procedures.</p>	<p><u>Favorable</u></p>

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

			<p>HB 3026 requires HHSC to list assistance information on its website. Second, HHSC must integrate manufacturer or third-party patient assistance programs, allowing them to decline integration. Third, HHSC must conduct community outreach and education campaigns to inform eligible individuals. Finally, HHSC must approve program benefits, ensure compliance with federal and state laws, and establish procedures to monitor the provision of benefits and services. HB 3026 enables HHSC to contract with third-party administrators or entities for program implementation through grants or partnerships with governmental or nonprofit organizations. The contracted party must report program benefits and services to HHSC.</p> <p>The bill allows HHSC to use appropriations, federal funds, gifts, grants, and donations for program implementation and services, but it does not require program implementation without allocated funds. In addition, it permits individuals meeting eligibility criteria from prescription drug manufacturers or third-party assistance programs to receive benefits, and HHSC can identify additional eligibility factors. Annually, HHSC must provide a report detailing administrative costs, total cost savings, and other expenditures.</p> <p>The executive commissioner of HHSC is authorized to establish rules for implementing the prescription drug assistance and savings programs, with other designated state agencies adopting necessary rules after the bill's effective date. HB 3026 does not create entitlements for particular individuals or expand Medicaid. Instead, it allows HHSC to develop a program that gives eligible individuals access to prescription drug benefits via manufacturers or third-party assistance programs, enhancing Texans' access to existing aid programs.</p>	
<p>HB 3771 By: Johnson, Julie Button Buckley Rose Morrison</p>	<p>Relating to the creation of the employer child-care contribution partnership program administered by the Texas Workforce Commission; authorizing a civil penalty.</p>	<p>International Relations & Economic Development</p> <p>7 Ayes, 1 Nay, 0 PNV, 1 Absent</p>	<p>Child care in Texas is costly and limited, resulting in long waiting lists and increased expenses for working families. Since the pandemic, the situation has worsened, with 27% fewer operating childcare programs in April 2023 than in March 2020. In addition, a TXAEYC survey indicates 44% of these programs might close within a year, further reducing options. Despite the high costs, with an average infant care cost of over \$10,000 per year, the state's scholarship program primarily serves low-income families, leaving middle-income families unsupported and 60,000 children on the waiting list.</p> <p>HB 3771 addresses this issue by proposing a voluntary partnership between Texas and private employers. Under this program, the state would match employer contributions to employees' childcare costs. The Texas Workforce Commission would administer the program, determining matching funds based on a sliding scale relative to employees' earnings and the median state household income. This initiative comes at a crucial time, as Texas does not invest additional funds in child care beyond the federal match for the Child Care and Development Block Grant, and the restricted scholarship program leaves many families struggling to afford child care.</p> <p><i>Program Administration</i></p>	<p><u>Favorable</u></p>

		<p>HB 3771 directs the TWC to create and manage an employer child-care contribution partnership program. This program aims to help Texas families access high-quality child care by encouraging eligible employers to contribute to employee child-care costs and providing a state match for these contributions.</p> <p>TWC must establish rules and procedures to administer the program, like a standardized agreement for employers, employees, and child-care providers, employee eligibility and income verification, and child-care provider eligibility criteria. TWC must establish procedures to determine and notify the state match amount, prioritize and approve agreements, and recoup state match funds for overpayments. TWC must establish participant disqualification criteria and appeals procedures, payment issuance and logging procedures for providers, and standards and procedures to modify or terminate agreements.</p> <p>TWC is responsible for ensuring the confidentiality of participants’ personal information and maintaining records of program fund balances and payments. TWC must maintain a waitlist if the program fund cannot approve all agreements and provide a state match. TWC is only required to implement the program and issue a state match if the legislature explicitly appropriates money for it. The commission may also use other funds for this purpose.</p> <p>Employer Requirements Employers providing child-care assistance as a benefit can participate in the program by entering into a standardized agreement with an eligible employee and child-care provider. Employers must cover at minimum 20% of the employee’s child-care cost, submit the agreement to TWC for approval along with other additional information as requested, and then contribute to the child-care costs upon approval following commission guidelines.</p> <p>Employee Requirements HB 3771 requires employees to complete an agreement with their employer and a child-care provider, providing any additional information the commission needs. They must pay the child-care provider for costs not covered by the employer's contribution and the state match. If the employer contribution and state match are insufficient to cover all child-care expenses, employees can combine these amounts with contributions and state matches from their household or family members under the program, as long as it does not result in overpayment to the provider.</p> <p>Provider Eligibility HB 3771 requires a child-care provider to be deemed high-quality by the TWC and enter into the necessary agreement to be eligible for receiving funds under the program.</p> <p>Program Agreements</p>	
--	--	---	--

HB 3771 requires TWC to create a standardized agreement for employers, employees, and providers to participate in the program. Regarding the standardized agreement, HB 3771 outlines the information to be included, like the names and contact information of all parties involved, descriptive information about the employer like name, size, and industry, the employer’s contribution amount, the state match amount, the length of the agreement, and the employee’s demographic information.

Program Fund

HB 3771 directs TWC to establish and administer the program fund as a dedicated account within the general revenue fund. Deposits include legislative appropriations, interest earnings, civil penalties collected, gifts, grants, and donations. The fund can only be appropriated for authorized purposes. Any remaining funds at fiscal year-end will carry forward. In addition, HB 3771 outlines specific funding dedications like agreements for employers with fewer than 50 full-time employees or to cover administrative expenses.

State Match

Upon verifying the eligibility of an employer, employee, and child-care provider and their agreement, the commission will issue a state match from the program fund according to the agreement's terms. The commission will provide a state match equal to the employer's contribution for employees with a median household income not exceeding the median state household income. If the employee's median household income is above the median state household income, the state match will scale in relation to how much above the median. A state match issued under the program is not considered compensation for an employee's service.

Reporting

Biannually, TWC must publish and submit a report to the legislature about the program's efficacy. The report will account for the program’s appropriations from the preceding fiscal year, the number of agreements submitted by employers, the total amounts of state matches from the program fund organized by county, the average service costs of participating providers, and tracks whether these costs increase or decrease over time.

Civil Penalty for False Information

Any person who intentionally provides false information to the commission to receive program benefits is subject to a civil penalty of up to \$500 per violation. All money collected from penalties will be paid to the state treasury and credited to the employee child-care assistance program fund.

HB 3771 will provide much-needed relief to Texas working families and businesses, making child care more accessible and affordable for all income levels.

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

<p>HB 4419</p> <p>By: Goldman Ashby Hunter Morrison Collier</p>	<p>Relating to the promotion of film and television production in this state, including the eligibility of film or television productions for funding under the major events reimbursement program, the creation of a film events trust fund and a film production tax rebate trust fund, the establishment of virtual film production institutes, and the designation of media production development zones.</p>	<p>Culture, Recreation & Tourism</p> <p>5 Ayes, 0 Nays, 0 PNV, 4 Absent</p>	<p>There have been many professionals in the media industry that want to come to produce content in Texas and build the industry. HB 4419 would add film and television production to the Major Events Reimbursement Program (MERP) by establishing the Film Events Trust Fund (FETF) and the Film Production Tax Rebate Trust Fund (FPTRTF) through MERP. The Comptroller would hold and administer the Film Events Trust Fund, separate from the state treasury.</p> <p>Supporting Educational Opportunities HB 4419 would also allow Texas A&M University and Texas State University to establish an institute to offer educational opportunities for students interested in virtual film production.</p> <p>Establishes Trust Funds HB 4419 establishes the Film Events Trust Fund (FETF) and the Film Production Tax Rebate Trust Fund (FPTRTF). A film event is eligible for funding under the FETF if the event takes place in Texas, once or at least once a year, and it is determined that the total incremental increase tax receipts (revenue from Limited Sales, Excise, and Use Tax, Sale, Retail and Use of Motor Vehicles Tax, Mixed Beverages Taxes, and Hotel Occupancy Taxes, etc.) totals less than \$5 million. After a site for a film event is chosen by a site selection organization, the state office will determine the amount of tax revenue increase that can be directly attributed to the event for a 30-day period.</p> <p>A film or television production is eligible for funding under the FPTRTF if the production organization selects one or more sites in Texas for at least part of the production. The music, film, television, and multimedia office within the office of the governor would administer the program. After a project is selected, HB requires the office to determine the tax receipts directly attributable to the project.</p> <p>Overall, HB 4419 aims to create a trust fund for film events that will enhance the planning, creation, execution, and showcasing of television programs, movies, virtual films, and multimedia productions within the state; enabling Texas to effectively compete with other states in attracting productions.</p>	<p><u>Favorable</u></p>
<p>HB 5005</p> <p>By: Cook Smith Geren Anchía Turner</p>	<p>Relating to the disclosure under the public information law of a motor vehicle license plate number captured in a video recording maintained by a law enforcement agency.</p>	<p>State Affairs</p> <p>13 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>License plate information captured in video footage is considered confidential despite being visible on public roadways. As a result, law enforcement devotes substantial time and resources to redact license plates from dashcam footage, body-worn cameras, and building surveillance video. Redaction can be particularly difficult because objects (e.g., cars or officers wearing body-cameras) are in constant motion. This can lead law enforcement agencies with limited funds or time to withhold video recordings that include license plate information, preventing or delaying public access to important information.</p>	<p><u>Favorable</u></p>

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

			<p>HB 5005 aims to address this by making license plate numbers public, non-confidential information that does not require redaction of video footage by law enforcement. This, then, means law enforcement would be able to disclose video footage upon request under the public information law in a timely and efficient manner.</p>	
<p>HB 2684 By: Burns</p>	<p>Relating to the issuance of oversize or overweight permits for vehicles transporting agricultural commodities during or preceding a disaster.</p>	<p>Agriculture & Livestock</p> <p>7 Ayes, 0 Nay, 0 PNV, 2 Absent</p>	<p>During weather-related crises, ensuring the timely distribution of agricultural products for human and animal consumption is crucial for the welfare of Texans, Texas livestock, and the Texas economy. Due to current vehicle weight requirements, commercial vehicles transporting these products can not deliver sufficient products to meet the needs of those impacted by these crises, like during winter storm Uri. HB 2684 seeks to address this situation by creating special permits to waive weight requirements for commercial vehicles delivering agricultural products before or during a disaster.</p> <p>HB 2684 authorizes the Texas Department of Motor Vehicles (TxDMV) to issue special permits to an oversize or overweight vehicle or load that will be used only to deliver agricultural commodities during an emergency or major disaster declared by the U.S. President as permitted by the Robert T. Stafford Disaster Relief and Emergency Assistance Act, or following the governor’s declaration of a state of disaster as permitted by the Texas Disaster Act of 1975. TxDMV may also issue this permit before an event that may result in a governor’s declaration of a state of disaster if the permit’s issuance is authorized by the Texas Division of Emergency Management (TDEM).</p> <p>HB 2684 allows a person to apply to TDEM to request the issuance of a special permit, and TDEM is required to notify TxDMV of their decision and to include which counties the vehicle may operate in under the permit. HB 2684 provides for when the permit would expire and which products can be transported under this permit. TxDMV may impose additional conditions on the permit holder to ensure no damage to Texas roadways. HB 2684 does not authorize the operation of a vehicle excess in weight or size as permitted by federal law on the interstate or federal aid highway systems. If there is federal authorization to operate a vehicle excess in weight or size on either of those systems, then this would take effect on applicable Texas highway systems.</p> <p>HB 2684 would allow the transportation of agricultural products to ensure the health and food security of Texans and livestock in this state.</p>	<p><u>Favorable</u></p>
<p>HB 3039 By: Klick</p>	<p>Relating to the Dentist and Dental Hygienist Compact; authorizing fees.</p>	<p>Public Health</p> <p>9 Ayes, 2 Nays, 0 PNV, 0 Absent</p>	<p>The House Public Health Committee's Interim Report highlights how delays in dental care can lead to preventable, costly emergency room visits. In 2016, Texas saw over \$226 million in emergency room costs for non-traumatic dental conditions. A 2019 Department of State Health Services (DSHS) report projected demand for dental hygienists will outpace supply from 2018 to 2030, with a 28.4% increase in the shortage. An interstate compact for licensed dental professionals could streamline the relocation process to Texas while maintaining patient safeguards.</p>	<p><u>Favorable</u></p>

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

			<p>HB 3039 would establish the Dentist and Dental Hygienist Compact in Texas, allowing licensed professionals from participating states to practice dentistry and dental hygiene in other participating states where they are not licensed. The Dentist and Dental Hygienist Compact aims to facilitate interstate dentistry and dental hygiene practice and improve public access to these services.</p> <p>HB 3039 outlines eligibility requirements for state participation, how practitioners may work under the compact, how to receive compact privileges, and provide fee exemptions for active military participants. It also establishes the Dentist and Dental Hygienist Compact Commission, which comprises all participating states that have enacted the compact to administer and enforce its provisions. The commission has rulemaking authority and establishes a coordinated database and reporting system of information on all licensees and applicants for licensure in participating states.</p> <p>In addition, participating states have the authority to take adverse actions against applicable licensees, including joint investigations with other participating states. The compact also provides oversight, dispute resolution, and enforcement of its provisions, including terminating participation for a defaulting state. Finally, HB 3039 appoints the State Board of Dental Examiners (SBDE) as Texas' compact administrator and empowers the SBDE to adopt rules for implementing the bill's provisions.</p> <p>HB 3039 establishes an interstate dental and dental hygienist compact to allow qualified dental professionals to care for patients in participating states that are not licensed, improving public access to dental care. The compact becomes effective upon the seventh participating state enacting it into law, providing more freedom across Texas for patients to seek dental care and for professionals to provide it.</p>	
<p>HB 2181 By: Rose</p>	<p>Relating to the administration by the Texas Department of Housing and Community Affairs of a homeless housing and services program for youth and young adults.</p>	<p>Urban Affairs 6 Ayes, 3 Nays, 0 PNV, 0 Absent</p>	<p>Texas spends roughly \$7 billion annually on costs related to unhoused youth, such as incarceration and emergency medical care. Additionally, youth homelessness in Texas is tied to a host of negative outcomes, including increased risk of depression and anxiety, homelessness into adulthood, disruption or halt to their education, and a higher likelihood of engaging in criminal activity.</p> <p>HB 2181 seeks to address this issue by establishing a grant for youth and young adult homeless housing services and programs through the Texas Department of Housing and Community Affairs (TDHCA). This programming will provide funding for the construction of housing for youth, financial assistance, and services.</p> <p>The programming established by HB 2181 would help to break the cycle of poverty by providing young adults ages 18 to 26 with assistance during their first months of independence. In addition, it is sensible to invest in prevention instead of spending billions on the outcomes of youth homelessness after the harm has already been caused. HB 2181 is a step towards compassionate care for unhoused youth and a smart investment for the state.</p>	<p><u>Favorable</u></p>

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

<p>HB 2542 By: Raymond</p>	<p>Relating to the adoption of uniform rules for hours of work for certain county employees.</p>	<p>County Affairs 8 Ayes, 0 Nay, 0 PNV, 1 Absent</p>	<p>A commissioners court of a county with a population over 355,000 may adopt and enforce uniform rules on the work hours of county employees whose compensation is set or approved by the court. A county with a population of 190,000 or more may create a county civil service system that includes all county employees and will require the ability to instill uniform rules on the work hours of applicable employees.</p> <p>HB 2542 authorizes the commissioners court of a county covered by a county civil service system to adopt and enforce uniform rules on applicable employees' work hours. These employees include department heads, assistants, deputies, and other court-approved employees, except those in sheriff's or constable's offices in counties with a population of less than 355,000.</p> <p>This uniformity of the rules helps to bridge the issues regarding the population gap in the current system.</p>	<p><u>Favorable</u></p>
<p>HB 2779 By: Leach</p>	<p>Relating to the compensation of a district judge and the associated retirement benefits of certain other elected state officials.</p>	<p>Judiciary & Civil Jurisprudence 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>An effective judiciary is necessary for an efficient state judicial system, yet Texas continues to lag in compensation provided for judges and justices. Texas district judge salaries rank 41st compared to other states, 23rd at the appellate level, and 29th for high court judges.</p> <p>HB 2779 proposes an increase to the annual state base salary of a district court judge in Texas from \$140,000 to \$172,494, a 22% increase over the biennium. The increase will be split over the biennium, with the new minimum salary being \$155,400 for the state fiscal year ending in 2024. Raising the base salary of a district judge will also increase the salaries of appellate judges and other judicial positions tied to the base salary of a district judge.</p> <p>Other than a chief justice, a court of appeals justice is entitled to an annual base salary equal to 110% of the state base salary of a district judge). A justice of the supreme court or a judge of the court of criminal appeals, other than the presiding judge, is entitled to an annual base salary equal to 120% of the state base salary. Finally, the chief justice or presiding judge of an appellate court is entitled to an annual base salary that is \$2,500 or higher than the other judges of the court, and the combined base salary of the chief justice of a court of appeals from all state and county sources cannot exceed \$2,500 less than the base salary for a justice of the supreme court.</p> <p>HB 2779 establishes the standard service retirement annuity for certain members of the Employee Retirement System of Texas (ERS), calculated as the number of years of service credit in that class multiplied by 2.3 percent of \$140,000. For those whose effective retirement date is on or after September 1, 2019, the annuity is calculated as the number of years of service credit in that class multiplied by 2.3 percent of the state salary, excluding longevity pay.</p> <p>Many Texas judges will be retiring soon, and it is vital to have adequate compensation to recruit and maintain strong judicial candidates.</p>	<p><u>Favorable</u></p>

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

<p>HB 1775</p> <p>By: Thompson, Ed</p>	<p>Relating to the oversight and election of board members for certain emergency services districts.</p>	<p>County Affairs</p> <p>8 Ayes, 1 Nay, 0 PNV, 0 Absent</p>	<p>HB 175 applies to a district that is located wholly in one county with a population of more than 200,000, but not more than three million, with exceptions for a counties that border Lake Palestine, border the United Mexican States, or have a population of more than 800,000 in which the commissioners court appoints a board of emergency services commissioners under specified provisions.</p> <p>Several counties with emergency services districts overseen by appointed boards of emergency services commissioners are advised to turn to the county commissioners court when problems arise within the district. However, despite having the authority to appoint emergency services commissioners, the commissioners court may not enforce district actions. These districts were originally designed to function as a rural county service supplement. However, with the growth of these districts into more sizable and modern districts, the level of accountability provided by an appointing county commissioner is insufficient. In some cases, these unelected emergency service commissioners may oversee two districts simultaneously and are given powerful authority to levy property taxes, sale taxes, and manage budgets exceeding \$40 million.</p> <p>HB 1775 aims to enhance accountability for emergency service commissioners by requiring the district’s county commissioners court to choose whether the board will be elected or if the commissioner’s court will approve the annual budget and tax rate. The commissioners court of a county must choose whether the board chooses whether the board of emergency services commissioners will be elected or the commissioners court will approve the annual budget and tax rate by January 1, 2024.</p> <p>Once a district is created and the emergency services commissioners are appointed, the commissioners court will decide whether the board will be elected or the commissioners court will approve the annual budget and tax rate. A commissioners court that initially chooses to approve district budgets and tax rates may switch to an elected board at any time, but a commissioners court that chooses to require a district’s board be elected may not switch to approving the district’s budget and tax rates.</p> <p><i>Election of Board</i> If districts require an elected board, HB 1775 establishes a five-member board of emergency services commissioners, elected at large from the district to serve staggered four-year terms. HB 1775 outlines member eligibility requirements, procedures, and term lengths.</p> <p><i>Budget and Tax Rate Approved</i> If the annual budget and tax rate are to be approved by commissioners court, the court must establish a schedule for the district to submit its annual budget, tax rate calculations, notices, and recommended tax rate for final approval. If a commissioners court does not approve or deny a submitted budget or recommended tax rate before the 31st day after submission, it is considered approved. If the submitted annual budget is denied, the district may only make expenditures for obligations incurred before the beginning of the fiscal year. If the submitted tax</p>	<p><u>Will of the House</u></p>
---	--	---	--	--

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

			<p>rate is denied, the district may not impose a tax rate greater than that of the previous fiscal year.</p> <p>Impact Emergency Service Districts across the state have concerns over the cost of running an election and how it could take away funds from volunteer fire departments, negatively impact the ability of an ESD to provide Fire and EMS services to their respective communities. Making the commissioner chosen on the basis of election could turn the position into one based on political connection, as opposed to abilities and knowledge of emergency provider services. An appointment process allows for the vetting of the person to ensure they have expert knowledge, whereas an electoral process does not guarantee the elected individual has knowledge specific to the role.</p> <p>Others, however, view the current system as a form of taxation without representation, as there is budget control without democratic accountability or citizen oversight.</p>	
<p>HB 1696 By: Buckley Oliverson Cook Gerdes Noble</p>	<p>Relating to the relationship between managed care plans and optometrists and therapeutic optometrists.</p>	<p>Insurance 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Many insurers provide managed care plans, including vision care benefit plans. Often these companies also own other eyecare-related businesses such as optometry practices, eyeglass production labs, eyeglass frame brands, and retail sites. This has led to anticompetitive practices in which insurers may steer patients to certain services owned by a subsidiary or incentivize doctors to exclusively provide products in which the insurer has a financial stake. In 2015, the Legislature passed a law, SB 684, to combat such anticompetitive practices; however, many companies still engage these practices necessitating additional legislation.</p> <p>HB 1696 prohibits managed care plans from engaging in certain business practices and requiring contractual provisions that interfere with the optometrist-patient relationship and attempt to influence the optometrist's decision making. HB 1696 expands the definition of managed care plans, establishes additional requirements for the use of optometrists, and prohibits certain anticompetitive practices between managed care plans and optometrists, such as authorization of chargebacks to patients or optometrists, using different reimbursement fee schedules based on certain criteria, and acceptance of reimbursement payments in certain forms.</p> <p>HB 1696 has raised concerns that it could limit vision care plan's ability to negotiate contracts with optometrists, optical labs, and eyewear suppliers and subsequently increase premiums and out-of-pocket costs for consumers, although no data is available to substantiate this concern. Additionally, concerns have been raised that the provisions of HB 1696 could reduce the quality of vision care, eliminating incentives managed care plans can offer to optometrists and vision practices, but others say that quality of care will be maintained or elevated by virtue of having a more competitive market, and without the bill provisions quality vision care could actually be reduced. The intent of HB 1696 is to avoid vision insurers steering individuals to certain providers for their own gain, rather than the benefit of the patient.</p>	<p><u>Favorable with Concerns</u></p>

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

<p>HB 1460</p> <p>By: Guillen</p>	<p>Relating to axle weight limitations for certain vehicles transporting aggregates.</p>	<p>Transportation</p> <p>10 Ayes, 1 Nays, 0 PNV, 2 Absent</p>	<p>"Aggregates" refer to construction materials extracted from operations that produce dimension stone, various types of crushed and broken stone, sand, gravel, soil, or caliche, a sedimentary rock. Some vehicles that transport aggregate material, which shifts during transport, can violate the single and tandem axle weight limits and may be ticketed despite being under the overall gross weight limit. HB 1460 provides these vehicles an increased tolerance allowance on single and tandem axle weight limits.</p> <p>HB 1460 permits vehicles carrying aggregates on Texas roads to operate with a maximum weight of 20,000 pounds for a single axle and 34,000 pounds for a tandem axle, with a 15% allowance for tolerance. The vehicle's total weight or combination of vehicles must not exceed 80,000 pounds.</p> <p>HB 1460 helps vehicles carrying aggregates avoid excessive citations and fees for these shifting loads.</p>	<p><u>Favorable</u></p>
<p>HB 1457</p> <p>By: Rosenthal Wilson Garcia Cortez</p>	<p>Relating to required military informed care or military cultural competency training for certain personnel of entities that provide mental health services to veterans or veterans' families before award of a state agency grant.</p>	<p>Defense & Veterans' Affairs</p> <p>9 Ayes, 0 Nay, 0 PNV, 0 Absent</p>	<p>Understanding a veteran's or a veteran's family's experience can be challenging for people outside of the military. Therefore, individuals and organizations who provide mental health services for this population should be trained in military culture relating to their population-specific challenges, including post-traumatic stress disorder (PTSD) and sexual assault. To ensure that mental health services provided to veterans and their families are of high quality, HB 1457 seeks to ensure that those entities have adequate and appropriate training.</p> <p>HB 1457 prohibits a state agency, including the Department of State Health Services (DSHS), from awarding a grant to an entity to provide mental health services to veterans or their families unless the entity demonstrated that it had previously successfully executed a grant from that agency or provided training on military informed care or military cultural competency to their personnel who would provide the services. HB 1457 includes a list of eligible entities that could provide the training. In addition, the Texas Veterans Commission and DSHS must jointly verify that each state agency authorized to award an applicable grant adopts policies to comply with the bill.</p> <p>By ensuring that personnel who encounter veterans and their families know about military culture and its challenges, HB 1457 may help identify symptoms and behavior in advance that may save lives.</p>	<p><u>Favorable</u></p>
<p>HB 2302</p> <p>By: Johnson, Ann Shine Ordaz Talarico</p>	<p>Relating to certain requirements for the operational component of a local workforce development board's local plan.</p>	<p>International Relations & Economic Development</p> <p>7 Ayes, 1 Nay, 0 PNV, 1 Absent</p>	<p>"Opportunity youth" are individuals aged 16-24 who are neither employed nor in school. In Texas, 14% of youth belong to this category, surpassing the national average. These individuals often need support in education, employment, childcare, healthcare, basic needs, and transportation.</p> <p>Local workforce development boards are well-positioned to oversee programs and services for this population, managing funds from the Workforce Innovation Opportunity Act to prevent disconnection or assist in reconnection to school or employment.</p>	<p><u>Favorable</u></p>

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

			<p>HB 2302 aims to require these boards to include specific goals, objectives, and performance measures for opportunity youth in their local strategic plans, helping more Texas youth reintegrate into school or the workforce and become productive members of society.</p>	
<p>HB 1977 By: Morales Shaw</p>	<p>Relating to the creation of a pretrial intervention program for certain youth offenders; authorizing a fee.</p>	<p>Youth Health and Safety 7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Recent research has indicated that incarceration of youth can lead to a range of negative outcomes including increased rates of recidivism, lower academic achievement, and prolonged involvement with the justice system. To address this issue, pretrial diversion programs have been implemented, and they have demonstrated remarkable success. One study found that 57% of youth who participated in these programs nationally were not rearrested within the year, compared to 36% of those who did not participate. Moreover, such programs can help avoid formal processing and any associated records that may have long-lasting consequences. HB 1977 aims to establish consistent and standardized pretrial programs across the state to provide personalized support and investment in the success of each child.</p> <p><i>Pretrial Intervention</i> HB 1977 requires every county’s commissioners court to establish a pretrial diversion program for youth that have been arrested or charged with a Class B Misdemeanor offense or higher, with an exception for offenses that are not eligible for community supervision. Additionally, the bill provides that the commissioners court is not obligated to establish a specialty court and may instead require the community supervision and corrections department to run a program.</p> <p>Under the bill, a child would be eligible to participate in such a program if they are a child as defined by the bill, and if they have not previously been convicted of or placed on deferred adjudication community supervision for anything other than a fine-only offense. The relevant court is required to allow a defendant to choose to move forward with a pretrial diversion program or through criminal court.</p> <p>HB 1977 specifies that a youth pretrial diversion program must ensure that a defendant is eligible and receives counsel throughout the process, allow a participant to withdraw at any time preceding the trial, and provide the defendant with a treatment plan tailored to their needs.</p> <p>HB 1977 outlines various program requirements, such as the establishment of a local program to ensure maximum participation of eligible defendants, the use of videoconferencing software for certain court obligations, and the supervision of program participants by the community supervision and corrections department serving the county. The bill also permits the establishment of a regional program by the commissioners courts of multiple counties, the collection of reimbursement fees from program participants, and the courtesy supervision of a defendant transferred to another program. Additionally, the bill requires the</p>	<p><u>Favorable</u></p>

		<p>program supervising the defendant to return responsibility for the defendant's supervision to the original program if the defendant is unable to complete the program.</p> <p>HB 1977 sets out specific program participation conditions based on the offense's severity. For instance, a program participant charged with a Class B misdemeanor offense is limited to one year in the program and 24 hours of community service, while a participant charged with a first degree felony may not exceed five years in the program and 100 hours of community service. Similarly, a participant charged with a Class A misdemeanor or state jail felony may not exceed two years in the program and 24 hours of community service, while a third degree felony is limited to three years in the program and 50 hours of community service, and a second degree felony may not exceed four years in the program and 75 hours of community service.</p> <p>Upon completion of a pretrial diversion program in which the court issues a dismissal, HB 1977 dictates that the court provide information regarding the dismissal and a petition for expunction. The bill authorizes a trial or district court, with permission from the state's attorney, to enter an expunction for the defendant. If there is no such court, the appropriate information must be forwarded to a district court with jurisdiction to enter the order.</p> <p>Automatic Expunction HB 1977 allows an individual who has been arrested for a felony or misdemeanor to have their arrest records expunged if the indictment or information was dismissed due to the completion of a youth pretrial intervention program. This applies if the person has been released, the charge did not result in a conviction, and no court-ordered community supervision was given for the offense. HB 1977 allows a district court or a district court in the county to order the expunction of records for a person who successfully completed a youth pretrial intervention program. The court must enter the order of expunction within 30 days of dismissal with consent from the state's attorney and cannot charge a fee for the expunction.</p> <p>Impact Children are proven to have much stronger outcomes when given access to pretrial diversion programs because they receive the support and care that they need. Incarcerating Texas youth is proven not to reduce crime, and if the state is to prioritize a balance of both investment in our children and the interest of public safety, pretrial diversion is one of the most evidence-based practices available that caters to both interests. HB 1977 provides the state with clear and concise instruction for these programs and will help to ensure that Texas children receive the resources they need to thrive.</p>	
--	--	---	--

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

<p>HB 2553 By: Stucky Swanson</p>	<p>Relating to the treatment of a patient by a physical therapist without a referral.</p>	<p>Public Health 9 Ayes, 2 Nays, 0 PNV, 0 Absent</p>	<p>In 2019, HB 29 granted Texans direct access to physical therapists without a physician referral for 10 or 15 business days, depending on the therapist's qualifications. Over three years, no complaints have been filed with the Texas Board of Physical Therapy Examiners regarding this direct access. Currently, Texas is one of only nine states with such limitations, while 21 states and the District of Columbia allow 20 days of direct access, and 20 states have no time restrictions. Physical therapy is a proven, minimally invasive, and effective treatment for various injuries and pain sources.</p> <p>HB 2553 aims to extend the treatment period without a referral from 10 to 20 consecutive business days and repeal the section outlining the qualifications for treating a patient for up to 15 consecutive business days without a referral.</p> <p>Critics argue against reducing licensure requirements that bypass physician involvement, stating that extended physical therapy without proper evaluation could result in missed or delayed diagnoses and increased healthcare costs for unnecessary services. They also note that physical therapists lack the qualifications to make medical diagnoses or interpret images like radiologists and don't carry medical malpractice insurance, potentially leaving patients without recourse in case of misdiagnosis.</p> <p>HB 2553 aims to expand direct access to physical therapists in Texas, enabling patients to receive timely care and reducing long-term healthcare expenses. However, concerns exist regarding qualification requirements and the potential for harm or misdiagnosis.</p>	<p><u>Wil of the House</u></p>
<p>HB 4181 By: Muñoz, Jr.</p>	<p>Relating to an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a military service member who is killed or fatally injured in the line of duty.</p>	<p>Ways & Means 11 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Currently, surviving spouses of U.S. armed service members who are killed in the line of duty are entitled to exemptions from all or part of the market value of the surviving spouse's property taxes if they have not remarried since. This exemption, however, does not apply to other military service members, including those who serve in the National Guard as dual status technicians for the federal and state government under Operation Lone Star.</p> <p>HB 4181 aims to remedy this issue by allowing the surviving spouse of a qualifying military service member, including a member of the U.S. armed services or a military technician with dual status, to be exempt from property taxes on all or part of the market value of a residence homestead if the spouse has not remarried since their death.</p> <p>HJR 165, the constitutional amendment for this legislation, passed out of the House on May 3rd.</p>	<p><u>Favorable</u></p>

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

<p>HB 3485</p> <p>By: Bell, Keith Leach Patterson Cook</p>	<p>Relating to a contractor's or subcontractor's right to elect not to proceed with additional work under a contract.</p>	<p>Business & Industry</p> <p>9 Ayes, 0 Nay, 0 PNV, 0 Absent</p>	<p>Contractors can suspend work if an owner fails to pay undisputed amounts within specific timeframes. This is to curb potential losses on a project that may not be financially sound or because of a contract dispute. Outstanding change orders and contract clauses require the contractor to continue working while change orders are pending. HB 3485 seeks to address this situation by allowing the choice to not proceed with additional work under certain conditions relating to government entity-directed or owner-directed additional work.</p> <p>HB 3485 provides that a vendor may elect not to proceed with additional work directed by a governmental entity under a public work contract and that a subcontractor may elect not to proceed with additional work directed by a vendor under a subcontract with specific conditions. The conditions are if the vendor has not received a written, fully executed change order for the governmental entity-directed additional work or the subcontractor has not received such a change order from the vendor, and if the anticipated or actual value of the anticipated work plus any additional work under the applicable contract exceeds 10% of the contract's amount. A vendor or subcontractor who elects not to proceed with additional work under these conditions is not responsible for damages associated with the decision.</p> <p>HB 3485 provides similar conditions for contractors and subcontractors choosing not to proceed with additional work directed by an owner. They could choose not to proceed with additional work by an owner if the contractor or subcontractor did not receive a change order for the owner-directed additional work and if the anticipated or actual value of the anticipated work plus any additional work under the applicable contract exceeds 10% of the contract's amount.</p> <p>Ultimately, HB 3485 allows vendors and subcontractors to consent to or deny additional work.</p>	<p><u>Favorable</u></p>
<p>HB 3599</p> <p>By: Thierry</p>	<p>Relating to an exemption from certain motor fuel taxes for, and registration fees for motor vehicles owned by, certain nonprofit food banks.</p>	<p>Ways & Means</p> <p>10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Food banks transport and deliver emergency foods to communities in need. Currently, transportation-related fees including motor fuel taxes have a significant impact on food bank expenses, putting a strain on these nonprofits.</p> <p>HB 3599 aims to reduce the strain on nonprofit food banks by exempting them from gasoline and diesel fuel taxes for motor vehicles that have a weight rating of at least 25,000 pounds and are used to deliver food, or for a storage facility from which gasoline will be delivered solely into the fuel supply tanks of these motor vehicles. HB 3599 allows nonprofit food banks to file a claim with the comptroller for a refund of taxes paid for qualifying gasoline and diesel fuel purchases. Nonprofit food banks must maintain all supporting documentation until the sixth anniversary of the refund request date. HB 3599 allows food banks to focus their resources on providing food to Texans in need.</p>	<p><u>Favorable</u></p>

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

<p>HB 2541</p> <p>By: Garcia Campos Johnson, Julie Sherman, Sr. Oliverson</p>	<p>Relating to policies and procedures regarding children placed by the Department of Family and Protective Services in a residential treatment center or program.</p>	<p>Judiciary & Civil Jurisprudence</p> <p>8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>The 87th Legislature passed SB 1575, which required the Children’s Commission and the Department of Family and Protective Services (DFPS) to collaborate and establish a work group to determine best practices related to Residential Treatment Center (RTC) placements for children. The work group found that court-appointed guardians and attorneys' inability to access all relevant information hindered their ability to properly advocate for a child’s placement in an RTC.</p> <p>HB 2541 seeks to remedy this issue by ensuring a child's guardian ad litem can review all relevant information about the child’s needs, mental health, past and current placements, and therapy notes to determine whether RTC placement is suitable. They must also provide a report or testimony to the court with a recommendation on whether the placement is in the child’s best interest. The bill also authorizes the attorney or guardian to request a placement conference with DFPS, participate in any conferences by the agency, and, when representing a parent, participate in any case staffing conducted by DFPS. If DFPS requests or recommends a child for RTC placement, the attorney ad litem must meet with the child to elicit their opinion and advise them according to their developmental stage.</p> <p>HB 2541 strives to better advocate for children who are living in or who will be placed in an RTC and standardizes best practices for guardian and attorney ad litem.</p>	<p><u>Favorable</u></p>
--	--	---	---	--------------------------------