Legislative Study Group (LSG) Floor Report — Calendar for Tuesday, August 26, 2025

Major State Calendar — House Bills

HB 8 By: Buckley | Metcalf | Landgraf	Relating to public school accountability and transparency, including the implementation of an instructionally supportive assessment program and the adoption and administration of assessment instruments in public schools, indicators of achievement, public school performance ratings, and interventions and sanctions under the public school accountability system, a grant program for school district local accountability	Public Education 8 Ayes 1 Nays 0 PNV 6 Absent	HB 8 replaces the STAAR assessment with a "through-year" assessment system, in which shorter tests are administered at the beginning, middle, and end of the year. It does not, however, significantly alter how the new end-of-the-year assessment is counted in school ratings. While there are some positive steps forward, HB 8's troubling restrictions on school districts' ability to sue the Texas Education Agency (TEA) overshadow its potential benefits, ultimately making the bill unfavorable. **Replacing the STAAR** HB 8 lays out the transition from the State of Texas Assessment of Academic Readiness (STAAR) to the "instructionally supportive assessment program" created in the bill. The program would begin being administered during the 2027-2028 school year. The program would entail a "through-year" assessment system with a: • **Beginning-of-year assessment** — between the 4th Monday of August and September 30; • **Middle-of-year assessment** — between January 2 and February 21; and • **End-of-year assessment** — between May 1 and May 30 (except the writing portion). Beginning- and midyear exams would use an adaptive format and norm-referenced scoring to compare performance across cohorts of Texas students. Districts can decide whether to use TEA-approved tools they already have in place, such as MAP Growth, or opt for a new assessment that would be developed by TEA. Scoring for the end-of-year test would be criterion-referenced to comply with federal law. Assessments may be split up and taken on multiple days. Time expectations, depending on grade level, are laid out to minimize the impact on instructional time: • **Grades 3 and 4** — 60 minutes for beginning or middle-of-year assessments and 90 minutes for end-of-year assessments • **Grades 5 through 8** — 75 minutes for beginning or middle-of-year assessments and 105 minutes for end-of-year assessments	**Unfavorable**

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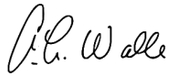
	plans, and actions challenging Texas Education Agency decisions related to public school accountability.		**HB 8 requires a faster turnaround for test results to provide more timely, instructionally useful feedback** — addressing a long-standing concern with the STAAR. TEA must notify campuses and parents of their results within two business days after the administration schedule window closes. **HB 8 aims to reduce over-testing and allow for more instructional time; whether it happens depends on the campus.** Schools are prohibited from administering excessive benchmarks or practice tests to prepare students for the end-of-year assessment. This wouldn't apply to diagnostic screenings or college prep tests. Reducing over-testing is a key goal of the bill and an admirable one. If a campus didn't do any benchmarking before, they would technically now be mandated to complete two beginning and middle-of-year tests. Most schools, however, do implement some sort of benchmark testing already. **<u>Accountability Still Tied to One Summative Assessment for Now</u>** Although HB 8 changes the type of test, it does little to change how the test is counted in school ratings. Only the end-of-year summative assessment would count towards accountability, in the same way that STAAR is counted now. HB 8 requires TEA to develop a measure of through-year instructional growth; however, these growth metrics couldn't be implemented until the 2032-2033 school year. TEA will also collect, but not include in ratings, information on local indicators, such as student CTE course completion, extracurricular participation, full-day pre-K, teacher academies, and advanced student performance. The information would, instead, be displayed on an accountability dashboard. **<u>Other Accountability Provisions</u>** HB 8 makes some changes to school accountability indicators. Some key ones are highlighted below. **More notice of accountability measures:** The commissioner has the authority to remove indicators determined to be invalid and can adjust them annually, but changes can no longer apply to the current school year. By July 1 each year, the commissioner must finalize performance standards; by July 15, those standards must be made public. HB 8 also codifies an accountability advisory committee to advise TEA on accountability measures. However, there are some concerns that the committee doesn't explicitly require enough educators. **Increasing rating rigor over time:** Starting in the 2027-2028 school year, the TEA must raise the rigor of accountability ratings every five years, aiming to close achievement gaps and place Texas among the top five states on the	

			National Assessment of Educational Progress (NAEP), known as the nation's report card, within 15 years. The commissioner must provide a two-year advance notice of the changes, including what's being changed, the reasons for it, and its impact on district and campus ratings. **Grant program for local accountability plan:** TEA will create a grant program, using available funds, to support at least one school in every education service center region in developing a local accountability plan. **Litigation Provisions** HB 8 attempts to limit district lawsuits against TEA. HB 8 prohibits school districts from using local, state, or federal funds to sue the state. It also sets a six-month statute of limitations for actions against the agency. It clarifies that failing to comply with assessments does not exempt a school from receiving a rating. Additionally, schools cannot challenge ratings unless the district has first exhausted all available remedies. **Concerns** HB 8's litigation restrictions, alone, warrant an unfavorable rating. It effectively bars districts from suing TEA. Without the ability to challenge the agency in court, the TEA could act without oversight, potentially making decisions that harm local districts or overstep its authority. While litigation is never ideal for either party, it is important that districts retain this legal recourse. Unlike HB 4 (89R), HB 8 does not include a *national* norm-referenced test as the end-of-the-year assessment that would allow Texas another opportunity to more easily compare its results to performance nationwide. Furthermore, because TEA created the STAAR, critics hold the agency responsible for its perceived lack of objectivity and reliability. This bill maintains that approach with another TEA-developed test. However, there are concerns that private vendors of nationally norm-referenced tests have little financial incentive to release their proprietary materials, making it unlikely the state could access the information needed to develop its own assessment However, federal rules require criterion-referenced, summative tests for accountability, which limits states' ability to use national norm-referenced exams. No state currently administers a norm-referenced test for grades 3–8; at the high school level, some use the ACT or SAT, though these do not align with the Texas Essential Knowledge and Skills (TEKS). With federal approval, Texas could alternatively use the Texas Success Initiative Assessment (TSIA).	



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			Because HB 8's new end-of-year test score would carry the same heavy weight in school accountability as the STAAR (especially in grades 3-8), it does not resolve one of the core concerns with STAAR. While the test itself changes, the way it is counted for ratings does not. However, at the same time, students may benefit from less overall testing, as HB 8 aims to do. HB 8 still ignores growth from the beginning to the end-of-year exams, continues to place disproportionate weight on the final test score, and does not add any additional non-test-based indicators such as workforce development, extracurricular participation, full-day pre-K, and teacher training. Ultimately, school districts must be able to check TEA, which HB 8 limits. Additionally, the main issue — that school ratings rely too heavily on a single test — remains unaddressed for now, and schools and teachers are unlikely to see any relief from accountability pressures.	
HB 12 By: Shaheen	Relating to the duty of the attorney general to prosecute criminal offenses prescribed by the election laws of this state.	State Affairs 8 Ayes 5 Nays 0 PNV 2 Absent	HB 12 (and the identical SB 12) seeks to transfer the authority to prosecute election-related crimes from local prosecutors to the Texas Attorney General (AG) — an unconstitutional power grab that undermines the independence and integrity of democratically elected local officials. The bill attempts to solve a perceived, but unsubstantiated, issue of widespread voter fraud and election-related crimes. Proponents of HB 12 claim that local prosecutors are either unwilling or unable to prosecute these crimes. HB 12 would centralize the criminal prosecution of all election-related offenses under the Texas Attorney General's office. This bill is a response to a 2021 ruling by the Texas Court of Criminal Appeals in *Texas v. Stephens*, which confirmed that the Attorney General (AG), a member of the executive branch, cannot unilaterally prosecute criminal cases. The court affirmed that this power belongs to local prosecutors, who are part of the judicial branch, to maintain the separation of powers as outlined in the Texas Constitution. Currently, election crimes must be originally prosecuted by the local DA's office, but local DA's may invite the Attorney General (AG) to assist with the case. HB 12 changes the language in statute from "the AG may prosecute" to "the AG shall prosecute," effectively making the AG's involvement in these cases mandatory. Under HB 12, local law enforcement agencies must submit any report of probable cause for an election crime directly to the AG, and law enforcement would be obligated to provide any information the AG requests to assist with these investigations.	**<u>Unfavorable</u>**

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			The bill is a revised version of a previous attempt, HB 5138, which failed to pass during the regular session. While the previous bill would have given local prosecutors a six-month grace period before the AG could intervene, HB 12 removes this provision entirely. **Key concerns on HB 12 include:** • Separation of Powers: The most significant consequence is the bill's likely violation of the Texas Constitution's separation of powers clause. By vesting prosecutorial power—a function of the judicial branch—in the executive branch, it fundamentally disrupts the balance of power designed to prevent the accumulation of too much authority in a single office. • Erosion of Local Control: The bill takes power away from locally elected officials, District Attorneys, and County Attorneys, who are accountable to the voters in their communities. These local officials are better positioned to understand the specific needs and priorities of their jurisdictions. The bill centralizes a core function of local government, transferring authority from the people to a statewide office. • Voter Intimidation: The bill's focus on prosecuting election crimes could create an environment of fear among voters, particularly those in vulnerable communities. The threat of a state-level investigation, regardless of its merit, could deter individuals from participating in the democratic process. • Weaponization of Power: The bill could allow the AG to use the office's power to target political opponents, specific communities, or advocacy groups. By making prosecution mandatory ("shall" vs. "may"), it removes the discretion of local prosecutors to drop cases where evidence is weak or prosecution is not in the interest of justice. This could lead to politically motivated charges and a justice system based on partisan agendas rather than evidence. Ultimately, HB 12 represents a significant and likely unconstitutional shift in prosecutorial authority, centralizing power within the Texas Attorney General's office under the pretense of solving a nonexistent problem. By circumventing a Texas Court of Criminal Appeals ruling, the bill undermines local control and erodes the separation of powers.	
Major State Calendar — Senate Bills				
SB 3 Sponsor: Wilson	Relating to outdoor warning sirens in flash flood-prone areas.	Disaster Preparedness & Flooding, Select	Sirens, as part of a larger warning system, can be beneficial, and prioritizing areas like Flash Flood Alley makes sense. However, the bill's approach raises concerns; it risks becoming an unfunded mandate, as the Legislature would only provide limited grant funding that may fall short of actual costs or leave out localities altogether. At the same time, the state has eroded localities' ability to raise revenue that could help pay for these types of systems and is still working to do so. That being said, some sort of warning system should be required — just not one as prescriptive as this bill.	**Favorable with Concerns**

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By: Bettencourt		9 Ayes 0 Nays 0 PNV 0 Absent	**Required Sirens in Flash Flood Alley** SB 3 requires outdoor warning sirens in the state's Flash Flood Alley region. SB 3 defines an outdoor warning siren as an audible signal intended to alert people outdoors of an imminent disaster, prompting them to seek shelter or move to higher ground immediately. SB 3 mandates sirens in areas the Texas Water Development Board (TWDB) identifies as "flood-prone" — based on factors such as past severe flooding, loss of life, and residential presence — within the 30 counties included in the July 4th flooding state disaster declaration (Bandera, Bexar, Burnet, Caldwell, Coke, Comal, Concho, Edwards, Gillespie, Guadalupe, Hamilton, Kendall, Kerr, Kimble, Kinney, Lampasas, Llano, Mason, Maverick, McCulloch, Menard, Real, Reeves, San Saba, Schleicher, Sutton, Tom Green, Travis, Uvalde, and Williamson). Once TWDB identifies these areas, local entities must install, maintain, and operate sirens that meet TWDB standards, unless they already have sirens that comply. TWDB must also require regular testing of and backup power for the sirens. Cities would be responsible for sirens within their boundaries, while counties would handle those in unincorporated areas. Local governments could also jointly operate sirens. **Grant Program for Siren Funding Assistance** SB 3 establishes a grant program, funded by SB 5 (Huffman), which provides $50 million over two years to help local entities cover the costs of establishing and implementing outdoor warning sirens. The program would be administered by the Office of the Governor, which would set eligibility criteria, determine award amounts, and ensure compliance. The Governor may also delegate administration to another agency. The bill would take effect immediately if approved by a two-thirds vote in both houses. If it does not, it would take effect on the ninety-first day after the end of the legislative session. **Sirens are one Tool in the Toolbox** While sirens are used in the U.S. for tornadoes and tsunamis, they are far less common for floods. However, some communities in the Texas Hill Country — like New Braunfels, San Marcos, and Comfort — already have flood warning sirens. In this way, the bill builds on existing systems. Sirens, alone, however, are not a complete solution. They are often inaudible indoors, so cellphone alerts, social media notifications, and television and radio warnings remain crucial. Ideally, residents should receive multiple, redundant warnings to maximize safety.	

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			Education Funding Missing Sirens can save lives during floods, especially in rural areas with unreliable cell service, such as Flash Flood Alley. However, for warnings to be effective, people must not only receive them but also understand how to respond. Currently, the grant program does not address the crucial aspect of educating residents on how to react to the newly installed sirens. **Partial, Non-Guaranteed Funding** While SB 3 would allocate funding for grants, it may only partially cover costs for communities. At the same time, the state has been restricting local taxes and encouraging reduced local spending, leaving localities caught between the favor of legislators and the need to protect against extreme weather. If the state continues to limit property taxes, making it harder for communities to invest in disaster response systems, it should at least fully fund these counties to cover the costs. At the very least, the grant program should include a process to prioritize funding for counties that cannot afford these systems, taking into account limits on their taxing authority, including the impact of bills this session.	
Constitutional Amendments Calendar — House Joint Resolutions				
HJR 1 By: Shaheen	Proposing a constitutional amendment specifying the authority of the attorney general to prosecute a criminal offense prescribed by the election laws of this state.	State Affairs 8 Ayes 5 Nays 0 PNV 2 Absent	HJR 1 proposes a constitutional amendment granting the attorney general concurrent jurisdiction with county and district attorneys in the criminal prosecution of election law violations. This constitutional amendment is necessary for HB 12, 89(2), to take effect. Ultimately, these bills represent a sweeping shift in prosecutorial authority, concentrating power in the Texas Attorney General's office under the guise of addressing the nonexistent problem of voter fraud, while eroding the independence of democratically elected local prosecutors.	**Unfavorable**
General State Calendar — Senate Bills				
SB 11 Sponsor: Cook By:	Relating to an affirmative defense to prosecution for certain victims of trafficking of persons or	Criminal Jurisprudence 7 Ayes 0 Nays 0 PNV	SB 11 — the updated version of vetoed SB 1278 (89R) — provides a critical and necessary legal defense for human trafficking survivors who are often unjustly prosecuted for crimes they were forced to commit by those who abused them. **Currently, there is a legal gap in Texas law that fails to adequately protect victims of human trafficking who are coerced into committing crimes.** Under existing law, the "duress" statute requires a threat of immediate risk of death or serious bodily injury. This is insufficient for the unique and complex realities of human trafficking, where	**Favorable**

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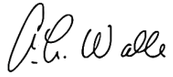
Parker	compelling prostitution.	4 Absent	coercion is often prolonged, psychological, and not always an immediate physical threat. As a result, many survivors are prosecuted and convicted for crimes they were compelled to commit, such as financial fraud, theft, or drug-related offenses. This criminal record can severely hinder a survivor's ability to rebuild their life, find employment, or secure housing, further perpetuating a cycle of victimization. **SB 11 creates a new affirmative defense for victims of human trafficking or compelling prostitution.** An affirmative defense is a legal argument where a defendant admits to the act but provides evidence for why they should not be held legally responsible. The bill allows a victim to present evidence that their criminal conduct was a direct result of being coerced by the trafficker. The bill also clarifies that the trafficker does not need to be charged or convicted for the victim to use this defense. **SB 11 is a revised version of the previously vetoed SB 1278 89(R), which tightens the language to address the Governor's concerns about its scope.** The bill now requires the defendant to prove that, as a victim of trafficking of persons or compelling prostitution, the alleged offense occurred as a "direct result" of the force, fraud, or coercion. The defendant does not have to prove that the trafficker was charged or convicted of trafficking of persons or compelling prostitution. Additionally, SB 11 explicitly excludes offenses listed under article 42A.054(a) in the Code of Criminal Procedure (known as 3G offenses), unless the defendant is charged only as a party to the offense. 3G offences include serious felonies such as murder, kidnapping, and sexual assault. The traditional affirmative defense of duress is still available to defendants charged with a 3G offense. **The bill recognizes the complex nature of human trafficking and provides a much-needed legal tool for victims to seek justice and avoid further victimization through the criminal justice system.** While the exclusion of serious crimes addresses previous concerns, it's important to note that some human trafficking victims may have committed these offenses in self-defense. This carve-out could potentially leave those victims without this specific defense. However, the traditional duress affirmative defense is still available to them. SB 11 represents a vital and overdue legal reform that addresses a significant gap in Texas law, offering a path to justice for human trafficking survivors.	
SB 16	Relating to real property theft and	Criminal Jurisprudence	SB 16 is the updated version of vetoed SB 648 (89R), a comprehensive bill that aims to tackle the growing problem of deed fraud in Texas by creating new criminal offenses, strengthening recording requirements, and establishing clear	**Favorable**

Sponsor: Dyson By: West	real property fraud; establishing recording requirements for certain documents concerning real property; creating the criminal offenses of real property theft and real property fraud and establishing a statute of limitations, restitution, and certain procedures with respect to those offenses.	7 Ayes 0 Nays 0 PNV 4 Absent	paths for restitution. This bill builds upon past efforts by incorporating additional feedback from stakeholders, integrating key changes, and addressing the concerns that led to its veto. Texas is experiencing a rise in deed fraud, also known as home title fraud or title theft. This crime occurs when individuals illegally attempt to transfer property titles without the owner's knowledge, often by forging signatures to sell a property or borrow against it. When individuals attempt to commit deed fraud or title theft, they often create very convincing fake conveyance documents. While existing laws can prosecute these crimes, they aren't specifically designed to address the complex nature of deed fraud, which makes it difficult to secure convictions and restitution for victims. SB 16 addresses the problem of deed fraud by combining and improving upon two previously failed bills in the regular session (SB 648 and SB 2611). It makes the following key changes to current law: • New Criminal Offenses — It creates two specific criminal offenses: Real Property Theft and Real Property Fraud. This provides law enforcement and prosecutors with clear legal definitions and frameworks to pursue these specific crimes. The severity of the felony offenses is based on the value of the property, with increased penalties if the victim is elderly, disabled, or if the property is a homestead. • Restitution — It establishes a clear mechanism for restitution, requiring convicted individuals to pay the victim for the property's value, associated losses, and legal fees. • Enhanced Recording Requirements — It mandates that individuals filing documents in person must provide a photo ID to the county clerk. This information can be used by law enforcement if the document is later alleged to be fraudulent. • Statute of Limitations — It establishes a 10-year statute of limitations for prosecuting these new felony offenses, giving victims and law enforcement ample time to discover and act on the crime. SB 16 is a part of a package of 3 bills that have already passed during the 89th regular session: • SB 647 (89R) strengthens the ability of county clerks to prevent fraudulent filings. It allows a clerk to require additional documentation to support a filing and to send written notices to all parties involved, including the property owner, when a lien or claim is filed against a property. It also protects clerks from liability for rejecting a suspicious filing. • SB 1734 (89R) provides a "self-help" remedy for victims of deed fraud and title theft by creating statutory forms that individuals can use to clear their property title in cases where fraudulent filings have occurred. This process requires either a criminal conviction for the fraud or an affidavit from the property owner.	



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			• SB 693 (89R) addresses notary fraud. It makes it a crime for a notary to notarize a document without the person physically present. The bill also provides an affirmative defense for notaries who unknowingly notarize a document with a fraudulent ID, and it increases continuing education and record retention requirements for notaries. SB 16 is a well-crafted solution that effectively addresses the problem of deed fraud by providing a powerful tool against the crime without placing unreasonable burdens on Texans.	
SB 14 Sponsor: Bell, Cecil By: Perry	Relating to the provision by a political subdivision of credits against impact fees to builders and developers for certain water conservation and reuse projects.	Intergovernmental Affairs 9 Ayes 1 Nays 0 PNV 1 Absent	SB 14 was originally SB 1253 (Perry) during the regular session, which passed but was vetoed by the Governor after 3rd-reading amendments tied it to a local issue involving the Hays Trinity Groundwater Conservation District. SB 14 is essentially the same version of the bill without those amendments. The only change is the effective date, which is moved from September 1, 2025, to January 1, 2026. SB 14 would require political subdivisions to provide credits toward any water and wastewater impact fees assessed by developers if they install innovative systems that result in water reuse, conservation, or savings. The LSG was Favorable with Concerns because reduced impact fee collections could be shifted onto taxpayers in the form of higher taxes. However, incentivizing water conservation in new developments may be worth it in the long run because any water saved will cost less than producing new supplies.	**Favorable with Concerns**

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