



# Legislative Study Group (LSG) Floor Report – Monday, May 12, 2025

## Major State and Constitutional Amendments Calendars for Monday, May 12.

Major State Calendar				
<p><b>HB 4</b> By: Buckley   Bernal   Ashby</p>	<p>Relating to public school accountability, including the implementation of an instructionally supportive assessment program and the adoption and administration of assessment instruments in public schools, indicators of achievement and public school performance ratings under the public school accountability system, a grant program for school district local accountability plans, and actions challenging Texas Education Agency decisions related to public school</p>	<p>Public Education</p> <p>13 Ayes 0 Nays 0 PNV 2 Absent</p>	<p>HB 4 makes sweeping changes to the State of Texas Assessments of Academic Readiness (STAAR) test and the A-F accountability system.</p> <p>Texas first implemented STAAR testing in 2012 as yet another iteration of statewide testing. Students begin taking STAAR tests in the 3rd grade and continue until they graduate from high school. STAAR tests officially evaluate the Texas Essential Knowledge and Skills (TEKS), set by the State Board of Education (SBOE). Critics of the STAAR test, including teacher and student advocacy groups, question the ability of the test to measure meaningful student learning. They also object to the assessment’s use in accountability ratings and evaluating teacher effectiveness as a part of the Teacher Incentive Allotment program. HB 4 attempts to address these concerns.</p> <p><b>HB 4 creates a new framework for statewide assessments.</b></p> <p>The STAAR test is a criterion-referenced assessment, meaning students are evaluated based on their mastery of specific skills and content, with performance measured against fixed standards rather than in comparison to other students. In contrast, norm-referenced tests rank students relative to their peers. Federal law requires states to assess student achievement using clear, objective criteria. Norm-referenced assessments can obscure systemic problems, as students may appear successful simply by outperforming a low-performing cohort.</p> <p>HB 4 directs the TEA to substitute the current criterion-based, end-of-year summative assessment with a series of nationally-norm referenced assessments administered at the beginning, middle, and end of the year. It establishes standards to generally limit test time to around an hour for beginning and middle-of-year tests and just 90 minutes for end-of-year tests. Along with this, HB 4:</p> <ul style="list-style-type: none"> <li>• Removes the mandatory social studies assessment for 8th graders and EOC exams for social studies in high school, making those exams optional for school districts;</li> <li>• Forbids assessments to include a standalone essay or extended short answers, requiring that students writing skills be addressed in the reading sections through multiple-choice questions;</li> </ul>	<p><u><b>Will of the House</b></u></p>

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	<p>accountability.</p>		<ul style="list-style-type: none"> <li>Requires that the TEA release the questions and answer key to these assessments each year for the first two years of implementation and every three years thereafter;</li> </ul> <p>These changes would be implemented in the upcoming school year, with the first assessments potentially being administered on October 1st.</p> <p><b>Issues with the STAAR reconfiguration timeline</b>              It is true that the STAAR test would benefit from a redesign. Teachers, administrators, and families consistently point out that burdensome assessments get in the way of student learning. However, too many questions surround this reconfigured system. For one thing, the implementation timeline is incredibly tight. There are no readily available, nationally norm-referenced assessments that would evaluate student understanding of the TEKS — still required under this system — that could be administered statewide. When legislators considered moving to a system of formative assessments over the course of the year, as opposed to the summative, annual model, they implemented the Texas Through-year Assessment Pilot (TTAP), which allowed them to test the policy. This overhaul would be even more substantial, and yet its implementation would have to occur over the course of a single summer. The stakes are high: if these assessments prove ineffective or hard to implement, public schools would be caught unprepared.</p> <p><b>Downsides of norm-referenced exams</b>              Furthermore, fully norm-referenced exams come with some downsides. They are meant to provide a clear picture of where a student stands relative to peers nationally or regionally. However, they don't measure whether students have mastered specific content, only how they rank compared to others. In this way, they can mask situations in which students are falling short. During the COVID-19 pandemic, for instance, when millions of students were suffering widespread learning loss, a norm-referenced test might not register falling student achievement because the “norm” would be poor performance. At the very least, lawmakers should test norm-referenced exams before thinking about implementing them.</p> <p><b>Risks federal funding</b>              Furthermore, HB 4 could risk \$2.5 billion in annual federal funds. Every Student Succeeds Act (ESSA) standards require states, among other things, to evaluate whether students meet grade-level standards, which can be interpreted as mandating criterion-based reference. If Texas were to switch to norm-referenced tests, it would depend on the federal government granting a waiver in order to retain federal funding. While the intent of HB 4 is worthwhile, it presents clear challenges in implementation.</p>	
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			<p><b>HB 4 makes changes to the A-F Accountability System.</b>                  Key provisions of HB 4’s changes to the A-F system include:</p> <ul style="list-style-type: none"> <li>• Broadens the indicators by which the TEA evaluates student achievement and school progress such that 10% of that score comes includes the percentage of students participating in school-sponsored extracurricular activities, student participation in full-day prekindergarten programs, and teacher completion rates of the literacy achievement academies and mathematics achievement academies, the number of students who completed a career and technology course, and the number of students who complete courses a grade in the grade above the one in which they are enrolled;</li> <li>• Changes the score attributed to the ‘closing the gaps domain’ from 30% to 5%;</li> <li>• Requires the TEA to ensure that each campus domain performance rating has minimal or no statistical correlation to the percentage of educationally disadvantaged students enrolled at the campus in order to identify effective campuses;</li> <li>• Adds military readiness as a student outcome that can count for a high school’s CCMR score;</li> <li>• Changes the ability for the TEA commissioner to raise the standards of the accountability system from annually to every five years;</li> <li>• Prevents the scores from assessments given to students younger than 3rd grade being used for any accountability system;</li> <li>• Establishes limits on the commissioner, requiring that any changes to the accountability system be made with the express permission of the legislature and not after July 15th of the year preceding when the changes will go into effect for the purposes of evaluations; and</li> <li>• Prevents districts from suing the TEA for the implementation of the A-F accountability system if the TEA’s actions are unconstitutional, arbitrary, capricious, or without lawful authority. Judgement on these cases must be rendered no later than 60 days after the defendant has responded to the petition, or with an additional 30 days for good cause.</li> </ul> <p><b>Concerns about broadening standards</b>                  Some of these changes respond to the longstanding criticisms of the accountability system leveled by teacher groups: evaluation is too harsh and does not account for the diverse ways in which a student can be successful. However, HB 4 may go too far in broadening the definition of success. For instance, if teachers in elementary schools must attend literacy academies under state law, their participation should not contribute to a measure of the school’s student achievement. Likewise, student participation in extracurricular activities is not indicative of their learning outcomes, but</p>	
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			<p>rather the general interest in art club or soccer practice. If the A-F accountability system is to be improved, it should be more responsive to diverse achievement without rewarding measures unrelated to student outcomes.</p> <p><b>HB 4 may be improved with a more realistic timeline.</b>                  Student testing and school accountability are two of the most important jobs of the state education system. However, HB 4 would force the TEA to implement significant policy changes on a tight timeline, without those changes being fully vetted.</p>	
<p><b>HB 46</b> By: King</p>	<p>Relating to the medical use of low-THC cannabis under and the administration of the Texas Compassionate-Use Program; requiring registration.</p>	<p>Public Health S/C on Disease Prevention &amp; Women's &amp; Children's Health</p> <p>12 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>HB 46 expands the Texas Compassionate Use Program (TCUP), providing a potentially safer, non-addictive alternative for managing chronic health conditions and reducing reliance on high-risk medications like opioids.</p> <p>In 2015, Texas legalized low-THC cannabis for compassionate use; however, the program remains limited in scope and accessibility, excluding many patients who could medically benefit from it. As a result, eligible Texans face ongoing barriers to accessing low-THC cannabis treatment, leaving many without relief for serious medical conditions. Expanding the Texas Compassionate Use Program (TCUP) would enhance access to low-THC cannabis, presenting a potentially safer, non-addictive option to aid in managing chronic health issues and decrease dependence on high-risk medications such as opioids.</p> <p>HB 46 expands the TCUP and introduces new safeguards. The Department of Public Safety (DPS) is required to issue 11 dispensing licenses, ensuring that applicants pass background checks and are strategically located across Texas' 11 public health regions. Additionally, dispensing organizations can establish approved satellite locations without needing extra licensing. Patient confidentiality in the compassionate use registry is bolstered by limiting access to only DPS, registered physicians, and dispensing organizations. Products packaged for TCUP are not allowed to contain more than 1.2 grams of THC, and local governments are not allowed to permit the storage of low-THC cannabis.</p> <p>HB 46 expands eligibility for low-THC cannabis prescriptions to include patients with chronic pain (for which opioids would otherwise be prescribed), glaucoma, traumatic brain injury, spinal neuropathy, Crohn's disease or other inflammatory bowel diseases, degenerative disc disease, terminal illnesses, or those receiving hospice or palliative care, as well as any other condition designated by the Department of State Health Services (DSHS). It also allows honorably discharged veterans with qualifying medical conditions to receive prescriptions and limits each prescription to a 90-day supply with up to four refills. Physicians may request DSHS approval for additional conditions by submitting medical evidence, and the Health and Human Services Commission must establish rules for this process. Patients' usage now extends to include cannabis patches, lotions, suppositories, approved inhalers, nebulizers, and vaping devices for TCUP.</p>	<p><b><u>Favorable</u></b></p>



		<p>HB 46 seeks to improve the lives of people with various medical conditions while putting safeguards in place to ensure responsible use.</p>	
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**Constitutional Amendments Calendar**

<p><b>HJR 35</b> By: Craddick</p>	<p>Proposing a constitutional amendment providing for the creation of and use of money in the Grow Texas fund and allocating certain general revenues to that fund, the economic stabilization fund, and the state highway fund.</p>	<p>Appropriations  16 Ayes 2 Nays 0 PNV 9 Absent</p>	<p>The state’s oil and natural gas production has continued to grow, but the regions responsible for this growth have encountered challenges that affect the growth of the energy sector and threaten the future of oil and natural gas production. HJR 35 seeks to address this problem by returning a portion of the severance taxes to the oil and gas production communities of Texas through investments in area infrastructure. HJR 35 proposes a constitutional amendment for the creation of the Grow Texas Fund (GTF), which will be used to fund the construction or maintenance of roads, schools, health care facilities, and other infrastructure in the areas of Texas significantly affected by oil and gas production. HJR 35 will establish the GTF as a fund in the state treasury and it authorizes the legislature to appropriate money to the GTF for areas of Texas from which oil and natural gas are produced.</p> <p>These funds are only to address infrastructure needs for these regions that are significantly affected by oil and gas production and will be provided through grants to state agencies and political subdivisions. The GTF consists of: money transferred to the fund; money appropriated to the fund by the legislature; money that the legislature by statute dedicates for deposit to the credit of the fund; money received from the federal government that may be used for a purpose for which money in the fund may be used and that is transferred or deposited to the credit of the fund by the legislature; gifts or grants contributed to the fund; and investment earnings and interest earned on amounts credited to the fund.</p> <p>HJR 35 requires the comptroller, on the last day of each state fiscal biennium, to transfer any unobligated and unappropriated money that remains in the fund to the Economic Stabilization Fund (ESF). Each time the comptroller determines the amount to be transferred to the ESF, 12 percent shall be reduced from the transferred amount and credited to the GTF. The amount may not exceed \$250 million in a state fiscal biennium.</p> <p>The resolution prohibits the comptroller from considering certain increases in the amount transferred to the ESF for purposes of determining the amount to transfer to the Grow Texas Fund. By establishing the Grow Texas Fund Commission, HJR 35, which is enabled by HB 265, is an attempt to allow the people from these regions to gain an increased benefit from oil and gas production.</p>	<p><b><u>Favorable</u></b></p>
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<p><b>HJR 47</b> By: Landgraf</p>	<p>Proposing a constitutional amendment providing for the creation of the Texas severance tax revenue and oil and natural gas (Texas STRONG) defense fund, dedicating the money in that fund to benefit areas of the state significantly affected by oil and gas production, and providing for the transfer of certain general revenues to that fund, the economic stabilization fund, and certain other funds and accounts.</p>	<p>Appropriations  17 Ayes 1 Nays 0 PNV 9 Absent</p>	<p>HJR 47 redirects a portion of funds that currently would be transferred to the Economic Stabilization Fund towards four separate accounts, primarily for the purpose of reinvesting excess oil and gas severance taxes into the counties that produce the fuels. The provision, if passed, would also constitutionally dedicate money towards two major environmental programs – the Texas Emissions Reduction Plan (TERP), overseen by the TCEQ, and the oil and gas cleanup account, which plugs abandoned oil wells and is administered by the Railroad Commission.</p> <p>Current law provides for oil and gas severance taxes collected above a 1987-established threshold to go into the state’s Permanent School Fund. Once those dollars are allocated, any remaining funds are split evenly between two accounts: the State Highway Fund, and the Economic Stabilization Fund (ESF). This 50/50 split has been in place since the State Highway Fund was created and approved by voters in 2014.</p> <p>HJR 47 preserves the 50% of excess funds that go to the State Highway Fund, but further divides up the 50% of dollars going to the ESF. If passed by the Legislature and adopted by voters, HJR 47 would split the dollars as follows:</p> <ul style="list-style-type: none"> <li>• 38% going to the ESF</li> <li>• 10% going to a newly created STRONG Fund</li> <li>• 1% going to the oil and gas cleanup account</li> <li>• 1% going to the Texas Emissions Reduction Plan (TERP)</li> </ul> <p>Money directed to the STRONG Fund would be capped at \$500 million annually. If the 10% of those dollars would exceed those totals, any remaining (or spillover) dollars of that 10% allocation would flow into the Property Tax Relief Fund. There is no cap for money directed to the oil and gas cleanup account, or TERP. An explanation of the STRONG Fund is included in the analysis for HB 188, the enabling legislation for HJR 47.</p> <p>The Comptroller has estimated that the Economic Stabilization Fund could hit its cap in FY 2025, as is likely to hit its cap in FY 2026-27. HJR 47 is an attempt to avoid such a scenario by reinvesting the money into the STRONG Fund, which primarily directs dollars into the communities that produce oil and gas. Finally, the bill would be an historic moment for the Texas Legislature by constitutionally dedicating money to support successful environmental programs. If passed, the provision could increase money into TERP by as much as 45% in future biennium – a substantial increase that would greatly expand the program’s capacity to address pollution in the state’s nonattainment areas. The increase into the oil and gas account, which covers costs for covering abandoned oil wells throughout the state, would finally allow the state to start fixing more wells than are opened each year – making critical progress on a long-standing environmental battle in Texas.</p>	<p><b><u>Favorable</u></b></p>
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<p><b>HJR 182</b>  By: Patterson</p>	<p>Proposing a constitutional amendment authorizing the Veterans' Land Board to issue general obligation bonds in an aggregate principal amount that is greater than amounts previously authorized.</p>	<p>Pensions, Investments &amp; Financial Services  5 Ayes 0 Nays 0 PNV 4 Absent</p>	<p>HJR 182 would support veterans by increasing the bond limit for the Veterans' Land Board (VLB).</p> <p>The VLB was established by the Texas Legislature in 1946 to provide long-term, low-interest loans to veterans returning from World War II. It has continued to provide these loans to servicemembers, with the legislature periodically increasing the bond limit through constitutional amendment as home prices rise. In 2009, a constitutional amendment increased the maximum aggregate principal amount of VLB bonds to \$4 billion. Inflation and the increased cost-of-living means that this current limit is insufficient for the needs of Texas veterans.</p> <p>This amendment would raise the bond limit to \$6 billion, expanding the ability of the VLB to provide low-interest loans.</p>	<p><b><u>Favorable</u></b></p>
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